

# Proposed Text Amendment for the Industrial and Commercial Districts

Underlining = New Language

~~Strikeout~~ = Deleted Language

## CHAPTER 158: ZONING REGULATIONS

### GENERAL PROVISIONS

#### 158.002 DEFINITIONS

**ARTISIAN MANUFACTURING AND PRODUCTION.** The manufacture and production of commercial goods by a manual worker or craftsman, including but not limited to jewelry, metalwork, cabinetry, stained glass, textiles, ceramics, or hand-made food products. Artisan Manufacturing and Production does not include any activity that causes noise, odor, or vibration to be detectable on a neighboring property.

**BULK REQUIREMENTS.** The minimum dimensions relating to the size or volume of structures or uses, including lot area, lot width, height, and yard requirements.

**BUSINESS PARK.** Two or more uses, as those uses are delineated and as regulated in the underlying zoning district on one or more lots or parcels, designed as a unit with a common development scheme, with special attention given to aesthetic considerations, lighting, landscaping, and open space, and primarily served by common accessories or amenities such as signs, parking, arcades, and walkways. A self-contained development area of primarily business uses that is cohesive, with a common development scheme, and generally developed as a stand-alone entity.

**BUTCHER SHOP.** A shop in which meat, poultry, and/or fish are processed and sold to the general public.

**CATERING ESTABLISHMENT/BANQUET FACILITY.** An establishment which is rented by individuals or groups to accommodate private functions including, but not limited to, banquets, weddings, anniversaries and other similar celebrations, and may also include on-site kitchen facilities. Food prepared on the premises may be delivered to another location for consumption.

**COMMERCIAL PARKING LOT OR GARAGE.** A lot or portion thereof, other than an automobile sales lot, held out or used for the storage or parking of motor vehicles for consideration, but not including service or repair facilities, vehicles sales, or storage of dismantled or wrecked motor vehicles, parts thereof, junk, or storage of recreational or commercial vehicles which is

used for the storage of motor vehicles, which is not accessory to any other use on the same or any other lot, and which contains parking space rented to the general public or reserved for individuals by the hour, day, week, month, or year.

**CONCRETE OR ASPHALT RECYCLING.** An area in which concrete or asphalt is collected and processed through grinding or crushing in preparation for reuse as base material.

**CONFERENCE CENTER.** A facility for conducting meetings, discussions, and conferences. A **CONFERENCE CENTER** may include meeting rooms, auditoriums, cafeterias, dining rooms, and supporting services designed to accommodate planned meetings, and may be accessory to a hotel or motel.

**DISTRIBUTION FACILITY.** A facility to or from which a wholesaler or retailer ships merchandise, materials, or supplies for storage or distribution by that wholesaler or retailer to the sales outlets or service operations that it supports. The term **DISTRIBUTION FACILITY** may also include a facility that is exclusively devoted to the receiving, sorting, sending, and delivery of letters, parcels, and other postal express matter.

**GENERAL RETAIL USE.** A commercial facility for the sale of commodities or goods directly to ultimate consumers.

**GENERAL SERVICE USE.** A commercial facility directly administering to the needs of persons, households, or businesses, including but not limited to such establishments as barber shop, beauty parlor, spa, pet grooming, shoe repair, tailoring, laundry and dry-cleaning, watch repair, bank or other financial institution, appliance or furniture repair, photographic studio, but excludes the manufacturing or fabrication of goods for wholesale distribution.

**GOLF COURSE.** An area of land laid out for playing golf with a series of holes, each including a tee, fairway, and putting green, and often one or more natural or artificial hazards.

**HEAVY MANUFACTURING AND PRODUCTION.** A location used for the processing, manufacturing, or compounding of materials or products primarily from raw materials, which may include the storage of flammable or toxic matter, and may include outdoor operations as part of the manufacturing process. The products may be intermediaries for use by other industries, and the manufacturing usually has a greater environmental impact than **LIGHT MANUFACTURING AND PRODUCTION**, including water, air, and light pollution, noise, or odor.

**INDOOR RECREATIONAL FACILITY.** A commercially operated indoor recreation or entertainment facility including, but not limited to, amusement arcade, bowling alley, billiard parlor, ice or roller skating rink, swimming pool, miniature golf, tennis or racquetball court,

health or fitness club or gym, paintball, gymnastics, or game center. An Indoor Recreational Facility may include space for teaching of the recreational activity.

**INDUSTRIAL PARK.** A self-contained development area of primarily industrial uses that is cohesive, with a common development scheme, and generally developed as a stand-alone entity.

**LANDSCAPING CONTRACTOR.** A person or entity that provides landscaping services and installation of hardscape such as retaining walls, patios, installation of trees and shrubbery, minor grading and excavating, home improvement or similar activities.

**LIGHT MANUFACTURING AND PRODUCTION.** A location used for the manufacturing of relatively small finished products or parts (not typically associated with **HEAVY MANUFACTURING AND PRODUCTION**), including processing, fabrication, compounding, assembly, treatment, and packaging of such products or parts. This use may include the incidental storage, sales, and distribution of products or parts. This use may include the manufacturing, compounding, assembling or treatment of articles or merchandise from previously prepared materials.

**MEDICAL CLINIC.** A medical or dental clinic building occupied by medical practitioners and dispensing health services.

**MINI-STORAGE.** A structure containing multiple, separate, self-contained storage units, that are leased or rented on an individual or collective basis.

**OIL-CONTAMINATED SOIL FACILITY.** A facility that receives oil-contaminated soil for treatment and storage; may include reuse and recycling of soils.

**OUTDOOR RECREATIONAL AREA.** A commercially operated outdoor recreation or entertainment facility, including but not limited to miniature golf course, skating rink, ball field, swimming pool, tennis court, paintball center, golf driving, or batting range.

**PLANNED BUSINESS COMMERCIAL CENTER (PBCC).** Three or more retail stores, or service establishments, medical facilities, or other commercial uses designed as a unit and primarily served by common accessories such as signs, parking lots, arcades, and walkways.

**RETREAT FACILITY or CONFERENCE CENTER.** A facility site used for professional, educational, or religious conclaves, meetings, conferences, or seminars and which may provide meals, housing, and recreation for participants during the period of the retreat or program only. Such centers may not be utilized by the general public for meals or overnight accommodations. Housing for participants may be in lodges, dormitories, sleeping cabins (with or without baths), or in such

other temporary quarters as may be approved by the BZA, but kitchen and dining facilities shall be located in a single centrally located building or buildings.

**SELF- SERVICE STORAGE FACILITY.** A building or group of buildings divided into multiple, separate, self-contained compartments used to meet the temporary storage needs , but not warehousing, of residents and small businesses, and may include climate controlled facilities. No commercial transactions are permitted other than the rental of storage units.

**SMALL-SCALE BREWERY.** An establishment for the production and packaging of beer for distribution, retail, or wholesale, on or off premise, with a capacity of not more than 22,500 barrels per year. The facility may include on-site consumption.

**SMALL-SCALE DISTILLERY.** An establishment for the production and packaging of spirits for distribution, retail, or wholesale, on or off premise, with a capacity of not more than 100,000 gallons per year. The facility may include on-site consumption.

**VETERINARY FACILITY.** An establishment maintained by a licensed veterinarian for the care, observation, and medical or surgical treatment of animals. Any boarding of animals may only be during their convalescence and incidental to facility use.

**WAREHOUSE.** A building or part of a building used or intended to be used primarily for the storage of goods ~~or chattels~~ that are to be sold at retail or wholesale from other premises or sold wholesale from the same premises; for the storage of goods ~~or chattels~~ to be shipped on mail order or internet sales; for the storage of equipment or materials to be used or installed at other premises by the owner or operator of the warehouse; or for similar storage purposes. The term **WAREHOUSE** does not include a retail establishment whose primary purpose is for the sale of goods ~~or chattels~~ stored on the premises; however, nothing in this definition is meant to exclude purely incidental retail sales in **WAREHOUSES**. Further, the term does not include a trucking facility, at which any storage is minor, transitory, and merely incidental to the purpose of facilitating transportation of goods ~~or chattels~~, or SELF SERVICE STORAGE FACILITIES.

**WHOLESALE.** The sale of commodities or goods, usually in large quantities, to distributors or retail outlets for resale to ultimate consumers.

### ***DISTRICTS ESTABLISHED; MAPS AND BOUNDARIES***

158.015 DISTRICTS ESTABLISHED.

For the purpose of these regulations, the unincorporated area of the county is hereby divided into districts as follows:

Abbreviation	District
"A"	Agricultural District
<u>"C-1"</u>	<u>Commercial Low Intensity District</u>
<u>"C-2"</u>	<u>Commercial Medium Intensity District</u>
<u>"C-3"</u>	<u>Commercial High Intensity District</u>
"C"	Conservation District
<del>"B-G"</del>	<del>General Business District</del>
<del>"B-NR"</del>	<del>Neighborhood Retail Business District</del>
"EC"	Employment Campus District
"H"	Heritage Zoning District
"HDO"	Historic District Overlay
<del>"I-G2"</del>	<del>General Heavy Industrial District</del>
<del>"I-R1"</del>	<del>Restricted Light Industrial District</del>
"MHP"	Mobile Home Park District
"MRO"	Mineral Resource Overlay District
R-40,000	Residence District
R-20,000	Residence, Suburban District
R-10,000	Residence, Urban District
R-7,500	Residence, Multi-Family District

## GENERAL REGULATIONS

### 158.039 UTILITY EQUIPMENT AND TOWERS.

#### (C) Communications towers.

(3) Communications towers and tower complexes are permitted as a principal permitted use in ~~all Industrial Districts and all Business~~ the C-2 and C-3 Districts, and as a conditional use in the C-1 Districts subject to the conditions and exceptions noted hereafter, imposed elsewhere in this subsection, imposed elsewhere in this chapter, imposed elsewhere by law, and subject to the following:

(4) Communications towers and tower complexes are permitted ~~as a conditional use~~ in the Industrial Districts subject to the conditions and exceptions noted hereafter, imposed elsewhere in this division (C), imposed elsewhere in this chapter, imposed elsewhere by law, and subject to the following:

#### (E) Conveyor systems.

(1) Conveyor systems shall be a principal permitted use in "~~I-G2~~" and "~~I-R1~~" Industrial Zoning Districts and "A" District and shall be a conditional use in all other zoning districts, except for Residential Districts. In considering an application for a conditional use, and in considering site plan approval, the BZA and Planning Commission shall consider whether the proposed conveyor system is more beneficial to the community at large than alternative systems for the transportation of materials, for example, railroad, or truck transportation. In comparing the proposed conveyor system to alternative transportation systems, the BZA and Planning Commission may consider the following factors:

### 158.040 DISTANCE REQUIREMENTS.

(A) Any uses or buildings subject to compliance with this section shall be located at least 200 feet from:

(1) Any lot in an Residence District;

(2) Any lot of less than three acres in the Agricultural District which is;

- a) occupied by a dwelling not located on the same lot as the said use or buildings,
- b) for which a residential lot has been recorded, or
- c) for which a construction permit for a dwelling has been issued; ~~occupied or intended to be occupied by a dwelling not located on the same lot as the said use or buildings;~~

(3) Any lot occupied by a school, religious establishment, or institution for human care;  
or

(4) ~~The curtilage area within a lot of three or more acres improved by a dwelling.~~ On adjoining lots of three acres or more, a minimum separation distance of 300 feet from dwellings shall be required.

(B) The following uses shall be subject to two times the distance requirement in subsection (A), above:

- (1) Coal yard;
- (2) Cooperage works;
- (3) Crematory;
- (4) Electric generating power plant;
- (5) Facility for the dispensing of medical cannabis;
- (6) Flour and grain milling;
- (7) Heavy manufacturing;
- (8) Indoor contractors' equipment and storage yard;
- (9) Indoor growing of medical cannabis;
- (10) Indoor processing of medical cannabis; and
- (11) Structural steel fabricating.

(C) The following uses in the industrial districts shall be subject to three times the distance requirement in subsection (A), above:

- (1) Above ground petroleum products storage;
- (2) Bituminous concrete mixing plant;
- (3) Commercial sawmill;
- (4) Concrete and ceramic products manufacture;
- (5) Concrete or asphalt recycling;
- (6) Incinerator;
- (7) Oil- contaminated soil facility;
- (8) Outdoor contractors' equipment and storage yard;
- (9) Sanitary landfill; and
- (10) Truck or motor vehicle freight terminal.

(D) The following uses shall be subject to four times the distance requirement in subsection (A), above, and shall be located not less than 1,000 feet from any Residence District:

- (1) Acid or heavy chemical manufacturing;
- (2) Airport;

- (3) Blast furnace, boiler works, foundry;
- (4) Cement, lime, gypsum manufacturing;
- (5) Distillation of bones, fat rendering, grease, lard or tallow manufacturing;
- (6) Explosive manufacture or storage;
- (7) Fertilizer, potash, insecticide, glue, size, or gelatin manufacture;
- (8) Junk, salvage, and recycling yard;
- (9) Outdoor trap, skeet, rifle, or archery ranges, including gun clubs;
- (10) Petroleum products refining; and
- (11) Slaughterhouse.

~~(B) The distance requirements herein shall not be applicable where lands not governed by this chapter are classified or reclassified to a zoning classification which permits, or conditionally permits, residential uses, schools, religious establishments, and/or institutions for human care, provided that such classification or reclassification occurs subsequent to the establishment of the county's zoning district in effect at the time of such classification or reclassification.~~

## ***DISTRICTS***

### 158.077 "B-NR" NEIGHBORHOOD RETAIL BUSINESS DISTRICT. "C-1" COMMERCIAL LOW INTENSITY DISTRICT

~~(A) Purpose and Intent. The purpose of the "B-NR" District is to provide for logical locations where the retail services needed by a neighborhood population can be made available. The areas are in communities and at locations of expected population concentrations which might be termed a neighborhood or small community. The purpose of the C-1 District is to provide locations for small-scale, low-intensity, retail and service commercial uses which are intended to provide goods and services primarily serving the residents of the surrounding neighborhoods with a minimum of consumer travel and convenient auto access. Uses are characterized by low volumes of traffic and generally not with expanded hours of operation. Regulations in the C-1 District are intended to ensure that uses are consistent with a pedestrian friendly and neighborhood scale, are well connected to and compatible with surrounding areas, and do not attract significant traffic from outside the surrounding neighborhoods. Uses allowed in the C-1 District include but are not limited to retail sales and services, personal services, medical facilities, eating establishments, recreation and entertainment, and small professional office uses.~~

(B) Applicability. The following regulations and applicable regulations contained in other sections shall apply in the "~~B-NR~~C-1" District.

~~(C) Principal permitted uses. Principal permitted uses shall be as follows:~~



- ~~— (1) Local retail business or service shops, including:~~
- ~~— (a) Alcoholic beverage package stores;~~
- ~~— (b) Antique shops;~~
- ~~— (c) Appliance stores;~~
- ~~— (d) Automobile accessory;~~
- ~~— (e) Bakery shops;~~
- ~~— (f) Banks, savings and loan institutions;~~
- ~~— (g) Beauty shops and barbershops;~~
- ~~— (h) Candy stores;~~
- ~~— (i) Clothing stores;~~
- ~~— (j) Convenience stores;~~
- ~~— (k) Dress or millinery shops;~~
- ~~— (l) Drugstores;~~
- ~~— (m) Dry goods or variety stores;~~
- ~~— (n) Florist or garden shops;~~
- ~~— (o) Food and grocery stores;~~
- ~~— (p) Fruit or vegetable stores;~~
- ~~— (q) Fuel stations;~~
- ~~— (r) Furniture and upholstering stores;~~
- ~~— (s) Gift or jewelry shops;~~
- ~~— (t) Hardware stores;~~
- ~~— (u) Laundromats;~~
- ~~— (v) Laundry or dry cleaning establishments and pickup stations;~~
- ~~— (w) Meat markets;~~

- ~~—(x) Office supply stores;~~
- ~~—(y) Pet shops;~~
- ~~—(z) Photographic studios;~~
- ~~—(aa) Produce stands;~~
- ~~—(bb) Radio and television studios or repair shops;~~
- ~~—(cc) Restaurants and lunch rooms;~~
- ~~—(dd) Shoe repair shops;~~
- ~~—(ee) Specialty shops;~~
- ~~—(ff) Sporting goods or hobby shops;~~
- ~~—(gg) Tailor establishments;~~
- ~~—(hh) Taverns; and~~
- ~~—(ii) Taxi stands.~~
- ~~—(2) Commercial parking lots;~~
- ~~—(3) Funeral establishments;~~
- ~~—(4) Offices and clinics, professional and business, including animal hospitals or veterinary clinics without runways;~~
- ~~—(5) PBC, subject to the provisions of § 155.094;~~
- ~~—(6) Retirement homes, nursing homes, continuing care retirement communities and assisted living facilities, or boarding homes;~~
- ~~—(7) Schools, art, trade, business, or nursery and day care centers;~~
- ~~—(8) Social clubs, fraternal organizations, and community meeting halls;~~
- ~~—(9) Department stores, as part of a PBC;~~
- ~~—(10) Any use or structure, except mineral resource recovery operations, which is permitted and regulated as a principal permitted use in an “A”, R 20,000, or R 10,000 District, except as may hereinafter be modified; and~~

~~—(11) Amusement arcades, provided that they cause no disturbance to adjacent residents and properties. The Zoning Administrator shall revoke the Zoning Certificate of any amusement arcade which is causing a disturbance to adjacent residents and properties. Any decision of the Zoning Administrator may be appealed to the BZA. Upon appeal, the BZA shall have the authority to affirm, reverse, or establish conditions for the continued operation of the arcade. Every amusement arcade shall obtain a Zoning Certificate therefor, and the Zoning Certificate shall state on its face that it is revocable as provided herein.~~

~~(D) Conditional uses requiring BZA authorization. Conditional uses requiring BZA authorization shall be as follows:~~

~~—(1) Any conditional use permitted and as regulated in the “A” District, except mobile homes, mobile home parks, race tracks or courses for the conduct of races, meets, contests, shows, or similar activities of automobiles, motorcycles, etc.; or manufacture of mulch; or as modified in division (C) above;~~

~~—(2) Custom carpentry and woodworking shops;~~

~~—(3) Custom printing shops;~~

~~—(4) Custom sign painting shops;~~

~~—(5) Sheet metal and light metal working shops; and~~

~~—(6) Automobile service centers, but not including vehicle sales lots, vehicle repair shops, or motorcycle shops.~~

~~(E) Accessory uses. Accessory uses shall be as follows: uses and structures customarily accessory and incidental to any permitted principal use or authorized conditional use. The above or below ground storage of not greater than 2,000 gallons, in aggregate capacity of petroleum products which is not sold at retail or wholesale, and subject to Chapter 170 of the Carroll County Code and all applicable MDE and NFPA regulations, shall be considered an accessory use. Commercial establishments providing petroleum for retail sale shall be regulated in the same manner as a principal use.~~

~~(F)(C) Required conditions. Site plan review requirements shall be as provided by § 155.059.~~

~~—(1) All business, services, or processing shall be conducted wholly within a completely enclosed building, except for:~~

~~—(a) Sale of automotive fuel, lubricants, and fluids at fuel stations;~~

~~—(b) Off street automobile parking and loading areas;~~

~~—— (c) Public utility uses;~~

~~—— (d) Garden shops; and~~

~~—— (e) Outdoor restaurant seating, which shall include but not be limited to restaurants, fast food and carry out establishments, cafes, bistros, bars, pubs, coffeehouses, eateries, or similar establishments that serve food or beverages as determined by the Zoning Administrator.~~

~~—— (2) Goods shall consist primarily of new or reconditioned merchandise or of bona fide antiques.~~

~~—— (3) Process and equipment employed and goods processed or sold shall be limited to those which are not objectionable by reasons of odor, dust, smoke, cinders, gas, fumes, noise, vibration, refuse matter, or water-carried waste.~~

~~(G) Height regulations. No structure shall exceed three stories or 40 feet, except as provided in § 158.130(E).~~

~~(H) Bulk requirements.~~

~~—— (1) Minimum requirements. The following minimum requirements shall be observed, subject to the modified requirements in § 158.130:~~

Use	Lot Area	Lot Width (feet)	Lot Area per Family (sq. ft.)	Front Yard Depth (feet)	Side Yard (Width Each Side Yard) (feet)	Rear Yard Depth (feet)
Dwellings	(Same as in R-10,000 District)	None	Principal permitted or conditional uses	40	10±	None <sup>±</sup>
Nonresidential						
PBC	Subject to § <a href="#">155.094</a>					
Retirement homes, nursing homes, continuing care retirement communities, assisted living facilities, and	Same as in R-20,000 District					

boarding homes	
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<sup>±</sup> Where adjoining any Residence District, not less than 25 feet.

~~—(2) Maximum size of use.~~

~~(a) Notwithstanding any other applicable regulation, no individual principal permitted use or conditional use may exceed 10,000 square feet gross floor area.~~

~~(b) No variances of the maximum size of use may be granted.~~

~~(c) This provision shall not apply to a PBC provided no individual use within the center exceeds 10,000 square feet gross floor area.~~

~~(d) For fuel stations, the gross floor area shall include any building or structure on the site and the area surrounding the gas pumps. The area surrounding the gas pumps shall be calculated as the area below any canopy over the gas pumps.~~

#### 158.078 ~~“B-G” GENERAL BUSINESS DISTRICT~~ “C-2” COMMERCIAL MEDIUM INTENSITY DISTRICT

~~(A) Purpose and Intent. The purpose of the “B-G” District is to provide logical locations of all businesses of a more general nature than might be expected to be found in a neighborhood. The businesses proposed include retail, wholesale, and some light processing operations. The purpose of the C-2 District is to provide locations for a diverse range of medium-intensity retail, service and professional office uses needed by a larger population than those provided for in the C-1 District. This district is also intended to provide locations for compatible institutional and recreational uses, limited residential uses, and some of the general neighborhood uses associated with the C-1 District. Bicycle and pedestrian access is encouraged where possible to ensure compatibility with nearby neighborhoods. Uses are characterized by low to medium volumes of traffic.~~

~~(B) Applicability. The following regulations and applicable regulations contained in other articles shall apply in the “B-G-C-2” District.~~

~~(C) **Principal permitted uses.** Principal permitted uses shall be as follows:~~

~~—(1) Retail trades, businesses and services of a general commercial nature, including the following:~~

~~(a) Amusement parks;~~

~~(b) Animal hospitals or veterinary clinics without runways;~~

- ~~(c) Automobile, motorcycle, trailer, or implement sales and service establishments;~~
  - ~~(d) Bottling of soft drinks or milk or distribution stations;~~
  - ~~(e) Bowling alley;~~
  - ~~(f) Carpentry or woodworking shops;~~
  - ~~(g) Department stores;~~
  - ~~(h) Drive-in eating and drinking establishments;~~
  - ~~(i) Golf driving ranges;~~
  - ~~(j) Hotels and apartment hotels, including motels;~~
  - ~~(k) Manufacture and assembly of electrical appliances, electronics, and communication equipment, professional, scientific, and controlling instruments, and photographic or optical products, conducted entirely within an enclosed building;~~
  - ~~(l) Newspaper publishing establishments;~~
  - ~~(m) Printing shops;~~
  - ~~(n) Schools, business, dancing, music, trade, or others of a commercial nature;~~
  - ~~(o) Sheet metal and light metal working shop;~~
  - ~~(p) Sign painting shop;~~
  - ~~(q) Skating rink;~~
  - ~~(r) Swimming pools;~~
  - ~~(s) Telephone central office or service center;~~
  - ~~(t) Tourist homes;~~
  - ~~(u) Truck or motor freight terminals or warehouses;~~
  - ~~(v) Vehicle repair shops and vehicle sales lot; and~~
  - ~~(w) Wholesale business, warehousing, or service establishments, except as first allowed in an "I R" or "I G" District.~~
- ~~—(2) Planned business centers, subject to the provisions of § [155.094](#);~~

~~—(3) Any use or structure permitted and as regulated as a principal permitted use in an “A”, R-20,000, R-10,000, R-7,500, or “B-NR” District;~~

~~—(4) Mini storage, when subject to the following conditions:~~

~~(a) Maximum storage unit height shall be 15 feet.~~

~~(b) Maximum area of each individual storage unit shall be 500 square feet.~~

~~(c) The front building facade shall be designed, constructed, and maintained to be visually compatible with the neighborhood and surrounding properties so as not adversely to affect property values.~~

~~(d) Parking shall be provided on site at a ratio of one space for each ten storage units, with a minimum of six spaces provided.~~

~~(e) A business office shall be located on site, and the required parking spaces shall be located adjacent to the business office. Required parking may not be rented, used for storage of vehicles, or other storage.~~

~~(f) Areas providing access between storage units and areas designed for two-way vehicular traffic shall be 20 feet wide. One-way vehicular traffic aisles with units on one side may be 15 feet wide. Access aisles and storage units shall be designed and located to provide maneuvering space for emergency vehicles.~~

~~(g) All outdoor lighting must be shielded and focused to direct light onto the premises and away from adjoining properties. Lights may not be more than ten feet above ground level.~~

~~(h) Fences or walls for security or barrier purposes shall be located on site at least ten feet from adjacent property lines.~~

~~(i) All structures, storage units, commercial parking areas, aisles, security fences, or walls, except the front building facade, shall be screened from view off site.~~

~~(j) Outside storage of vehicles is prohibited unless the use of the site has been approved as a commercial parking lot.~~

~~(k) The site shall not be used for any activity or use except storage as specified herein.~~

~~(l) Flammable, toxic, or explosive materials or hazardous chemicals shall not be stored on site; provided, however, that fuel contained in standard fuel tanks of boats or vehicles which are themselves stored on site is allowed. Standard fuel tanks for purposes of this section are those tanks which were designed for the specific vehicle by the manufacturer of the vehicle.~~

~~(m) Signs shall be permitted in compliance with §§ [158.110](#) through [158.115](#), except that temporary signs, signs that relate to off-premises uses, or signs which exceed 50 square feet in area are prohibited.~~

~~(n) Landscaping shall be provided in accordance with [Chapter 157](#).~~

~~(D) Conditional uses requiring BZA authorization. Conditional uses requiring BZA authorization shall be as follows:~~

- ~~—(1) Building material sales and storage yards;~~
- ~~—(2) Feed and grain sales, milling, and/or storage;~~
- ~~—(3) Outdoor drive-in theaters;~~
- ~~—(4) Animal hospitals, veterinary clinics, kennels with runways; and~~
- ~~—(5) Any conditional use permitted and as regulated in the B-NR District, except as modified in § [158.078\(C\)](#).~~

~~(E) Accessory uses. Accessory uses shall be as follows: uses and structures customarily accessory and incidental to any principal permitted use or authorized conditional use, including business signs pertaining to "use on the premises", provided that such signs are located as regulated in § [158.115](#), and the above or below ground storage of not greater than 2,000 gallons, in aggregate capacity of petroleum products which is not sold at retail or wholesale, and subject to all applicable MDE and NFPA regulations. Commercial establishments providing petroleum for retail sale shall be regulated in the same manner as a principal use.~~

~~(F) Height regulations. No structure shall exceed 50 feet in height, except as provided in § [158.130\(E\)](#).~~

~~(G) Bulk requirements. The following minimum requirements shall be observed, subject to the modified requirements in § [158.133](#):~~

Use	Lot Area	Lot Width (feet)	Front Yard Depth (feet)	No. of Stories <sup>1</sup>	Side Yard (With Each Side Yard (feet))



Dwellings or residential parts of nonresidential buildings	Same as R 7,500 District				
Hotels	20,000 sq. ft. minimum (500 sq. ft. per bedroom)	100	40	<del>1-1-1/2</del>	<del>15</del>
				<del>2-2-1/2</del>	<del>18</del>
				3	20
Motels	1/2 acre (1,000 sq. ft. per bedroom)	100	40	<del>1-2-1/2</del>	<del>15</del>
Nonresidential buildings	None	None	40	1	10 <sup>2</sup>
PBC	Subject to § <a href="#">155.094</a>				
<sup>1</sup> <del>Subject to the requirements of § <a href="#">158.078(F)</a>.</del>					
<sup>2</sup> <del>Except adjoining any Residence District, in which case not less than 15 feet.</del>					

(HC) Required conditions. ~~The required conditions~~ Site plan review requirements shall be ~~the same~~ as provided by § 155.059.

158.078.01 "C-3" COMMERCIAL HIGH INTENSITY DISTRICT.

(A) Purpose and Intent. The purpose of the C-3 District is to provide locations for high-intensity, large-scale retail businesses and destinations of a regional nature, planned business parks, clusters of commercial development, wholesale businesses, offices, and certain light processing operations. This district is also intended to provide locations for compatible institutional and recreational uses, limited residential uses, and some of the medium-intensity uses associated with the C-2 District. Uses in this district should be located in proximity to transportation infrastructure and major corridors, and are characterized by medium to high volumes of traffic. Developments in the C-3 District should, where possible and appropriate, facilitate pedestrian circulation. Generally, longer hours of operation are to be expected.

B) Applicability. The following regulations and applicable regulations contained in other sections shall be permitted in the C-3 District.

(C) Required conditions. Site plan review requirements shall be as provided by § 155.059.

158.079 “I-R1” RESTRICTED LIGHT INDUSTRIAL DISTRICT.

(A) Purpose and Intent. The purpose of the “I-R” District is to provide locations for some of the lighter manufacturing processes and which may not be as extensive as those provided in the I-G2 District. For the most part, the manufacturing is composed of processing or assembly of previously processed materials. It is not the purpose of this district to promote or encourage the use of land within the district for retail services or PBCs normally expected to be located within the established business district; however, it is anticipated that there may be areas or locations where retail services or PBCs can be reasonably and logically considered due to their relationship with other uses existing within the district, as well as their relationship with the district boundary line or the configuration of the property and the relative scale of the project. The purpose of the I-1 District is to provide locations and guidance for certain types of nonagricultural, nonresidential, and generally nonretail commercial activities characterized by light manufacturing, assembling, fabricating, warehousing, and wholesale distribution which may not be as extensive as those provided for in the I-2 District, and which, with proper landscaping, separation, setback, and buffering, will not significantly detract from adjoining residential or commercial properties. Typically, this district would accommodate light manufacturing which is characterized by the utilization of partially processed materials which are used to produce relatively small and/or light consumer goods. The end products are generally more consumer than business-oriented, have processes that generate less environmental impacts, and are usually easier to transport than those of a heavy manufacturing process. It is intended that such districts be located with access to major thoroughfares or other major modes of transportation, depending upon the specific demands of the industry being served. Industrial Parks are encouraged in this district to provide for clustering of similar industrial uses with common access and infrastructure, as well as the provision of open spaces, stormwater management, and adequate buffering. It is not the purpose of this district to promote or encourage the use of land within this district for retail services, Planned Commercial Centers, or similar uses typically expected to be located within the established commercial districts. However, it is anticipated that there may be areas or locations where limited and specific retail services can be reasonably and logically considered under specific conditions within the district.

(B) Applicability. The following regulations and applicable regulations contained in other sections shall be permitted in the I-1R Restricted Light Industrial District.

~~(C) Principal permitted uses. Principal permitted uses shall be as follows:~~

~~(1) Uses of a light industrial nature including but not limited to the following, provided that such uses shall be subject to the distance requirements specified in § 158.040:~~

~~(a) Manufacture and assembly of electrical appliances, electronics, and communication equipment, professional, scientific, and controlling instruments, and photographic or optical products;~~

~~(b) Manufacturing, compounding, assembling, or treatment of articles or merchandise from previously prepared materials such as bone, cloth, fur, cork, fiber, canvas, leather, cellophane, paper, glass, plastics, horn, stone, shells, tobacco, wax, textiles, yarns, wood and metals, including light steel or other light meta~~

~~l, light metal mesh, pipe, rods, shapes, strips, wire, or similar component parts;~~

~~(c) Manufacturing, compounding, processing, packaging, or treatment of cosmetics, pharmaceuticals, and food products, except fish and meat products, sauerkraut, vinegar, yeast, and the rendering or refining of fats and oils;~~

~~(d) Manufacture of musical instruments, novelties, and molded rubber products, including tire manufacture, recapping, and treading;~~

~~(e) Manufacture of pottery or other similar ceramic products using only previously pulverized clay and kilns fired only by electricity or gas;~~

~~(f) Laboratories, chemical, physical, and biological;~~

~~(g) Clothing and shoe manufacture;~~

~~(h) Carpet and rug cleaning plants;~~

~~(i) Petroleum products storage underground;~~

~~(j) Blacksmith, welding, machine, or similar shops; and~~

~~(k) Heliports.~~

~~(2) The following business trades and services:~~

~~(a) Bottling of soft drinks or milk or distribution stations therefor;~~

~~(b) Carpentry or woodworking shops;~~

~~(c) Newspaper publishing establishments;~~

- ~~(d) Printing shops;~~
- ~~(e) Sheet metal shops;~~
- ~~(f) Sign painting shops;~~
- ~~(g) Truck or motor freight terminals or warehouses;~~
- ~~(h) Wholesale business;~~
- ~~(i) Warehousing or service establishments;~~
- ~~(j) Building materials sales and storage yards;~~
- ~~(k) Feed and grain sales;~~
- ~~(l) Milling and/or storage;~~
- ~~(m) Commercial parking lots;~~
- ~~(n) Trade schools;~~
- ~~(o) Professional training centers;~~
- ~~(p) Offices and office parks;~~
- ~~(q) Hotels and motels; and~~

~~(r) Business parks, subject to a minimum size of ten acres. Retail and commercial uses, which are delineated as accessory uses in division (E)(2) below or principal permitted uses in § 158.077(C)(1) and (C)(5), may be located on separate lots or parcels within a business park provided that:~~

~~1. The gross acreage of such uses does not exceed 15% or 15 acres, whichever is lesser, of the business park.~~

~~a. The area of the retail uses shall be computed as the building area containing the retail uses and the supporting parking lot area, but shall not include required yard setbacks and open space.~~

~~b. No variance of the 15% limitation may be granted.~~

~~2. The size of any individual retail or commercial use may not exceed a maximum of 6,000 square feet, except for day care centers and health clubs which may not~~

~~exceed a maximum of 12,000 square feet. The area of a canopy over gasoline pumps shall not be included in the size limitation for a convenience store with gasoline pumps;~~

~~3. The development of the retail or commercial space shall be phased in with the development of the industrial uses such that the ratio of retail or commercial space to industrial space which is constructed may not exceed 25% at any time until the business park is complete;~~

~~4. The business park shall be ineligible for additional accessory uses under § 158.079(E)(2);~~

~~5. The development of the business park with retail or commercial uses shall not constitute a substantial change in the neighborhood with respect to a petition to change the zoning of the property pursuant to § 158.134(C);~~

~~6. An average of four parking spaces per 1,000 square feet of building area shall be provided for the lots within a business park;~~

~~7. The following uses are prohibited in a business park:~~

- ~~a. Antique shops;~~
- ~~b. Automobile service center;~~
- ~~c. Day treatment or care facility;~~
- ~~d. Funeral establishments;~~
- ~~e. Kennels, commercial;~~
- ~~f. Nonprofit clubs and fraternal organizations;~~
- ~~g. Religious establishments;~~
- ~~h. Residential dwelling units;~~
- ~~i. Retail greenhouses;~~
- ~~j. Retirement homes;~~
- ~~k. Second hand or consignment shops;~~
- ~~l. Tattoo or body piercing shops; and~~
- ~~m. Vehicle repair shops.~~

~~8. Signage requirements are as follows.~~

~~a. A signage plan shall be submitted with the site plan.~~

~~b. One freestanding sign shall be allowed to identify the business park. This sign may not exceed 30 feet in height or 200 square feet per side, unless a variance is granted pursuant to § 158.130. This sign may include identification of the tenants or other entities within the business park.~~

~~c. If a PBC is located within a business park, then the PBC may have an additional freestanding sign in accordance with § 155.094(E).~~

~~d. All other buildings or lots within the business park may have signs in accordance with § 158.114.~~

~~(D) Conditional uses requiring BZA authorization. Conditional uses requiring BZA authorization shall be as follows:~~

~~(1) The following uses when the location of such use shall have been authorized by the BZA, provided that such use shall be subject to three times the distance requirements specified in § 158.040:~~

~~(a) Bituminous concrete (blacktop) mixing plants;~~

~~(b) Concrete and ceramic products manufacture, including ready mixed concrete plants;~~

~~(c) Contractors' equipment and storage yards;~~

~~(d) Facilities for the cleansing of petroleum contaminated soil;~~

~~(e) Petroleum products storage tanks above ground, any one of which has the capacity in excess of 2,000 gallons, provided that all state and federal laws, as well as National Fire Underwriters' codes, are complied with;~~

~~(f) Sawmills, commercial; and~~

~~(g) Sanitary landfills, including solid waste transfer facilities, and solid waste incinerators.~~

~~(2) Any use permitted and as regulated as a principal permitted use or conditional use in the "B-NR" or "B-G" Districts, except dwellings, mobile homes, and mobile home parks, and manufacture of mulch, on a lot or parcel of land no greater than five acres in size and that was depicted on a plat or described in a deed recorded in the Land Records of Carroll County prior~~

to March 9, 2004, provided that in addition to the criteria set forth under § 158.133(G), the BZA shall also consider criteria set forth under § 155.094(B) in authorizing the use of any land for a PBC or any other “B-NR” or “B-G” use that is determined by the BZA to be of the same general character as a PBC.

~~(3) Notwithstanding anything contained in this subchapter to the contrary, mini storage is not an authorized use in this district.~~

~~(E) Accessory uses. Accessory uses shall be as follows:~~

~~(1) Uses customarily accessory and incidental to any principal permitted use or authorized conditional use, including:~~

~~(a) A mobile home or dwelling associated with an industrial use, or a mobile home associated with an agricultural use subject to the provisions of § 158.150(B);~~

~~(b) Storage modules subject to the following standards:~~

- ~~1. The exterior surface shall be painted and kept in good repair;~~
- ~~2. The storage module shall be vented as needed for safety purposes;~~
- ~~3. The storage module shall be screened from the adjacent roadway; and~~
- ~~4. Number of storage modules to be determined by the Zoning Administrator.~~

~~(c) Retail sales and service of products manufactured on or distributed from the site.~~

~~(2) Provided all accessory uses do not exceed 15% of the lot or parcel, and provided no individual use exceeds 3,000 square feet except as provided below, the following retail or other commercial uses in conjunction with a principal permitted or approved conditional use, not exceeding 15% of the lot or parcel, and subject to authorization of the BZA after a public hearing:~~

~~(a) Retail bakeries;~~

~~(b) Banks or savings and loan institutions;~~

~~(c) Beauty salons or barbershops;~~

~~(d) Convenience stores, including gasoline pumps, however the area of canopy over the gasoline pumps is excluded from the 3,000 square foot size limitation but included as part of the 15% gross acreage limitation;~~

~~(e) Day care centers not exceeding 6,000 square feet;~~

~~(f) Pharmacies;~~

~~(g) Laundry or dry-cleaning establishments;~~

~~(h) Office supply stores;~~

~~(i) Shoe repair shops;~~

~~(j) Restaurants or lunch rooms;~~

~~(k) Tailor establishments;~~

~~(l) Health clubs not exceeding 6,000 square feet; and~~

~~(m) Florist or garden shops.~~

~~(F) Height regulations. No structure shall exceed 50 feet in height, except as provided in § 158.130(E).~~

~~(G) Bulk requirements. The following requirements shall be observed, subject to the provisions of § 158.130:~~

~~(1) Front yard: 50 feet;~~

~~—(2) Side yard: 30 feet;~~

~~—(3) Rear yard: 30 feet; and~~

~~(4) Within a business park, the yard requirements may be reduced with the approval of the Planning Commission.~~

~~(H) Required conditions. Site plan review requirements shall be the same as provided by §155.059.~~

#### 158.080 ~~"I-G"~~ GENERAL HEAVY INDUSTRIAL DISTRICT.

~~(A) Purpose and Intent. The purpose of the "I-G" District is to provide for manufacturing or processing which may require extensive transportation, water, and/or sewerage facilities, as well as open space, because of the number of employees, the type of manufacturing operation,~~



~~or any by-products which might result from the heavier or larger manufacturing plants proposed.~~ The purpose of the I-2 District is to provide locations and guidance for certain types of nonagricultural, nonresidential, and noncommercial activities characterized by heavy manufacturing, refining, processing, or compounding of materials or products predominantly from raw materials. This district may also accommodate some of the light manufacturing uses permitted in the I-1 (Light Industrial) District. The uses associated with this district are intensive and frequently include operations that emit strong odors; loud noises, and some level or volume of dust, vibration, smoke, soot, vapors, light, and pollution. Consequently, some level of isolation from nonindustrial uses is appropriate. This may be accomplished with the aid of proper landscaping, separation, setback, and buffering; however, the primary means by which mitigation is effectuated is via use segregation, proper siting, and vigorous plan review. Typically, this district would accommodate heavy manufacturing which is characterized by the utilization of primary elements and raw materials which are used to produce large or heavy products that are sometimes difficult to transport. Heavy manufacturing typically requires large machines or facilities, large or specialized equipment, and involves complex or numerous processes. The products are often intermediaries for use by other industries, and the manufacturing usually has the potential for more of an environmental impact than in the I-1 District. It is intended that properties in this district be located with access to major thoroughfares or other major modes of transportation, depending on the specific demands of the industry being served. Industrial Parks are encouraged in this district to provide for clustering of similar industrial uses with common access and infrastructure as well as the provision of open spaces, stormwater management, and adequate buffering. It is not the purpose of this district to promote or encourage the use of land within this district for retail services, Planned Commercial Centers, or similar uses typically expected to be located within the established commercial districts. However, it is anticipated that there may be areas or locations where limited and specific retail services can be reasonably and logically considered under specific conditions within the district.

(B) Applicability. The following regulations and applicable regulations contained in other sections shall apply in the “~~I-2G~~” District.

~~(C) Principal permitted uses. Principal permitted uses shall be as follows:~~

~~(1) Uses of a heavy industrial nature, but not limited to the following, provided that such uses shall be located two times the distance requirements specified in § 158.040:~~

~~(a) Manufacture and assembly of aircraft, automobiles, house trailers, or other vehicles;~~

~~(b) Manufacture and bottling of alcoholic beverages;~~

- ~~(c) Manufacture of brick or clay products;~~
- ~~(d) Machine shops, structural steel fabricating;~~
- ~~(e) Coal yards;~~
- ~~(f) Cooperage works;~~
- ~~(g) Crematories;~~
- ~~(h) Manufacture or processing of chemicals, except sulfuric, nitric, or hydraulic or other corrosive or offensive acid;~~
- ~~(i) Manufacture of dye or dyestuff and printing ink;~~
- ~~(j) Electric generating or steam power plants;~~
- ~~(k) Flour mill, grain milling, or drying;~~
- ~~(l) Manufacture of felt, shoddy, hair products, feathers, emery cloth, sandpaper, or sand blasting and/or products therefrom;~~
- ~~(m) Enameling, lacquering, galvanizing, and plating;~~
- ~~(n) Manufacture or processing of meat or food products, except slaughterhouses;~~
- ~~(o) Manufacture of paper, pulp, or cloth;~~
- ~~(p) Manufacture of perfume;~~
- ~~(q) Manufacture of pickle, sauerkraut, vinegar, yeast, soda, or soda compounds;~~
- ~~(r) Manufacture of rayon or similar products;~~
- ~~(s) Manufacture of rubber or rubber products;~~
- ~~(t) Manufacture of starch, glucose, dextrin, or spice;~~
- ~~(u) Manufacture of soap, oil, paints, turpentine;~~
- ~~(v) Manufacture of wire or wire products; and~~
- ~~(w) Manufacture of mulch, including the processing, storage, and sale at retail and wholesale.~~

~~(2) Agriculture for interim use, provided that any buildings or feeding pens in which farm animals are kept shall comply with the distance requirements of § 158.040;~~

~~(3) Any use permitted and as regulated as a principal permitted use in the "I-R" District, except as hereinafter modified;~~

~~(4) Any other use that is determined by the BZA to be of the same general character as the above permitted uses and which would not be detrimental to the public health, safety, or general welfare of the community, but not including any use which is prohibited in the "I-R" District; and~~

~~(5) Subject to the requirements of this subchapter, an adult entertainment business, a massage establishment or a striptease business is a principal permitted use in the "I-G" District.~~

~~(a) An adult entertainment business, a massage establishment or a striptease business may not be located within 1,000 feet of:~~

~~1. A religious establishment;~~

~~2. A public or private school;~~

~~3. A public park or public recreational facility;~~

~~4. A public library;~~

~~5. A child care home, child care institution, or family day care home licensed or registered under state law; or~~

~~6. A lot zoned residentially or devoted primarily to residential use.~~

~~(b) An adult entertainment business, a massage establishment or a striptease business may not be located within 2,500 feet of another adult entertainment business, massage establishment or striptease business.~~

~~(c) In determining compliance with the siting requirements in division (E)(1) below, measurements shall be made in a straight line, without regard to intervening objects, from the closest point of the structure containing the adult entertainment business, massage establishment or striptease business to the nearest property line of the lot or use listed in division (E)(1) below.~~

~~(D) Conditional uses requiring BZA authorization. Conditional uses requiring BZA authorization shall be as follows:~~

~~(1) The following uses, when the location of such use shall have been authorized by the BZA, provided that such use shall not be less than 1,000 feet from any Residence District governed by this chapter, except an "I-R" District, and four times the distance requirements as specified in § 158.040:~~

- ~~(a) Slaughterhouses and stockyards;~~
- ~~(b) Acid or heavy chemical manufacture, processing, or storage;~~
- ~~(c) Blast furnace or boiler works;~~
- ~~(d) Cement, lime, gypsum, or plaster of paris manufacturing;~~
- ~~(e) Distillation of bones, fat rendering, grease, lard or tallow manufacturing or processing;~~
- ~~(f) Explosive manufacture or storage;~~
- ~~(g) Fertilizer, potash, insecticide, glue, size, or gelatin manufacture;~~
- ~~(h) Foundries;~~
- ~~(i) Garbage, offal, or dead animal reduction;~~
- ~~(j) Gas manufacture or storage for heat or illumination;~~
- ~~(k) Junkyards, provided that the area used shall not exceed five acres, shall be totally enclosed with adequate fencing, and no operations, including storage or sale of parts, shall be closer than 300 feet to any public highway; and~~
- ~~(l) Petroleum products, refining or storage above ground in tanks in excess of 2,000 gallons, provided that all state and federal laws, as well as National Fire Underwriters' codes, are complied with.~~

~~—(2) Bituminous concrete (blacktop) mixing plants as regulated in the "I-R" District; and~~

~~(3) Any conditional use set forth and as regulated in the "I-R" District.~~

~~(E) Accessory uses. Accessory uses shall be as follows:~~

~~(1) Uses customarily accessory and incidental to any principal permitted use or authorized conditional use, including:~~

- ~~(a) A mobile home or dwelling associated with an industrial use;~~

~~(b) Storage modules subject to the following standards:~~

- ~~1. The exterior surface shall be painted and kept in good repair;~~
- ~~2. The storage module shall be vented as needed for safety purposes;~~
- ~~3. The storage module shall be screened from the adjacent roadway; and~~
- ~~4. Number of storage modules to be determined by the Zoning Administrator.~~

~~(c) Retail sales and service of products manufactured on or distributed from the site.~~

~~(2) Provided all accessory uses do not exceed 15% of the lot or parcel, and provided no individual use exceeds 3,000 square feet except as provided below, the following retail or other commercial uses in conjunction with a principal permitted or approved conditional use, not exceeding 15% of the lot or parcel, and subject to authorization of the BZA after a public hearing:~~

- ~~(a) Retail bakeries;~~
- ~~(b) Banks or savings and loan institutions;~~
- ~~(c) Beauty salons or barbershops;~~
- ~~(d) Convenience stores, including gasoline pumps;~~
- ~~(e) Day care centers not exceeding 6,000 square feet;~~
- ~~(f) Pharmacies;~~
- ~~(g) Laundry or dry cleaning establishments;~~
- ~~(h) Office supply stores;~~
- ~~(i) Shoe repair shops;~~
- ~~(j) Restaurants or lunch rooms;~~
- ~~(k) Tailor establishments;~~
- ~~(l) Health clubs not exceeding 6,000 square feet; and~~
- ~~(m) Florist or garden shops.~~

~~(F) Height regulations. No structure shall exceed three stories or 50 feet in height, except as provided in § 158.130(E).~~

~~(G) Bulk requirements. Bulk requirements shall be the same as in the "I-R" District.~~

~~(CH) Required conditions. Site plan review requirements Required conditions shall be the same as provided by Sec. 155.059.~~

158.081 COMMERCIAL AND INDUSTRIAL DISTRICTS: REGULATION OF USES.

(A) Table of Principal Land Uses. In the Table below, the following applies:

(1) The letter "P" indicates that the use is permitted in the district indicated.

(2) The letter "C" indicates that the use requires the authorization of the BZA in accordance with Section 158.133 of this Chapter.

(3) The letter "X" indicates that the use is prohibited.

(4) The letters "NA" indicate that the use is not applicable.

(5) Any use not specifically listed is prohibited unless the BZA determines that the use is similar in impact, nature, function, and duration to an allowed use listed in the Table of Land Uses, and which would not be detrimental to the public health, safety, or general welfare of the community, unless otherwise specifically prohibited.

(6) The particular and specific control the general.

(7) In case of any difference of meaning or implication between the text and any caption, the text controls.

(8) In case of any difference of meaning or implication between the text and any language in the definition of the use or the Purpose and Intent of the zoning district, the text controls.

(9) Words used in the singular include the plural (and vice versa).

(10) Words or phrases not specifically defined in this Chapter shall be construed according to the common and generally recognized usage of the language. Technical words and phrases, and others that have acquired a specific meaning in the law, shall be construed according to that meaning.

(11) Variances shall not be granted to the provisions of the Table of Land Uses.

**(The following table, although not underlined, is new language)**

LAND USE CATEGORY	C-1	C-2	C-3	I-1	I-2	ADDITIONAL REGULATIONS
SUBCATEGORY						
DESCRIPTION						
<b>AGRICULTURAL</b>						
Agriculture	P	P	P	P	P	158.002, 158.035
Agricultural research laboratories and facilities	X	X	C	C	P	158.070
Feed or grain sales, may include storage	X	P	P	P	P	
Flour or grain milling, drying, storage	X	X	X	C	P	158.040
Shop for the service, repair, or sale of farm equipment	C	P	P	X	X	158.040
<b>COMMUNICATIONS</b>						
Communications tower	C	P	P	P	P	158.002,158.039, 158.054
Communications tower complex	C	P	P	P	P	158.002,158.039, 158.054
<b>COMMERCIAL</b>						
<b>Vehicle Sales/ Service</b>						
Automobile service center	C	P	P	X	C	158.002
Car wash (self or full service)	X	P	P	X	X	
Fuel station	P	P	P	X	X	158.002
Vehicle repair shop	X	C	P	P	X	158.002
Vehicle sales lot	X	C	P	X	X	158.002
<b>Eating and Drinking Establishments</b>						
Catering establishment or banquet facility	P	P	P	X	X	
Restaurant	P	P	P	X	X	
Restaurant, with drive thru	X	P	P	X	X	
Tavern/Bar	P	P	P	X	X	
<b>Funeral and Interment</b>						
Cemetery, mausoleum, or memorial garden	C	C	C	X	X	158.002
Crematorium	X	P	P	X	P	158.002, 158.040
Funeral establishment	X	P	P	X	X	158.002
<b>Lodging</b>						
Bed and breakfast	C	X	X	X	X	158.002, 158.071
Country inn	C	X	X	X	X	158.002,158.071
Hotel	X	C	P	X	X	158.002
Hotel, as part of an Industrial Park	NA	NA	NA	P	P	158.002, 158.157
Motel	X	C	P	X	X	158.002
<b>Office/Health Care</b>						
Facility for dispensing of medical cannabis	X	X	X	X	P	158.002, 158.040,158.059
Medical or dental center	P	P	P	X	X	158.002
Professional or business office	P	P	P	X	X	

<b>LAND USE CATEGORY</b>	<b>C-1</b>	<b>C-2</b>	<b>C-3</b>	<b>I-1</b>	<b>I-2</b>	<b>ADDITIONAL REGULATIONS</b>
<b>SUBCATEGORY DESCRIPTION</b>						
Professional or business office as part of an Industrial Park	NA	NA	NA	P	P	158.157
Veterinary facility, without runways	C	P	P	X	X	158.002, 158.040
Veterinary facility or kennel, with runways	X	C	C	X	X	158.002, 158.040
<b>Recreational/Entertainment</b>						
Adult entertainment business, massage establishment, striptease business	X	X	X	X	P	158.002, 158.154
Amusement park	X	X	P	X	X	
Community meeting hall, social club, fraternal organization	P	P	P	X	X	
Conference center	X	C	P	X	X	158.002,158.070
Conference center as part of an Industrial Park	NA	NA	NA	P	P	158.002, 158.157
Golf course	X	X	X	X	X	158.002
Indoor recreational facility	P	P	P	P	X	158.002
Indoor theater	X	C	P	X	X	
Indoor trap, skeet, rifle, or archery ranges, including gun clubs	X	P	P	P	X	158.040
Outdoor drive-in theater	X	X	C	X	X	
Outdoor recreational area	P	P	P	C	X	158.002
Outdoor trap, skeet, rifle, or archery ranges, including gun clubs	X	X	X	X	X	158.040
Retreat facility	X	X	X	X	X	158.002, 158.070
Riding academy or boarding stable	X	X	X	X	X	
<b>Retail/Service</b>						
Building supplies sales and storage yard	X	X	C	P	X	158.002
Butcher shop	P	P	P	X	X	158.002
Fertilizer (liquid or dry) sales and storage	X	X	C	X	X	
General retail or general service, less than 10,000 square feet	P	P	P	X	X	158.002
General retail or general service, between 10,000 and 60,000 square feet	X	P	P	X	X	158.002
General retail or general service, more than 60,000 square feet	X	C	P	X	X	158.002
<b>RESIDENTIAL</b>						
Multi-family dwelling	X	X	X	X	X	158.002
Multi-family dwelling or retirement home/age-restricted adult housing in a Business Park	X	X	P	X	X	158.002, 158.160
Retirement home/age-restricted adult housing	X	X	X	X	X	158.002
Single-family dwelling	X	X	X	X	X	158.002
Two-family dwelling	X	X	X	X	X	158.002



LAND USE CATEGORY	C-1	C-2	C-3	I-1	I-2	ADDITIONAL REGULATIONS
SUBCATEGORY						
DESCRIPTION						
<b>INSTITUTIONAL</b>						
Art, trade, business, dance, music or similar school	P	P	P	X	X	
Assisted-living facility	P	P	P	X	X	158.002
Continuing care retirement community	P	P	P	X	X	158.002
Day care center	P	P	P	X	X	158.002
Hospital	X	X	P	X	X	158.002
Museum	P	P	P	X	X	
Nursery school	P	P	P	X	X	
Nursing home	P	P	P	X	X	158.002
Private school	P	P	P	X	X	
Religious establishment	P	P	P	X	X	158.002
Trade school or professional training center, as part of an Industrial Park	NA	NA	NA	P	P	158.157
<b>INDUSTRIAL</b>						
<b>Manufacturing/Production</b>						
Acid or heavy chemical manufacture, processing, or storage	X	X	X	X	C	158.040
Artisan manufacturing	P	P	P	P	P	158.002
Bituminous concrete mixing plant	X	X	X	X	P	158.040
Blast furnace, boiler works, foundry	X	X	X	X	P	158.040
Brewery	X	X	X	P	P	158.040
Cement, lime, gypsum, or plaster of paris manufacturing	X	X	X	X	C	158.040
Concrete and ceramic products manufacturing	X	X	X	X	P	158.040
Concrete or asphalt recycling	X	X	X	C	P	158.002, 158.040
Distillation of bones, fat rendering, grease, lard or tallow manufacturing or processing	X	X	X	X	C	158.040
Distillery	X	X	X	P	P	158.040
Explosive manufacturing or storage	X	X	X	X	C	158.040
Fertilizer, potash, insecticide, glue, size or gelatin manufacture	X	X	X	X	C	158.040
Food processing and packing plant	X	X	X	P	P	158.040
Heavy manufacturing	X	X	X	X	P	158.002, 158.040
Indoor processing of medical cannabis	X	X	X	X	P	158.002, 158.040, 158.059
Light manufacturing	X	C	P	P	P	158.002
On-site consumption at brewery, distillery or winery	NA	NA	NA	C	C	158.156
Petroleum products refining	X	X	X	X	C	158.002, 158.040, 100'

LAND USE CATEGORY	C-1	C-2	C-3	I-1	I-2	ADDITIONAL REGULATIONS
SUBCATEGORY						
DESCRIPTION						
						setback from all property lines, NFPA Code
Sawmill, commercial	X	X	X	C	P	158.002,158.040
Small-scale brewery	P	P	P	X	X	158.002
Small-scale distillery	P	P	P	X	X	158.002
Winery	X	X	X	P	P	
Trades						
Bottling (may include distribution) of soft drinks, alcoholic beverages, or milk	X	X	X	P	P	
Printing shop	C	C	P	P	P	
Sign shop	X	C	P	P	P	
Welding, sheet metal, machine or similar shop	X	C	P	P	P	158.040
Transportation/Utilities						
Airfield	X	X	X	X	X	158.002
Airport	X	X	X	C	P	158.002
Coal yard	X	X	X	X	P	158.040
Commercial parking lot or garage	P	P	P	X	X	158.002
Electric generating power plant	X	X	X	X	P	158.040
Heliport	X	X	X	C	P	158.002, 158.040
Solar energy conversion facility	X	C	P	P	P	158.002, 158.153
Towing service	X	X	C	P	P	On a lot of 5 acres or less in Industrial Districts
Truck or motor freight terminal	X	X	X	C	P	158.040
Utility equipment building, yard, above-ground station or substation, or telephone exchange	C	C	C	C	C	158.039
Utility equipment, all others	P	P	P	P	P	158.039
Wind energy conversion facility	X	X	X	X	X	158.002
Warehouse/Storage/Distribution						
Above ground petroleum products storage (2,000 gallons or greater)	X	X	X	C	C	158.002, 158.040, 158.158
Distribution facility	X	X	X	P	P	158.002
Indoor contractor's equipment storage facility	X	X	X	C	C	158.002, 158.040
Outdoor contractor's equipment storage yard	X	X	X	C	C	158.002, 158.040
Retail or wholesale warehouse	X	C	P	P	X	158.002
Self-service storage facility	X	C	P	X	X	158.002, 158.159
Storage of pelletized or granular dried sewage sludge	X	X	X	P	P	158.002, 158.051
Underground petroleum products storage	X	X	X	P	P	158.002, 158.040
Waste-Related						
Garbage, offal, or dead animal reduction	X	X	X	X	X	

LAND USE CATEGORY	C-1	C-2	C-3	I-1	I-2	ADDITIONAL REGULATIONS
SUBCATEGORY						
DESCRIPTION						
Incinerator, associated with waste to energy facility	X	X	X	X	C	158.040
Junk, salvage, and recycling yard	X	X	X	X	C	158.002, 158.040, 158.155
Oil-contaminated soil facility	X	X	X	C	P	158.002,158.040
Sanitary landfill, including solid waste transfer facility and solid waste processing	X	X	X	X	C	158.002, 158.040
Miscellaneous						
Carpet and rug cleaning plant, industrial laundry or dry cleaning	X	X	X	P	P	158.040
Conveyor system	C	C	C	P	P	158.002, 158.039
Extractive operation, with a MRO designation	X	X	X	P	P	158.002, 158.096
Indoor growing of medical cannabis	X	X	X	X	P	158.002, 158.040,158.059
Laboratory (chemical, physical, or biological), not including agricultural	X	P	P	P	P	158.040
Slaughterhouse	X	X	X	X	C	158.040
PUBLIC						
Public facility	P	P	P	P	P	158.049

(B) Accessory Uses in the Commercial Districts. Accessory uses in the commercial districts shall be as follows:

- (1) Uses and structures customarily accessory and incidental to any principal permitted use or authorized conditional use, including but not limited to:
  - a) Business signs pertaining to "use on the premises", provided that such signs are located as regulated in § 158.115.
  - b) The above or below ground storage of not greater than 2,000 gallons, in aggregate capacity, of petroleum products which is not sold at retail or wholesale, and subject to all applicable MDE and NFPA regulations. Commercial establishments providing petroleum for retail sale shall be regulated in the same manner as a principal use.
  - c) Drive-thru service when accessory to a principal permitted or conditional use in the C-2 or C-3 district.
  - d) Car wash when accessory to a principal permitted or conditional uses in the C-2 or C-3 district.

- e) Outdoor storage of vehicles when accessory to a self- service storage facility.
- f) Equipment storage when accessory to general service or office, provided the equipment storage is located in an area of the property comprising no more than 43,560 square feet.
- g) Wineries, breweries, and distilleries when accessory to a restaurant or tavern.
- h) Fertilizer storage or sales when accessory to a permitted or conditional use in the C-2 or C-3 district, subject to approval by the Zoning Administrator in accordance with Section 158.130(G).

(C) Accessory uses in the Industrial Districts . Accessory uses in the industrial districts shall be as follows:

(1) Uses customarily accessory and incidental to any principal permitted use or authorized conditional use, including:

- a) A mobile home or dwelling associated with an industrial use.
- b) Storage modules subject to the following standards:
  - 1. The exterior surface shall be painted and kept in good repair;
  - 2. The storage module shall be vented as needed for safety purposes;
  - 3. The storage module shall be screened from the adjacent roadway;
  - 4. Storage modules shall not be stacked, and
  - 5. The number of storage modules shall be determined by the Zoning Administrator, but shall not exceed 25% of the area of the principal structure.
- c) Retail sales and service of products manufactured on or distributed from the site.
- d) Towing service, when accessory to a vehicle repair shop.
- e) Car wash, when accessory to a permitted or conditional use.
- f) Motor vehicle rental and leasing, when accessory to a vehicle repair shop.
- g) The above or below ground storage of not greater than 2,000 gallons, in aggregate, of petroleum products, which is not sold at retail or wholesale, and subject to Chapter 170 of the Carroll County Code and all applicable MDE and NFPA regulations.

(2) A single nonindustrial accessory use, provided the accessory use does not exceed 15% of the lot or parcel, and provided the individual use does not exceed 3,000 square feet, except as provided below, and subject to the site plan requirements of 155.059. The above restrictions shall not be varied.

(a) Retail bakeries;

(b) Banks or savings and loan institutions;

(c) Beauty salons or barbershops;

(d) Convenience stores, including gasoline pumps;

(e) Day care centers not exceeding 6,000 square feet;

(f) Pharmacies;

(g) Laundry or dry-cleaning establishments;

(h) Office supply stores;

(i) Shoe repair shops;

(j) Restaurants or lunch rooms;

(k) Tailor establishments;

(l) Health clubs not exceeding 6,000 square feet; and

(m) Florist or garden shops.

(D) Bulk requirements in the Commercial Districts. The following requirements shall be observed for nonresidential uses in the commercial districts, subject to the provisions of of Section 158.130:

(1) Front yard: minimum 10 feet.

(2) Side yard: minimum 10 feet.

(3) Rear yard: minimum 15 feet.

(4) Height: maximum 50 feet.

(5) The bulk requirements for nursing homes, continuing care retirement communities, and assisted living facilities shall be as provided in the R-20,000 District.

(6) Additional bulk requirements for Planned Commercial Centers are as provided for in Section 155.094.

(7) The bulk requirements for Business Parks shall be established by the Planning Commission at the time of site plan review.

(E) Bulk requirements in the Industrial Districts. The following requirements shall be observed in the industrial districts, subject to the provisions of of Section 158.130:

(1) Front yard: minimum 10 feet.

(2) Side yard: minimum 20 feet.

(3) Rear yard: minimum 20 feet.

(4) Height: maximum 50 feet.

(5) The bulk requirements for Industrial Parks shall be established by the Planning Commission at the time of site plan review.

(F) Bulk requirements for accessory uses in the commercial and industrial districts shall be as set forth in Section 158.130(C)(2).

158.084~~2~~ "EC" EMPLOYMENT CAMPUS DISTRICT.

#### **OVERLAY DISTRICTS**

158.096 "MRO" MINERAL RESOURCE OVERLAY.

(B) Mineral resource overlay ("MRO").

(1) Within the county, there is hereby established an area designated a MRO. This "MRO" includes areas identified as containing a MR, a VRA, and those areas surrounding the resource, identified as MRN. This overlay shall exist only in the "A" District, "~~I-G2~~" or "~~I-R1~~" on the Zoning Maps as adopted or amended. There shall be no new Agricultural Land Preservation Districts created pursuant to the Maryland Agricultural Land Preservation Program on any portion of a parcel assigned an MR or a VRA designation.

#### **SIGNS**

158.115 USE-OFF-THE-PREMISES SIGNS.

(D) Conversion of existing outdoor advertising signs.

(1) Signs located in the "~~B-NRC-1~~", "~~B-GC-2~~", "C-3", "~~I-R-1~~", and "~~I-G-1-2~~" Zoning Districts may be changed to an electronic message outdoor advertising sign provided that any such sign converted shall meet the following standards:

### **ADMINISTRATION AND ENFORCEMENT**

#### 158.130 EXCEPTIONS AND MODIFICATIONS.

(E) Height.

(2) In any "A", or "R", or "~~B-NR~~" District, the height of a building may be extended to ~~three stories, but~~ not over 40 feet, if each side yard is increased in width one-half foot for each additional one foot of height above the normal maximum limit.

### **SPECIFIC USES**

#### 158.150 MOBILE HOMES.

No person shall park, store, or occupy a mobile home (nor allow or permit parking, storage, or occupancy of a mobile home), for living or other purposes, except:

(D) In conjunction with an industrial location as an accessory use in an "I-R1" or "I-G2" Districts for such purposes as a caretaker;

#### 158.153 SOLAR ENERGY CONVERSION FACILITIES.

(B) Solar energy conversion facilities, accessory.

(2) Size limits:

(c) In the commercial and industrial districts, the physical size of the system shall be limited to the size of the roof, or roofs, of structures situated on the subject property, when roof mounted, or in the "~~B-G~~" C-2 and C-3 Districts, no larger than the aggregate of the roof area of all permitted structures on site, when ground mounted. Ground-mounted systems up to 120 square feet may be authorized in the "~~B-NR~~" C-1 District. No variance or waiver to the size of ground-mounted systems is allowed.

(C) Solar energy conversion facilities, in commercial zones.

(1) Solar energy conversion facilities shall be permitted in the ~~B-NR~~ C-1 District when roof mounted. No ground mounted systems are allowed in the ~~B-NR~~ C-1 District.

(2) Solar energy conversion facilities shall be permitted in the ~~B-G~~ C-2 and C-3 Districts whether roof mounted or ground mounted.

(3) Size limits:

(a) In the ~~B-NR~~ C-1 District, the physical size of the system shall be limited to the size of the roof.

(b) There shall be no size limit for systems in the C-2 and C-3 ~~B-G~~ Districts.

(D) Solar energy conversion facilities, in industrial zones.

(1) Solar energy conversion facilities shall be permitted in the ~~I-G2~~ and ~~I-R1~~ Districts whether roof mounted or ground mounted

158.154 ADULT ENTERTAINMENT BUSINESS, MASSAGE ESTABLISHMENT, OR STRIPTEASE BUSINESS.

(A) An adult entertainment business, a massage establishment or a striptease business may not be located within 1,000 feet of:

- 1) A religious establishment;
- 2) A public or private school;
- 3) A public park or public recreational facility;
- 4) A public library;
- 5) A child care home, child care institution, or family day care home licensed or registered under state law; or
- 6) A lot zoned residentially or devoted primarily to residential use.

(B) An adult entertainment business, a massage establishment or a striptease business may not be located within 2,500 feet of another adult entertainment business, massage establishment or striptease business.

(C) In determining compliance with the siting requirements, measurements shall be made in a straight line, without regard to intervening objects, from the closest point of the structure containing the adult entertainment business, massage establishment or striptease business to the nearest property line of the lot or use listed above.

158.155 JUNK, SALVAGE, AND RECYCLING YARDS.

(A) A junk, salvage, or recycling yard may be approved, provided that

- 1) The area used shall not exceed five acres;
- 2) The uses shall be totally enclosed with adequate fencing; and



- 3) No operations, including storage or sale of parts, shall be closer than 300 feet to any public highway.

#### 158.156 ON-SITE CONSUMPTION AT BREWERY OR DISTILLERY

- (A) On-site consumption at a brewery or distillery may be approved, provided the area used for this purpose does not exceed forty-nine percent (49%) of the total area of the building used for the brewery or distillery operation, and there is no on-site preparation of food.

#### 158.157 INDUSTRIAL PARK.

(A) An Industrial Park is a self-contained development area that is cohesive, with a common development scheme, and generally developed as a standalone entity. An Industrial Park is permitted in the I-1 and I-2 Districts, and permitted uses include all uses permitted in the industrial district in which the Industrial Park is located. Additional uses permitted may include uses permitted by right in the C-3 District, provided that no individual use may exceed 10,000 square feet and these uses collectively comprise no more than 20% of the entire Industrial Park. The following uses are also permitted by right in an Industrial Park: trade school, professional training center, office, conference center, and hotel. Multiple nonindustrial accessory uses may be permitted, provided that no accessory use shall exceed 5,000 square feet, except a day care center or health club, which may be up to 6,000 square feet, and provided that, in aggregate, the nonindustrial accessory uses do not exceed 10% of the entire Industrial Park. Landscaping, signs, walkways, and parking will be provided in an integrated and harmonious design Bulk requirements in an Industrial Park shall be established by the Planning Commission at the time of site plan review.

#### 158.158 ABOVE GROUND STORAGE OF PETROLEUM PRODUCTS.

(A) Above ground petroleum products storage tanks, any one of which has the capacity in excess of 2,000 gallons, may be approved provided that all County, state and federal laws, as well as NFPA codes are complied with. The storage of petroleum products shall comply with setback requirements as specified by NFPA, but not less than 100 feet from all property lines.

#### 158.159 SELF-SERVICE STORAGE FACILITY.

(A) Self- service storage facilities may be authorized by conditional use in the C-2 District, and permitted by right in the C-3 District, subject to the following conditions:

- 1) Maximum storage unit height shall be 15 feet.
- 2) Maximum area of each individual storage unit shall be 500 square feet.

- 3) The front building facade shall be designed, constructed, and maintained to be visually compatible with the neighborhood and surrounding properties so as not adversely to affect property values.
- 4) A business office shall be located on site, and the required parking spaces for employees shall be located adjacent to the business office. Required parking may not be rented, used for storage of vehicles, or other storage.
- 5) Areas providing access between storage units and areas designed for two-way vehicular traffic shall be 20 feet wide. One-way vehicular traffic aisles with units on one side may be 15 feet wide. Access aisles and storage units shall be designed and located to provide maneuvering space for emergency vehicles.
- 6) All outdoor lighting must be shielded and focused to direct light onto the premises and away from adjoining properties.
- 7) All structures, storage units, commercial parking areas, aisles, security fences, or walls, except the front building facade, shall be screened from view off site.
- 8) The site shall not be used for any activity or use except storage as specified herein.
- 9) Flammable, toxic, or explosive materials or hazardous chemicals shall not be stored on site; provided, however, that fuel contained in standard fuel tanks of boats or vehicles which are themselves stored on site is allowed. Standard fuel tanks for purposes of this section are those tanks which were designed for the specific vehicle by the manufacturer of the vehicle.
- 10) Signs shall be permitted in compliance with §§ 158.110 through 158.115, except that temporary signs, signs that relate to off-premises uses, or signs which exceed 50 square feet in area are prohibited.
- 11) Landscaping shall be provided in accordance with Chapter 157.

#### 158.160 BUSINESS PARK.

(A) A Business Park is a self-contained development area that is cohesive, with a common development scheme, and generally developed as a standalone entity. A Business Park is only permitted in the C-3 district, and permitted uses include all uses permitted in the C-3 District. Additional uses permitted may include uses permitted by right in the I-1 District, provided that these uses collectively comprise no more than 20% of the entire Business Park. Multi-family dwelling units may also be permitted in a Business Park, provided that these uses collectively comprise no more than 20% of the entire Business Park. Landscaping, signs, walkways, and parking will be provided in an integrated and harmonious design. Bulk requirements in a Business Park shall be established by the Planning Commission at the time of site plan review.