

Proposed Solar Energy Facility Code changes 082113

223-2 DEFINITIONS

SIGNS -- A name, identification, description, display, logo, illustration, or device which is affixed, stationed, or represented directly or indirectly upon a building, structure, or land and which directs attention to a product, place, activity, person, institution, or business.

- A. **SIGN, ON PREMISES** -- A sign which directs attention to a business or profession or to a commodity, service, or entertainment sold or offered upon the premises where the sign is located.
- B. **SIGN, OUTDOOR ADVERTISING** -- A sign structure which directs attention to a business, commodity, service, or entertainment not necessarily conducted, sold, or offered upon the premises where such sign is located.

SMALL WIND ENERGY SYSTEM -- Means a single-towered wind energy system that:

- A. Is used to generate electricity;
- B. Has a rated nameplate capacity of 50 kilowatts or less; and
- C. Has a total height of 150 feet or less. *[Added 05/06/08 by Ord. No. 08-02]*

SOLAR ENERGY SYSTEM, ACCESSORY-- A single solar energy system situated in a setting that is designed and intended to utilize solar energy to generate electricity for the use and/or benefit of the individual landowner/ business upon whose property the device is situated. Accessory Solar Energy Systems are an accessory use in all zoning districts.

SOLAR ENERGY SYSTEM, AGRICULTURAL -- A single solar energy system device situated in an agricultural setting that is designed and intended to utilize solar energy to generate electricity or, in the case of certain agricultural applications, to power equipment or machinery, such as pumps, gears, wheels, mills, or similar mechanical devices incidental to farming. Energy produced by such systems is intended for the use of the individual landowner/farm upon whose property the device is situated. This use shall be considered an accessory use and is limited exclusively to the A and C Districts.

SOLAR ENERGY FACILITY, COMMERCIAL – An area arranged and dedicated to the construction and maintenance of more than one solar energy system. Commercial solar energy facilities are large-scale photovoltaic systems designed to supply power at the utility level, rather than to a local user or users and consist of an aggregation of parts including the base, tower, generator, rotor, blades, supports, guy wires and accessory equipment such as utility interconnect including wires and battery banks, etc., in such configuration as necessary to convert the power of solar energy into mechanical or electrical energy.

SPECIAL EVENT -- A grand opening, anniversary, holiday sale or other similar unique occasion of limited duration as determined by the Zoning Administrator. *[Added 04/07/09 by Ord. No. 09-02]*

STABLE, BOARDING -- A structure in which more than 2 horses or ponies are housed, boarded, or kept for consideration.

STABLE, COMMERCIAL -- A boarding stable or a riding academy.

STABLE, PRIVATE -- An accessory structure designed for the shelter, feeding, and care of no more than 5 horses, ponies, cattle, sheep, goats, or other ruminants, maintained on the property as pets or

for domestic use, as distinguished from agricultural or commercial stables. *[Amended 04/07/09 by Ord. No. 09-02]*

STORAGE LOT -- A lot or portion thereof other than an automobile sales lot held out or used for the storage or parking of boats, trailers, recreational, motor vehicles, or commercial vehicles for consideration. *[Added 04/07/09 by Ord. No. 09-02]*

STORAGE MODULE -- A self-contained storage unit which can only be delivered to the site in one piece and which has no chassis.

STORAGE OF UNLICENSED MOTOR VEHICLES -- Any property occupied by an unlicensed vehicle. For the purpose of this section, a vehicle shall mean a vehicle of a type which would be subject to the licensing requirements of the Motor Vehicle Administration if operated on a public road. "License" and "licensing" as used in this definition shall also be interpreted to mean "registration" as defined in the Transportation Article.

ARTICLE IV, C Conservation District

§ 223-34. Conditional uses requiring Board authorization.

[Amended 06/27/01 by Ord. No. 01-06; 08/09/07 by Ord. No. 07-11; 04/07/09 by Ord. No. 09-02]

- A. Trap, skeet, rifle, or archery range, including gun clubs, provided that such use shall be 5 times the distance requirement specified in § 223-16.
- B. Veterinary clinics, animal hospitals, or kennels with or without runways, provided that the minimum area is 10 acres for any of the aforesaid uses, and provided that any structure or area used for such purposes shall be subject to twice the distance requirement as specified in § 223-16, except that a kennel for 10 dogs or less shall require a minimum of 5 acres and shall be subject to the distance requirements of § 223-16.
- C. Cemeteries, mausoleums, and memorial gardens.
- D. Religious establishments. *[Amended 04/07/09 by Ord. No. 09-02]*
- E. Landscaping service (and the storage of vehicles in connection therewith) in conjunction with a nursery operation on the same premises, provided that:
 - (1) The minimum tract size shall be 20 acres.
 - (2) The storage of vehicles and other equipment shall be subject to 2 times the distance requirements of § 223-16, and the maximum size of such storage yard shall not exceed 3 acres.
 - (3) A site plan shall be required and subject to § 103-19.
- F. Bed-and-breakfast inn, subject to the following minimum conditions:
 - (1) The primary use of the structure and property shall be residential.
 - (2) (Reserved) *[Deleted 04/07/09 by Ord. No. 09-02]*
 - (3) Interior residential features shall be retained in a manner which allow reconversion to a residential use.
 - (4) The dwelling shall be owner-occupied and managed.
 - (5) (Reserved) *[Deleted 04/07/09 by Ord. No. 09-02]*

- (6) Parking shall be provided on site with one additional space required for each room that is available to be rented.
- (7) (Reserved) *[Deleted 04/07/09 by Ord. No. 09-02]*
- (8) Other than an authorized sign, the bed-and-breakfast use shall be shown to be compatible with the neighborhood and shall be maintained and landscaped to eliminate outward signs of transient use.
- (9) (Reserved) *[Deleted 04/07/09 by Ord. No. 09-02]*
- (10) Meals shall be served only to customers who are actually using the bed-and-breakfast accommodations overnight, nonpaying residents, or their bona fide guests.
- (11) (Reserved) *[Deleted 04/07/09 by Ord. No. 09-02]*
- (12) No more than one nonresident person may be employed on the premises.
- (13) A bed-and-breakfast shall not have any sign or other evidence of its use except one sign not exceeding 2 feet by 3 feet in area, which may be double-faced and illuminated.

G. Country inn, subject to the following conditions:

- (1) Individual rooms which are rented by paying occupants shall not contain cooking facilities.
- (2) Unless owner-occupied, the manager must reside on the premises. *[Amended 04/07/09 by Ord. No. 09-02]*
- (3) (Reserved) *[Deleted 04/07/09 by Ord. No. 09-02]*
- (4) Parking shall be provided on site and screened by natural vegetation from public streets and adjoining properties. The Board of Zoning Appeals may require additional screening in its discretion in such form as it deems appropriate considering the proximity of the site to adjoining properties or the public street. In addition to any requirements otherwise contained in this chapter, one parking space shall be provided for each room that is available to be rented.
- (5) (Reserved) *[Deleted 04/07/09 by Ord. No. 09-02]*
- (6) Except as provided for by Subsection G(7) below, meals shall be served only to customers who are actually using the country inn accommodations overnight, nonpaying residents, or their bona fide guests.
- (7) In addition to providing meals as allowed hereunder, the Board may authorize a country inn to provide facilities and catering for banquets, weddings, receptions, reunions, and similar one-day events. These events shall not be open to the public.
- (8) (Reserved) *[Deleted 04/07/09 by Ord. No. 09-02]*
- (9) A country inn shall not be authorized on any lot of less than 3 acres.
- (10) A country inn shall not have a sign in excess of 2 feet by 3 feet in area, which may be double-faced and illuminated.

H. Retreat or conference centers as defined in § 223-2, provided that a site development plan shall be approved by the Commission, and subject to the following:

- (1) The use shall be located on a property of not less than 5 acres.
- (2) All buildings and housing shall be located not less than 100 feet from adjoining property.
- (3) (Reserved) *[Deleted 04/07/09 by Ord. No. 09-02]*
- (4) (Reserved) *[Deleted 04/07/09 by Ord. No. 09-02]*
- (5) The Board may limit the maximum occupancy of the site based on such factors as its proximity to a public water supply and adequacy of the access to the site.
- (6) (Reserved) *[Deleted 04/07/09 by Ord. No. 09-02]*

I. Dance studios, when conducted within a dwelling by a resident thereof.

J. Blacksmith shops and shops for the service and repair of and sale of farm machinery and farm equipment, subject to the following conditions and limitations:

- (1) The use is limited to the sale, service, and repair of farm machinery and farm equipment, including welding;
 - (2) The use shall not occupy more than one acre;
 - (3) The use shall comply with twice the distance requirements of § 223-16; and
 - (4) The person using the property shall obtain prior to filing an application for this use a certification from the appropriate County agency, as determined by the Zoning Administrator, that the use will have no detrimental effect on an existing or proposed water supply.
- K. Nursing homes, continuing care retirement communities and assisted-living facilities, all subject to prior concept site development plan and traffic study review and determination of density, exterior design, and site layout by the Planning Commission. *[Added 06/27/01 by Ord. No. 01-6; amended 05/30/06 by Ord. No. 06-07]*
- L. (Reserved) *[Deleted 04/07/09 by Ord. No. 09-02]*
- M. Wineries, provided that such use shall be subject to a front, rear and side yard setback of 200 feet. *[Added 08/09/07 by Ord. No. 07-11]*
- N. Solar Energy Facility, Commercial, as defined in §223-2 definitions and shall comply with the distance requirements specified in § 223-16 and shall comply with Chapter 103 Development and Subdivision of Land.**

ARTICLE VIII, R-40,000 Residence District

§ 223-63. Conditional uses requiring Board authorization.

[Amended 06/27/01 by Ord. No. 01-06; 05/30/06 by Ord. No. 06-07; 04/07/09 by Ord. No. 09-02]

Conditional uses requiring Board authorization are as follows:

- A. (Reserved) *[Deleted 04/07/09 by Ord. No. 09-02]*
- B. Nursery schools or day-care centers.
- C. Golf courses, country clubs, and similar recreational uses privately owned and/or operated.
- D. Nursing homes, retirement homes, continuing care retirement communities and assisted-living facilities, hospitals (Class A), medical and dental clinics, subject to prior concept site development plan and traffic study review and determination of density, exterior design, and site layout by the Planning Commission. *[Amended 06/27/01 by Ord. No. 01-6; 05/30/06 by Ord. No. 06-07]*
- E. (Reserved) *[Deleted 04/07/09 by Ord. No. 09-02]*
- F. (Reserved) *[Deleted 04/07/09 by Ord. No. 09-02]*
- G. Bed-and-breakfast (subject to § 223-34F). *[Amended 04/07/09 by Ord. No. 09-02]*
- H. Country inn (subject to § 223-34G). *[Amended 04/07/09 by Ord. No. 09-02]*
- I. Landscaping service (and the storage of vehicles in connection therewith) in conjunction with a nursery operation on the same premises, provided that:
 - (1) The minimum tract size shall be 50 contiguous acres.
 - (2) The storage of vehicles and other equipment shall be subject to 2 times the distance requirements of § 223-16, and the maximum size of such storage yard shall not exceed 3 acres.

(3) A site plan shall be required and subject to § 103-19, showing the limits of the area to be utilized and any distance requirements applicable.

(4) Any division of the property described in the required site plan is prohibited.

J. (Reserved) *[Deleted 04/07/09 by Ord. No. 09-02]*

K. (Reserved) *[Deleted 04/07/09 by Ord. No. 09-02]*

L. Solar Energy Facility as defined in §223-2 definitions and shall comply with the distance requirements specified in § 223-16 and shall comply with Chapter 103 Development and Subdivision of Land.

ARTICLE IX, A Agricultural District

§ 223-71. Conditional uses requiring Board authorization.

[Amended 04/07/09 by Ord. No. 09-02]

A. Conditional uses requiring Board authorization shall be as follows:

(1) (Reserved) *[Deleted 04/07/09 by Ord. No. 09-02]*

(2) Airports or airfields, public or private, subject to approval by the Maryland Aviation Administration, provided such uses shall comply with at least 5 times the distance requirements of § 223-16. *[Amended 04/07/09 by Ord. No. 09-02]*

(3) (Reserved) *[Deleted 04/07/09 by Ord. No. 09-02]*

(4) Cemeteries, mausoleums, or memorial gardens.

(5) Contractor's equipment storage located in an area of the property comprising no more than 43,560 square feet and which shall comply with at least twice the distance requirements of § 223-16. *[Amended 04/07/09 by Ord. No. 09-02]*

(6) Shops for the service, repair, and sale of farm machinery and farm equipment, including welding, but which are limited exclusively to the sale, service, and repair of farm machinery and farm equipment; and blacksmith shops. The uses authorized herein shall comply with at least twice the distance requirements of § 223-16.

(7) (Reserved).

(8) Extractive-type industries, subject to the requirements of Article XX. As part of an application to the Board, the same information required to be provided to the Board of County Commissioners, specified under § 103-27 shall be provided. *[Amended 04/07/09 by Ord. No. 09-02]*

(9) Fairgrounds and race tracks or courses for the conduct of seasonal or periodic meets of horses, dogs, aircraft, automobiles, motorcycles, off-road vehicles and the like, provided that such uses shall be subject to 3 times the distance requirements specified in § 223-16; and provided further that such uses shall require the filing of an environmental site delineation prepared in accordance with Chapter 103 to demonstrate how use, maintenance, and activities will be conducted and operated so as not to adversely affect the natural resources. *[Amended 05/10/94 by Ord. No. 116; 04/07/09 by Ord. No. 09-02]*

(10) Farms for raising of animals for experimental or other purposes, such as rats, rabbits, mice, monkeys and the like, and fur farms, provided that such uses shall be subject to three times the distance requirements specified in § 223-16.

(11) Food processing and packing plants, wineries, slaughterhouses, and plants for the processing of animal by-products, provided that such use shall be located 3 times the distance requirements specified in § 223-16.

- (12) Commercial kennels or animal hospitals with runways, provided that such use shall be subject to the distance requirements specified in § 223-16, except that where the kennel involves more than 10 dogs, the distance requirement shall be 2 times the requirements specified in § 223-16. *[Amended 04/07/09 by Ord. No. 09-02]*
- (13) Livestock sales yards and buildings, subject to a minimum of 10 acres being provided, and provided that such buildings or use shall be subject to 4 times the distance requirements specified in § 223-16 and a front yard of 400 feet is provided for any use pertaining thereto.
- (14) Commercial swimming pools, parks, recreational areas, and golf ranges, provided that such use shall be 2 times the distance requirements specified in § 223-16, and commercial camping areas, subject to the requirements of Article XXIV.
- (15) Trap, skeet, rifle, or archery ranges, including gun clubs, provided that such use shall be 5 times the distance requirements specified in § 223-16 and all safety standards of county, state, and federal agencies are observed.
- (16) Garden supply centers, including the sale of small or light garden supplies, equipment and tools, customary and incidental to the sale of garden plants and nursery stock; and including the sale of woodburning stoves, fireplaces, and their accessories.
- (17) Liquid and/or dry fertilizer storage and/or sales.
- (18) Commercial feed and grain mills and dryers; and farm seed distribution and storage facilities.
- (19) (Reserved) *[Deleted 04/07/09 by Ord. No. 09-02]*
- (20) Agricultural research laboratories and facilities on a minimum lot of 25 acres; however, the lot may be reduced, provided that the Board finds the nature and scale of the operation can be appropriately accommodated and further provided that a site development plan shall be approved by the Commission.
- (21) (Reserved) *[Deleted 04/07/09 by Ord. No. 09-02]*
- (22) (Reserved) *[Deleted 04/07/09 by Ord. No. 09-02]*
- (23) Storage lot for commercial vehicles, not to include truck or motor freight terminals, provided that the Board shall have the authority to limit the number of vehicles based on the considerations enumerated in § 223-191, and provided that the Board determines sufficient space is available to park the vehicles without disturbance to neighboring properties. Notwithstanding the area requirements of § 223-75, the Board may consider applications on sites of less than 3 acres. *[Amended 01/30/03 by Ord. No. 03-04; 04/07/09 by Ord. No. 09-02]*
- (24) Nursing homes, continuing care retirement communities and assisted-living facilities, subject to prior concept site development plan and traffic study review and determination of density, exterior design, and site layout by the Planning Commission. *[Amended 06/27/01 by Ord. No. 01-6; 05/30/06 by Ord. No. 06-07]*
- (25) Bed-and-breakfast (subject to § 223-34F). *[Amended 04/07/09 by Ord. No. 09-02]*
- (26) Country inn (subject to § 223-34G). *[Amended 04/07/09 by Ord. No. 09-02]*
- (27) Retreat or conference centers as defined in § 223-2, provided that a site development plan shall be approved by the Commission, and subject to the following:
 - (a) The use shall be located on a property of not less than 5 acres.
 - (b) All buildings and housing shall be located not less than 100 feet from adjoining property.
 - (c) Such use shall be designed so as to preserve the maximum amount of land for agricultural purposes.
 - (d) (Reserved) *[Deleted 04/07/09 by Ord. No. 09-02]*
 - (e) The Board may limit the maximum occupancy of the site based on such factors as its proximity to a public water supply and adequacy of the access to the site.

- (f) (Reserved) *[Deleted 04/07/09 by Ord. No. 09-02]*
- (28) Rubble landfills subject to the following requirements, conditions, and limitations:
- (a) The use shall not be allowed unless authorized by valid permits issued by all governmental agencies which require a permit for any part of the activity or use performed.
 - (b) Unless a valid close out permit has been issued and maintained for the site, termination or revocation of any permit required by the preceding section terminates any authority granted hereunder and constitutes a violation of this chapter.
 - (c) This use shall be subject to § 103-19.
 - (d) This use shall be subject to five times the distance requirements of § 223-16 of this chapter.
 - (e) Prior to beginning to use any property for this use, the owner shall enter into an indenture with the Board of County Commissioners which guarantees that all of the requirements of this chapter and any permit required to conduct the use are met and further guarantees that the cost of eliminating any nuisance created by the rubble landfill, including fires, shall be borne by the property owner, and the owner shall provide a bond or other suitable guaranty to the Board of County Commissioners (in the discretion of the Commissioners) to ensure the proper use of the property and performance of the covenants contained in the indenture. For purposes of this section, the Board of County Commissioners may include any provisions in the indenture they deem necessary to protect the health, safety, and welfare of the people of Carroll County, and the Board of County Commissioners shall be the sole arbiters of what constitutes a nuisance.
- (29) (Reserved) *[Deleted 04/07/09 by Ord. No. 09-02]*
- (30) (Reserved) *[Deleted 04/07/09 by Ord. No. 09-02]*
- (31) (Reserved) *[Deleted 04/07/09 by Ord. No. 09-02]*
- (32) Manufacture of mulch, including processing, storage, and sale at retail and wholesale, provided that a site development plan shall be approved by the Commission, and subject to the following conditions:
- (a) The use shall not be located within 600 feet from any property line.
 - (b) The use shall be shown by the owner not to adversely affect the quantity or quality of groundwater or surface waters, or be otherwise detrimental to neighboring properties.
 - (c) The Board may limit the maximum occupancy of the site based on factors including, but not limited to, the proximity to a public water supply and adequacy of access of the site.
 - (d) The Board may require an environmental impact study based on the scale of the project and on the recommendation of technical staff.
 - (e) The Board shall limit the hours and days of operations.
 - (f) No zoning certificate shall be issued until documentation of all necessary permits or exemptions from state and county agencies are presented to the Zoning Administrator.
[Added 06/04/04 by Ord. No. 04-18]
- (33) Research laboratories and facilities conducting bioscience research through clinical and preclinical testing on animals, plants, or foods for the purpose of developing products which are technically, scientifically, or clinically useful, subject to the following requirements:
- (a) Such uses shall be located on a minimum lot of 25 acres.
 - (b) The use shall be subject to a front, rear, or side yard of 200 feet, unless the use includes any exterior animal holding or living areas including kennels with or without runs, pens, corrals, barns or sheds, then the use shall be subject to a front, rear, or side yard of 400 feet.

- (c) Such uses may not exceed a classification of Biosafety Level (BSL) 2 as that term is defined by the Centers for Disease Control (CDC) as of May 1, 2004.
- (d) Such uses shall comply with the following certifications that apply to the testing and research being performed on site if recommended or mandatory for the industry including but not limited to: FDA (United States Food and Drug Administration), AAALAC (Association for Assessment and Accreditation of Laboratory Animal Care International), OLAW (National Institute of Health Office of Laboratory Animal Welfare), USDA (United States Department of Agriculture), DEA (United States Drug Enforcement Agency), EPA (United States Environmental Protection Agency), and the NRC (United States Nuclear Regulatory Commission) and all other similar industry standards, laws, and regulations in effect.
- (e) Such uses must meet all applicable Health Department regulations and standards.

[Added 08/13/04 Ord. No. 04-22]

(34) Solar Energy Facility, Commercial, as defined in §223-2 definitions and shall comply with the distance requirements specified in § 223-16 and shall comply with Chapter 103 Development and Subdivision of Land.

ARTICLE X, R-20,000 Residence District

§ 223-79. Conditional uses requiring Board authorization.

[Amended 06/27/01 by Ord. No. 01-06; 05/30/06 by Ord. No. 06-07; 04/07/09 by Ord. No. 09-02]

Conditional uses requiring Board authorization shall be as follows:

- A. (Reserved) *[Deleted 04/07/09 by Ord. No. 09-02]*
- B. (Reserved) *[Deleted 04/07/09 by Ord. No. 09-02]*
- C. Nursing homes, retirement homes, continuing care retirement communities and assisted-living facilities, hospitals (Class A), medical and dental clinics, subject to prior concept site development plan and traffic study review and determination of density, exterior design, and site layout by the Planning Commission. *[Amended 06/27/01 by Ord. No. 01-6; 05/30/06 by Ord. No. 06-07]*
- D. Funeral establishments.
- E. Golf courses, country clubs, private clubs and similar recreational uses privately owned and/or operated.
- F. Nursery schools or day-care centers.
- G. (Reserved) *[Deleted 04/07/09 by Ord. No. 09-02]*
- H. Bed-and-breakfast (subject to § 223-34F). *[Amended 04/07/09 by Ord. No. 09-02]*
- I. Country inn (subject to § 223-34G). *[Amended 04/07/09 by Ord. No. 09-02]*
- J. (Reserved) *[Deleted 04/07/09 by Ord. No. 09-02]*
- K. Clubs, fraternal organizations, lodges, and similar organizations, provided that they are not conducted for profit and obtain and maintain appropriate designation as nonprofit entities exempt from federal income tax requirements pursuant to federal tax law regulating the conduct of such businesses; subject to site plan approval under § 103-19.

L. Solar Energy Facility as defined in §223-2 definitions and shall comply with the distance requirements specified in § 223-16 and shall comply with Chapter 103 Development and Subdivision of Land.

ARTICLE XI, R-10,000 Residence District

§ 223-86. Conditional uses requiring Board authorization.

[Amended 04/07/09 by Ord. No. 09-02]

Conditional uses requiring Board authorization shall be as follows:

- A. Any conditional use permitted and as regulated in the **R-20,000 District**, except as hereinafter modified.
- B. Boarding or rooming houses or tourist homes.
- C. Clubs, fraternal organizations, lodges and similar organizations, provided that they are not conducted for profit and obtain and maintain appropriate designation as nonprofit entities exempt from federal income tax requirements pursuant to federal tax law regulating the conduct of such businesses; subject to site plan approval under § 103-19. *[Amended 04/07/09 by Ord. No. 09-02]*
- D. Community centers and swimming pools associated therewith.
- E. Two-family dwellings.
- F. Solar Energy Facility, Commercial, as defined in §223-2 definitions and shall comply with the distance requirements specified in § 223-16 and shall comply with Chapter 103 Development and Subdivision of Land.

ARTICLE XII, R-7,500 Residence District

§ 223-93. Conditional uses requiring Board authorization.

[Amended 06/27/01 by Ord. No. 01-06]

Conditional uses requiring Board authorization shall be as follows:

- A. Any conditional use permitted and as regulated in the **R-10,000 District**.
- B. Nursing homes, retirement homes, continuing care retirement communities and assisted-living facilities, subject to prior approval of the site development plan and exterior design of the structure by the Commission. *[Amended 06/27/01 by Ord. No. 01-06]*
- C. Solar Energy Facility, Commercial, as defined in §223-2 definitions and shall comply with the distance requirements specified in § 223-16 and shall comply with Chapter 103 Development and Subdivision of Land.

ARTICLE XIII, B-NR Neighborhood Retail Business District

[Amended 05/30/06 by Ord. No. 06-08; 08/29/06 by Ord. No. 06-11]

§ 223-97. Purpose.

[Amended 05/30/06 by Ord. No. 06-08]

The purpose of the B-NR Neighborhood Retail Business 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.

§ 223-98. Applicability.

[Amended 05/30/06 by Ord. No. 06-08]

The following regulations and applicable regulations contained in other articles shall apply in the B-NR Neighborhood Retail Business District.

§ 223-99. Principal permitted uses.

[Amended 06/27/01 by Ord. No. 01-06; 04/09/04 by Ord. No. 04-01; 05/30/06 by Ord. No. 06-08; 04/07/09 by Ord. No. 09-02]

Principal permitted uses shall be as follows:

- A. Local retail business or service shops, including:
 - Alcoholic beverage package stores
 - Antique shops
 - Appliance stores
 - Automobile accessory
 - Bakery shops
 - Banks, savings and loan institutions
 - Beauty shops and barbershops
 - Candy stores
 - Clothing stores
 - Convenience stores
 - Dress or millinery shops
 - Drugstores
 - Dry goods or variety stores
 - Florist or garden shops
 - Food and grocery stores
 - Fruit or vegetable stores
 - Fuel stations
 - Furniture and upholstering stores
 - Gift or jewelry shops
 - Hardware stores
 - Laundromats
 - Laundry or dry-cleaning establishments and pickup stations
 - Meat markets
 - Office supply stores
 - Pet shops
 - Photographic studios
 - Produce stands
 - Radio and television studios or repair shops
 - Restaurants and lunch rooms
 - Shoe repair shops
 - Specialty shops
 - Sporting goods or hobby shops
 - Tailor establishments
 - Taverns
 - Taxi stands
- B. Commercial parking lots.
- C. Funeral establishments.
- D. Offices and clinics, professional and business, including animal hospitals or veterinary clinics without runways.
- E. Planned business center, subject to the provisions of [Article XI of Chapter 103](#). *[Amended 05/30/06 by Ord. No. 06-08]*
- F. Retirement homes, nursing homes, continuing care retirement communities and assisted-living facilities, or boarding homes. *[Amended 06/27/01 by Ord. No. 01-06]*

- G. Schools, art, trade, business, or nursery and day-care centers.
- H. Social clubs, fraternal organizations, and community meeting halls.
- I. Department stores, as part of a planned business center. *[Amended 05/30/06 by Ord. No. 06-08]*
- J. 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.
- K. 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 Board of Zoning Appeals. Upon appeal, the Board of Zoning Appeals 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.
- L. Solar Energy Facility, Commercial, as defined in §223-2 definitions installed on the roof of any building.

§ 223-100. Conditional uses requiring Board authorization.

[Amended 06/04/04 by Ord. No. 04-18; 08/29/06 by Ord. No. 06-11]

Conditional uses requiring Board authorization shall be as follows:

- A. 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, and the like; or manufacture of mulch; or as modified in § 223-99 herein. *[Amended 06/04/04 by Ord. No. 04-18]*
- B. Custom carpentry and woodworking shops.
- C. Custom printing shops.
- D. Custom sign painting shops.
- E. Sheet metal and light metal working shops.
- F. Automobile service centers, but not including vehicle sales lots, vehicle repair shops, or motorcycle shops. *[Added 08/29/06 by Ord. No. 06-11]*
- G. Solar Energy Facility, Commercial, other than on roof as per § 223.99, as defined in §223-2 definitions and shall comply with the distance requirements specified in § 223-16 and shall comply with Chapter 103 Development and Subdivision of Land

. ARTICLE XIV, B-G General Business District

§ 223-106. Purpose.

The purpose of the B-G General Business 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.

§ 223-107. Applicability.

The following regulations and applicable regulations contained in other articles shall apply in the B-G General Business District.

§ 223-108. Principal permitted uses.

[Amended 06/02/06 by Ord. No. 06-08; 04/07/09 by Ord. No. 09-02]

Principal permitted uses shall be as follows:

- A. Retail trades, businesses and services of a general commercial nature, including the following:
 - Amusement parks
 - Animal hospitals or veterinary clinics without runways
 - Automobile, trailer, or implement sales and service establishments including motorcycle shops
 - Bottling of soft drinks or milk or distribution stations
 - Bowling alley
 - Carpentry or woodworking shops
 - Department stores
 - Drive-in eating and drinking establishments
 - Golf driving ranges
 - Hotels and apartment hotels, including motels
 - 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
 - Newspaper publishing establishments
 - Printing shops
 - Schools, business, dancing, music, trade or others of a commercial nature
 - Sheet metal and light metal working shop
 - Sign painting shop
 - Skating rink
 - Swimming pools
 - Telephone central office or service center
 - Tourist homes
 - Truck or motor freight terminals or warehouses
 - Wholesale business, warehousing, or service establishments, except as first allowed in an I-R or I-G District
- B. Planned business centers, subject to the provisions of [Article XI of Chapter 103](#).
- C. 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. *[Amended 06/02/06 by Ord. No. 06-08]*
- D. Mini storage, when 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) Parking shall be provided on site at a ratio of one space for each 10 storage units, with a minimum of 6 spaces provided.
 - (5) 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.
 - (6) Areas providing access between storage units and areas designed for 2-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.

- (7) 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 10 feet above ground level.
- (8) Fences or walls for security or barrier purposes shall be located on site at least 10 feet from adjacent property lines.
- (9) All structures, storage units, commercial parking areas, aisles, security fences, or walls, except the front building facade, shall be screened from view off site.
- (10) Outside storage of vehicles is prohibited unless the use of the site has been approved as a commercial parking lot.
- (11) The site shall not be used for any activity or use except storage as specified herein.
- (12) 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.
- (13) Signs shall be permitted in compliance with [Article XVIII](#), except that temporary signs, signs that relate to off-premises uses, or signs which exceed 50 square feet in area are prohibited.
- (14) Landscaping shall be provided in accordance with [Chapter 134](#). *[Amended 04/07/09 by Ord. No. 09-02]*
- (15) Solar Energy Facility, Commercial, as defined in §223-2 definitions installed on the roof of any building.

§ 223-109. Conditional uses requiring Board authorization.

[Amended 06/02/06 by Ord. No. 06-08]

Conditional uses requiring Board authorization shall be as follows:

- A. Building material sales and storage yards.
- B. Feed and grain sales, milling, and/or storage.
- C. Outdoor drive-in theaters.
- D. Animal hospitals, veterinary clinics, kennels with runways.
- E. Any conditional use permitted and as regulated in the B-NR District, except as modified in § 223-108. *[Amended 06/02/06 by Ord. No. 06-08]*
- F. Solar Energy Facility, Commercial, other than on roof as per § 223.108, as defined in §223-2 definitions and shall comply with the distance requirements specified in § 223-16 and shall comply with Chapter 103 Development and Subdivision of Land.

ARTICLE XV, I-R Restricted Industrial District

§ 223-115. Purpose.

The purpose of the I-R Restricted Industrial 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-G 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 planned business centers 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 planned business centers 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.

§ 223-116. Applicability.

The following regulations and applicable regulations contained in other articles shall be permitted in the I-R Restricted Industrial District.

§ 223-117. Principal permitted uses.

[Amended 08/14/07 by Ord. No. 07-14; 04/07/09 by Ord. No. 09-02]

Principal permitted uses shall be as follows:

- A. 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 § 223-16:
- (1) Manufacture and assembly of electrical appliances, electronics, and communication equipment, professional, scientific, and controlling instruments, and photographic or optical products.
 - (2) 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 metal, light metal mesh, pipe, rods, shapes, strips, wire, or similar component parts.
 - (3) 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.
 - (4) Manufacture of musical instruments, novelties, and molded rubber products, including tire manufacture, recapping, and treading.
 - (5) Manufacture of pottery or other similar ceramic products using only previously pulverized clay and kilns fired only by electricity or gas.
 - (6) Laboratories, chemical, physical, and biological.
 - (7) Clothing and shoe manufacture.
 - (8) Carpet and rug cleaning plants.
 - (9) Petroleum products storage underground.
 - (10) Blacksmith, welding, machine, or similar shops.
 - (11) Heliports.
 - (12) Solar Energy Facility, Commercial, as defined in §223-2 definitions, and shall comply with the distance requirements specified in § 223-16, and with Chapter 103 Development and Subdivision of Land.
- B. The following business trades and services:
- (1) Bottling of soft drinks or milk or distribution stations therefor.
 - (2) Carpentry or woodworking shops.
 - (3) Newspaper publishing establishments.
 - (4) Printing shops.
 - (5) Sheet metal shops.
 - (6) Sign painting shops.
 - (7) Truck or motor freight terminals or warehouses.
 - (8) Wholesale business.

- (9) Warehousing or service establishments.
- (10) Building materials sales and storage yards.
- (11) Feed and grain sales.
- (12) Milling and/or storage.
- (13) Commercial parking lots.
- (14) Trade schools. *[Added 04/09/04 by Ord. No. 04-01]*
- (15) Professional training centers. *[Added 04/09/04 by Ord. No. 04-01]*
- (16) Offices and office parks. *[Added 04/09/04 by Ord. No. 04-01]*
- (17) Hotels and motels. *[Added 04/09/04 by Ord. No. 04-01]*
- (18) Business Parks, subject to a minimum size of 10 acres. Retail and commercial uses, which are delineated as accessory uses in § 223-119B or principal permitted uses in §§ 223-99A and 223-99E, may be located on separate lots or parcels within a business park provided that: *[Added 08/14/07 by Ord. No. 07-14; amended 04/07/09 by Ord. No. 09-02]*
 - (a) The gross acreage of such uses does not exceed 15% or 15 acres, whichever is lesser, of the business park.
 - [1] 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.
 - [2] No variance of the 15% limitation may be granted.
 - (b) 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.
 - (c) 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.
 - (d) The business park shall be ineligible for additional accessory uses under § 223-119B.
 - (e) 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 § 223-199.
 - (f) **Minimum parking.** An average of 4 parking spaces per 1,000 square feet of building area shall be provided for the lots within a business park.
 - (g) **Prohibited uses.** The following uses are prohibited in a business park:
 - Antique shops
 - Automobile service center
 - Day treatment or care facility
 - Funeral establishments
 - Kennels, commercial
 - Non-profit clubs and fraternal organizations
 - Religious establishments
 - Residential dwelling units
 - Retail greenhouses
 - Retirement homes
 - Second hand or consignment shops
 - Tattoo or body-piercing shops

Vehicle repair shops

(h) **Signage requirements.** *[Added 04/07/09 by Ord. No. 09-02]*

- [1] A signage plan shall be submitted with the site plan.
- [2] 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 [Article XXVI](#) of this chapter. This sign may include identification of the tenants or other entities within the business park.
- [3] If a planned business center (PBC) is located within a business park, then the PBC may have an additional freestanding sign in accordance with § [103-52](#).
- [4] All other buildings or lots within the business park may have signs in accordance with § [223-138](#) of this chapter.

ARTICLE XVI, I-G General Industrial District

§ 223-123. Purpose.

The purpose of the I-G General Industrial 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.

§ 223-124. Applicability.

The following regulations and applicable regulations contained in other articles shall apply in the I-G General Industrial District.

§ 223-125. Principal permitted uses.

[Amended 04/04/01 by Ord. No. 01-03; 06/04/04 by Ord. No. 04-18; 04/07/09 by Ord. No. 09-02]

Principal permitted uses shall be as follows:

- A. Uses of a heavy industrial nature, but not limited to the following, provided that such uses shall be located 2 times the distance requirements specified in § [223-16](#):
 - (1) Manufacture and assembly of aircraft, automobiles, house trailers, or other vehicles.
 - (2) Manufacture and bottling of alcoholic beverages.
 - (3) Manufacture of brick or clay products.
 - (4) Machine shops, structural steel fabricating.
 - (5) Coal yards.
 - (6) Cooperage works.
 - (7) Crematories.
 - (8) Manufacture or processing of chemicals, except sulfuric, nitric, or hydraulic or other corrosive or offensive acid.

- (9) Manufacture of dye or dyestuff and printing ink.
- (10) Electric generating or steam power plants.
- (11) Flour mill, grain milling, or drying.
- (12) Manufacture of felt, shoddy, hair products, feathers, emery cloth, sandpaper, or sand blasting and/or products therefrom.
- (13) Enameling, japanning, lacquering, galvanizing, and plating.
- (14) Manufacture or processing of meat or food products, except slaughterhouses.
- (15) Manufacture of paper, pulp, or cloth.
- (16) Manufacture of perfume.
- (17) Manufacture of pickle, sauerkraut, vinegar, yeast, soda, or soda compounds.
- (18) Manufacture of rayon or similar products.
- (19) Manufacture of rubber or rubber products.
- (20) Manufacture of starch, glucose, dextrin, or spice.
- (21) Manufacture of soap, oil, paints, turpentine.
- (22) Manufacture of wire or wire products.
- (23) Manufacture of mulch, including the processing, storage, and sale at retail and wholesale.

[Added 06/04/04 by Ord. No. 04-18]

- B. Agriculture for interim use, provided that any buildings or feeding pens in which farm animals are kept shall comply with the distance requirements of § 223-16.
- C. Any use permitted and as regulated as a principal permitted use in the **I-R District**, except as hereinafter modified.
- D. Any other use that is determined by the Board 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.
- E. Subject to the requirements of this article, an adult entertainment business, a massage establishment or a striptease business is a principal permitted use in the I-G General Industrial Zone. *[Added 04/04/01 by Ord. No. 01-03; amended 04/07/09 by Ord. No. 09-02]*
 - (1) An adult entertainment business, a massage establishment or a striptease business may not be located within 1,000 feet of:
 - (a) A religious establishment; *[Amended 04/07/09 by Ord. No. 09-02]*
 - (b) A public or private school;
 - (c) A public park or public recreational facility;
 - (d) A public library;
 - (e) A child-care home, child-care institution or family day-care home licensed or registered under Maryland law; or
 - (f) A lot zoned residentially or devoted primarily to residential use.
 - (2) 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.
 - (3) In determining compliance with the siting requirements in subsection E(1) of this section, 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 subsection E(1) of this section.

F. Solar Energy Facility, Commercial, as defined in §223-2 definitions, and shall comply with the distance requirements specified in § 223-16, and with Chapter 103 Development and Subdivision of Land.