

COMPREHENSIVE REZONING PUBLIC HEARING COMMENTS

October 17, 2019

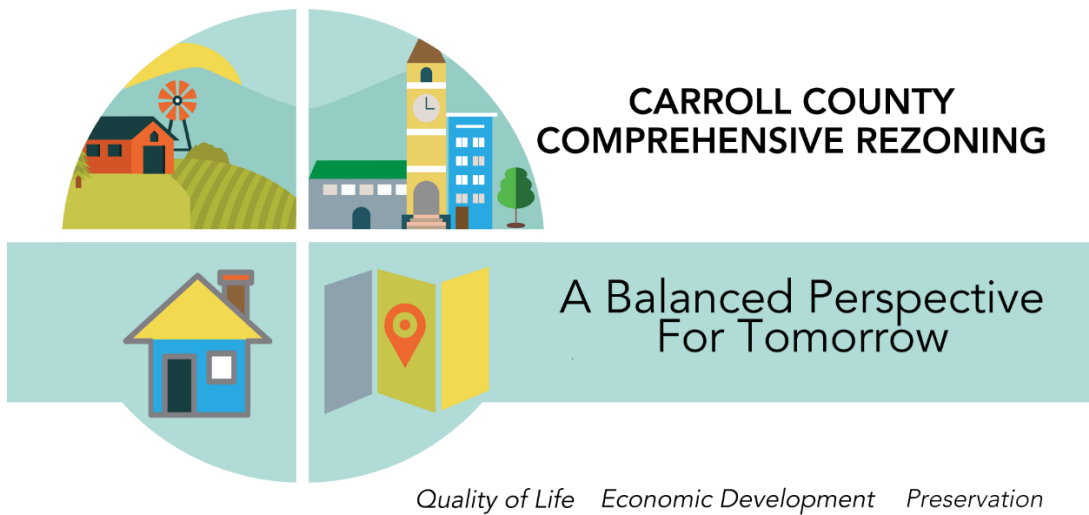


TABLE OF CONTENTS

COMPREHENSIVE REZONING

PUBLIC HEARING COMMENTS

1.Part 1 - Summary of Comments

2.Part 2 - Comments Received

3.Part 3 - Supporting Maps

Part I

COMMERCIAL, INDUSTRIAL AND EMPLOYMENT CAMPUS DISTRICT AMENDMENTS TO CHAPTERS
155 and 158 AND ZONING MAP
PUBLIC HEARING COMMENTS

| Individual/Organization | Topic | Comment | Background/Additional Information |
|----------------------------------------------------|--------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| TEXT | | | |
| 1. a. Freedom District Citizens Association (FDCA) | C-1 District | Change the following uses from <u>Permitted to Conditional</u> : Agriculture; Shop for Service, Repair or Sale of Farm Equipment; Catering establishment; Tavern/Bar; Assisted Living; Continuing Care facility; Nursing Home; Artisan Manufacturing; Planned Commercial Center; Public Facility; Community Meeting Hall; Community Recreational Facility; Day Care Center; Nursery School; Museum; Private School; Religious Establishment; Trade School or Professional Training Center | All of these uses are currently permitted in the B-NR District, with the exception of Artisan Manufacturing, which is a new use and not specifically addressed in the B-NR District |
| 1. b. FDCA | C-1 District | Change the following uses from <u>Permitted to Prohibited</u> : Fuel Station, Indoor Recreational Facility, Outdoor Recreational Facility, Butcher Shop, Commercial Parking Lot or Garage | All of these uses are currently permitted in the B-NR District |
| 1. c. FDCA | C-1 District | Change the following uses from <u>Conditional to Prohibited</u> : Veterinary Facility, Limited Distillery, Microbrewery, Contractor's Equipment Storage, Conveyor System | In the B-NR District, Veterinary Facility is currently permitted; Contractor's Equipment Storage is currently conditional; Limited Distillery, Microbrewery and Conveyor System are not currently addressed |

COMMERCIAL, INDUSTRIAL AND EMPLOYMENT CAMPUS DISTRICT AMENDMENTS TO CHAPTERS
155 and 158 AND ZONING MAP
PUBLIC HEARING COMMENTS

| | | | |
|------------|-----------------------|---------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. d. FDCA | C-2 Districts | Change Above Ground Petroleum Products Storage from <u>Conditional to Prohibited</u> | This issue was addressed, and the use modified by the BCC on July 9, 2019, in response to information regarding a use currently operating in the B-G District |
| 1. e. FDCA | I-1 and I-2 Districts | Change Shop for Service, Repair or Sale of Farm Equipment from <u>Prohibited to Permitted</u> | This use is currently a conditional pass- thru use from the Ag district on certain industrial lots |
| 1. f. FDCA | I-2 District | Change the following uses from <u>Prohibited to Permitted</u> : Vehicle Repair Shop, Professional or Business Office, Industrial Park | Vehicle Repair and Offices are currently pass-thru uses under certain circumstances from the business districts; Industrial Park is a new use |
| 1. g. FDCA | Employment Campus | Change from <u>Permitted to Conditional</u> : Agriculture, Tavern/Bar, | Regarding Agriculture, the following language has been included in the County's Zoning Code since 1965: <i>Except for compliance with yard requirements and distance requirements set forth in 158.040, nothing in this chapter shall prohibit the use of land for agricultural purposes or the construction or use of buildings or structures incident to the use for agricultural purposes of the land on which such buildings or structures are located.</i> |
| 1. h. FDCA | Employment Campus | Change from <u>Prohibited to Conditional</u> : Hospital, Solar Energy Conversion Facility | Solar Energy Conversion Facility is allowed as an accessory use if it is roof mounted or mounted on the canopy of a parking area in this district |

**COMMERCIAL, INDUSTRIAL AND EMPLOYMENT CAMPUS DISTRICT AMENDMENTS TO CHAPTERS
155 and 158 AND ZONING MAP
PUBLIC HEARING COMMENTS**

| | | | |
|------------|-------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. i. FDCA | Employment Campus | Add Small Wind Energy Conversion Systems to this district | This is an accessory use allowed in all zoning districts subject to the requirements of 158.151 |
| 1. j. FDCA | Accessory Uses | Reduce acreage permitted for accessory storage of equipment, vehicles and materials in the C-1 District, replacing a maximum of 1 acre with a maximum of 15% of the square footage of the primary land use | The one acre maximum was based on field work conducted by Planning Dept. staff; there are several established uses in the future C-1 District that are utilizing land in this way |
| 1. k. FDCA | Accessory Uses | Prohibit accessory wineries, microbreweries and distilleries in the C-1 District | Not currently specifically addressed in the code |
| 1. l. FDCA | Accessory Uses | Require a conditional use approval for an accessory dwelling in the C-1 District | Dwellings are currently a principal permitted pass-thru use in the business districts |
| 1. m. FDCA | Setbacks | Change front, rear and side setbacks in the C-1, C-2 and C-3 Districts to a minimum of 25 feet | The current yard requirements in the B-NR and B-G District are: <ul style="list-style-type: none"> • Front: 40 feet; • Side: 10 feet; • Rear: none |
| 1. n. FDCA | Building height | Reduce building height in the C-1 and C-2 districts to 35 feet | The current maximum allowable height in the B-NR District is 40 feet, and in the B-G 50 feet |
| 1. o. FDCA | Setbacks | Increase side yard requirement in the Industrial Districts to 25 feet when adjacent to a residential district | The current side yard requirement in the industrial districts is 30 feet. Additional separation requirements from residential and institutional uses, ranging from 200 to 1,000 feet, are found in Section 158.040 |

COMMERCIAL, INDUSTRIAL AND EMPLOYMENT CAMPUS DISTRICT AMENDMENTS TO CHAPTERS
155 and 158 AND ZONING MAP
PUBLIC HEARING COMMENTS

| | | | |
|-----------------------------------|-----------------------------------------|------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2. John Maguire/Finch Services | Service, repair, sale of farm equipment | Change this use from <u>Prohibited</u> to <u>Permitted</u> in the I-1 District | This use is currently a conditional pass- thru use from the Ag district on certain lots. The request was also made by the FDCA (see comment 1. e) |
| 3. J. Brooks Leahy/Beaty Property | Senior/age-restricted housing | Change this use from <u>Prohibited</u> to <u>Permitted</u> in the C-3 District | The decision to prohibit this use in the C-3 District was made by the BCC at the January 22, 2019 worksession |
| 4. Fairlawn Tool and Dye | I-1 District | Objects to changes from the I-R District | The uses that have become more restrictive in the I-R District are: Truck Terminal, Heliport, and Commercial Parking Lot, as well as the pass-thru uses from the Business and Ag Districts. The uses that have become more permissive are: Contractor's Equipment Storage, Vehicle Repair, Communications Tower Complexes, Indoor Recreational Facilities, Distillery, and Bottling of Alcoholic Beverages |
| 5. Dan Miller | Religious Establishments | Change this use from <u>Prohibited</u> to <u>Conditional</u> in the I-1 District | This use is currently a conditional pass-thru use from the Ag District |
| 6. Melvin Baille Jr. | Nonconforming uses | Change Vehicle Repair in the I-1 from <u>Prohibited</u> to <u>Conditional</u> | This use is already proposed to be Permitted in the I-1 District |
| 7. Bill McCormick | Medical Cannabis Dispensaries | Objects to this use being allowed in commercial districts near neighborhoods and schools | This use is currently only permitted in the industrial districts. At the February 12 work session, the BCC agreed to permit this use in the C-2 and C-3 Districts and eliminate the current requirement that a dispensary may not be less than 1,000 feet from a school. The requirement of |

**COMMERCIAL, INDUSTRIAL AND EMPLOYMENT CAMPUS DISTRICT AMENDMENTS TO CHAPTERS
155 and 158 AND ZONING MAP
PUBLIC HEARING COMMENTS**

| | | | |
|------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | | | 200 feet of separation from a residence or school remains. |
| 8. a. David Bowersox, Carroll County Bar Association | Pass-thru uses from the less intense zoning districts (Ag, Conservation and Residential) | Objects to the elimination of pass-thru uses from less intense districts and loss of future development rights | The elimination of pass-thru uses was one on the 10 central tenets of this rewrite, approved by the Planning Commission and the BCC several years ago. All of the individual uses from the less intense districts were evaluated regarding their appropriateness in the new commercial and industrial districts based on the land use definitions as set forth in the County Master Plan |
| 8. b. David Bowersox, Carroll County Bar Association | Nonconforming uses | Objects to the creation of nonconforming uses | Many of the uses listed in the letter as being eliminated are not prohibited in the new districts; they have been consolidated into a more general use category, which continues to be interpreted by the Zoning Administrator |
| 9. Kelly Shaffer/Liberty Exchange | Definitions, Purposes, Business/Industrial Park, Yard Requirements, Signs, Industrial Park, Business Park | Suggests a number a of amendments, particularly regarding the Business/Industrial Park | The text amendment includes two new uses, Business Park (in the C-3 District) and Industrial Park (in the I-1 District). In order not to make Liberty Exchange a nonconforming use, the section regulating this type of development is unchanged, and Liberty Exchange would now be considered a Business/Industrial Park, with all existing rights, privileges and requirements. The BCC discussed these issues at the July 11, August 8 and September 3 worksessions. |

**COMMERCIAL, INDUSTRIAL AND EMPLOYMENT CAMPUS DISTRICT AMENDMENTS TO CHAPTERS
155 and 158 AND ZONING MAP
PUBLIC HEARING COMMENTS**

| | | | |
|---------------------------------|----------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 10. Kelly Shaffer/MTLaney | Pass-thru uses from the less intense zoning districts (Ag, Conservation and Residential), specifically Vehicle Sales | Objects to the elimination of pass-thru uses from less intense districts and creation on nonconforming uses, specifically Vehicle Sales. Requests grandfathering of pass-thru uses | See #8 above regarding rationale for elimination of pass-thru uses |
| MAP | | | |
| 1. John Maguire/ Finch Services | Property at MD 31 and Medford Rd. (Map 45, parcel 206) | Rezoning of the agricultural portion of this property to I-1 | Refer to Map1 |
| 2. David Calloway | Rezoning of properties along MD 26 | Rezoning to commercial would have adverse effect on family and lifestyle | Refer to Map 2 |
| 3. Bill MacCormack | Long Reach Farms lot 20 | Opposed to rezoning to C-2 District | Refer to Map 2 |
| 4. Clark Shaffer | Property at Woodbine and Fannie Dorsey Road (parcels 422 and 136) | Requests C-3, rather than C-2 Zoning | Refer to Map 3. This property was designated Commercial Low (C-1) in the 2014 County Master Plan. At Mr. Shaffer's request, the Planning Commission placed these parcels in the C-2 District on September 17, 2019. Parcel 422 is 1 acre and parcel 136 is 1.6 acres |
| 5. Kwang Chul Whang | 1012 Baltimore Blvd. | Requests that this property be commercially zoned, since it is currently a commercial use | Refer to Map 4. This property is 1.28 acres along MD 140, in the Westminster MGA, with a future land use designation of commercial |
| 6. Lawrence Rief | 1030 Baltimore Blvd | Requests that this property be commercially zoned, since it is currently a commercial use | Refer to Map 4. This property is an existing shopping center of over 8 acres abutting commercially zoned property along MD 140, in the Westminster MGA, with a future land use designation of commercial |

COMMERCIAL, INDUSTRIAL AND EMPLOYMENT CAMPUS DISTRICT AMENDMENTS TO CHAPTERS
155 and 158 AND ZONING MAP
PUBLIC HEARING COMMENTS

| | | | |
|------------------------|-----------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 7. Clark Shaffer | Fogle property, Parcel 588, Eldersburg | Requests that this property be rezoned from Conservation to C-2, since current business is located on the property | Refer to Map 5. This property is 2.32 acres. It was designated Conservation in the 2018 Freedom Community Comprehensive Plan. On September 17, 2019, the Planning Commission discussed this property, but did not change the zoning classification from conservation to commercial |
| 7. Christine Schlaerth | Light Industrial at Chapel Road and Old Westminster | Opposed | This property was designated light industrial in the Master Plan, but is not being rezoned at this time |
| 8. Michael Schlaerth | Light Industrial at Chapel Road and Old Westminster | Opposed | This property was designated light industrial in the Master Plan, but is not being rezoned at this time |
| 9. Jill Popovich | Property at the corner of MD 140 and Reese Road | Opposed to the rezoning of this property to commercial and industrial, and the uses that would be permitted | This property is currently in Ag Zoning and was designated commercial and industrial in the 2014 County Master Plan. It is not included in this rezoning. |
| IMPLEMENTATION | | | |
| 1. Clark Shaffer | Conditional Uses | Requests that conditional uses that have been applied for be allowed to continue through the BZA approval and development review process under the provisions of the existing code | The following language is proposed: <i>Conditional Use Applications filed prior to the effective date of the legislation, if approved, shall be allowed to proceed to building permit/zoning certificate under the old code, provided the approval is not void under the provisions of 158-133(H)(3).</i> |

Part II

FDCA

Freedom District Citizens Association

P.O Box 351

Eldersburg, MD 21784

October 1, 2019

Ms. Lynda Eisenberg, Director of Planning
Carroll County
225 N. Center Street
Westminster, MD 21157

RE: PROPOSED COMMERCIAL AND INDUSTRIAL ZONING REGULATIONS
AMENDMENTS

Ms. Eisenberg:

The Freedom District Citizens Association (FDCA) was formed primarily as a vehicle to assist with county implementation of the 2018 Freedom District Comprehensive Plan. One of the Comp Plan's implementing measures is to update the zoning regulations, and the FDCA has reviewed the draft zoning regulations updates for the commercial and industrial zoning districts that will be reviewed at an October 3rd public hearing. We have the following comments:

C-1: COMMERCIAL LOW INTENSITY DISTRICT:

A very important distinction of this district is the intent (Page 11) to "provide locations for small-scale, low intensity retail and service uses...primarily serving the residents of the surrounding neighborhoods...with a minimum of consumer travel and convenient auto access". We interpret the intent of the permitted land uses in the C-1 District to support low intensity and neighborhood-compatible uses and conditions.

One parcel in the Freedom Area that might be considered representative of a C-1 location is that of a parcel on Johnsville Road, south of MD 26 and just south of Piney Ridge Parkway. The parcel was formerly sought as a replacement facility for Salerno's Restaurant. The parcel is surrounded by medium and high density housing (single family and townhomes), and is across the street from a large church.

When FDCA reviewed the proposed C-1 District land uses in the LAND USE TABLE, we noted the following concerns, primarily consisting of land uses that the group felt did not meet the language stating the intent of the District. Specifically, our recommendations are to:

- Change “Agriculture” from Permitted Use to Conditional Use;
- Change “Shop for the service, repair, or sale of farm equipment” from Permitted Use to Conditional Use;
- Change “Fuel Station” from Permitted Use to “Prohibited Use” – we feel strongly that the traffic generation from beyond the neighborhood, hours of operation, site lighting, and many other aspects would NOT be compatible with the surrounding neighborhood;
- Change “Catering establishment or banquet facility” from Permitted Use to Conditional Use – there is need to review each proposed catering/banquet facility proposal for traffic and site development compatibility with the neighborhood. Without conditional use provisions, the neighboring community would not have the appropriate level of input into the proposed development;
- Change “Tavern/Bar” from Permitted Use to Conditional Use – the possibility of bars and taverns operating well into the night and attracting traffic from outside the neighborhood warrants additional community scrutiny than afforded by a Permitted Use;
- Change “Veterinary facility, without runways” from Conditional Use to Prohibited Use – the likelihood of barking dogs and other animal concentration conditions would not be compatible to abutting neighbors in the C-1 District. The use is appropriately allowed in the C-2 and C-3 districts;
- Change “Indoor recreational facility” from Permitted Use to Prohibited Use – the amount of traffic generation from outside the neighborhood is likely to require more intense use, hours, and site lighting and potential after-hours congregation than would be desirable in a local neighborhood;
- Change “Outdoor recreational area” from Permitted Use to Prohibited Use – neighborhood impacts from the intensity and land requirements of such a facility is beyond the intent of the proposed C-1 District;
- Change “Butcher Shop” from Permitted Use to Prohibited Use – the processing of meats associated with this type of facility would likely be considered objectionable by immediate neighbors on parcels embedded within the community;
- Under the heading of “GROUP LIVING”, we believe that “Assisted-living, continued care communities, and nursing homes” should change from Permitted Use to Conditional Use in the C-1 District – these facilities can be more intense and traffic-generating, with frequent emergency services vehicles operations. Given that these uses are permitted in the C-2 and C-3 Districts, it is reasonable to require an applicant to proceed via the Conditional Use process;
- The following uses should be changed to Conditional Use due to potential traffic generation and site development conditions that could be greater than the local community can support in the C-1 District:
 - Community meeting hall, social club, fraternal organization;
 - Community recreational facility;
 - Day Care Center;
 - Nursery School;
 - Museum;
 - Private School;
 - Religious establishment;
 - Trade school or professional training center.
- Change “Artisan Manufacturing” from Permitted Use to Conditional Use;
- Change “Limited distillery” and “Micro-brewery” from Conditional Uses to Prohibited Uses in the C-1 District;

- Change “Commercial parking lot or garage” from Permitted Use to Prohibited Use;
- For “Utility Equipment, all others”, the zoning regulations should provide a definition. We couldn’t ascertain whether this refers to a substation of limited size or mega-facility?
- Change “Contractor’s equipment storage facility” from Conditional Use to Prohibited Use in the C-1 District;
- Change “Conveyor System” from Conditional Use to Prohibited Use in the C-1 District;
- Change “Planned Commercial Center” from Permitted Use to Conditional Use – the potential impacts of this use on the immediately surrounding neighborhood would best be identified by the Conditional Use process;
- Change “Public Facility” from Permitted Use to Conditional Use – the impacts of such facilities (senior centers, libraries, etc.) could produce effects that are undesirable to the local community.

C-2 and C-3: COMMERCIAL MEDIUM AND HIGH INTENSITY DISTRICTS:

The only comment from the FDCA for these two Districts relates to “Above ground petroleum products storage (2,000 gallons or greater) – we don’t understand why the use is proposed as Conditional in the C-2 District, but Prohibited in the C-3 District? We believe the intent is to maintain the use as Prohibited in each of the three Commercial zoning districts, which we support.

I-1 and I-2: INDUSTRIAL ZONING DISTRICTS:

The FDCA’s comments are limited to the following:

- Change “Shop for the service, repair, or sale of farm equipment” from Prohibited Uses to Permitted Uses in both I-1 and I-2 Districts;
- Change “Vehicle repair shop” from Prohibited Use to Permitted Use in the I-2 District;
- Change “Professional or business office” from Prohibited Use to Permitted Use in the I-2 District – there are many situations where a professional office can be successfully integrated into an industrial setting;
- Change “Business/Industrial Park” from Prohibited Use to Permitted Use in the I-2 District – we envision that heavier industrial parks can successfully integrate a business or industrial park.

EC: EMPLOYMENT CAMPUS DISTRICT:

The intent of this District is “to provide for and foster comprehensively planned employment centers...to attract...research and development, institutional, office, flex space...” The FDCA’s comments are as follows:

- Change "Agriculture" from Permitted Use to Conditional Use – there could be adverse impacts of a large agricultural operation on an Employment Campus setting which could be avoided through Conditional Use review;
- Change "Tavern/Bar" from Permitted Use to Conditional Use – while a tavern/bar might be accessory in an employment campus, the inference of late-night use, potential attraction of users beyond the limits of the employment campus, and the potential for encouraging loitering beyond operating hours warrants a thorough review for all parties;
- Change "Hospital" from Prohibited Use to Conditional Use – hospitals can often be a county's largest employer, and it is possible to identify and mitigate impacts within the Conditional Use process;
- Change "Solar energy conversion facility, ground mounted" from Prohibited Use to Conditional Use – we would recommend adding Small Wind Energy Conversion Systems to this use category, and we believe that there are successful and growing use of land for solar and wind energy "farms" that could be a beneficial addition to large parcels, including those used for employment campus.

158.083 COMMERCIAL AND INDUSTRIAL DISTRICTS: REGULATION OF ACCESSORY USES.

- We believe that requirement (A)(1)(g) regarding "equipment, vehicle and materials storage when accessory to general service or office" is too lenient in the C-1 District. As written, there could be as much as one acre (43,560 sq. ft.) of outdoor storage of vehicles, equipment and materials. Misused, this could result in a property owner storing outside over 100 vehicles, or an acre of yard materials such as mulch, or motorized equipment in a location adjacent to housing in a residential neighborhood. Such an extensive outdoor storage of vehicles, equipment or materials would not be "accessory" in scale to the primary retail or office use, and would be incompatible with the intent of small scale development serving the neighborhood. This accessory use allowance is best suited for parcels located on major arterials in the C-2 or C-3 District. We recommend that equipment, vehicle and materials storage, as accessory uses in the C-1 District be limited to a maximum of 15% of the square footage of the primary land use.
- We believe that wineries, micro-breweries, and distilleries have impacts (such as odors and hours of operation) that are not compatible with surrounding residential units. We have recommended that such uses be prohibited in the C-1 District (see above), and would further recommend that Paragraph (1)(A)(h) be clarified so that wineries, micro-breweries, and distilleries are NOT allowed as accessory uses in the C-1 District.
- Paragraph (1)(A)(m) would allow a dwelling as an accessory use in a Commercial District – we recommend that a dwelling unit proposed in a Commercial District be required to proceed through the Conditional Use process.

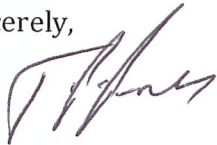
158.084 COMMERCIAL AND INDUSTRIAL DISTRICTS: BULK REQUIREMENTS.

The setback and height requirements are too flexible and should not be applied uniformly across all commercial districts. We recommend the following adjustments:

- Paragraph (A)(1): Front, rear, and side setbacks in the C-1, C-2 and C-3 Districts should be a minimum of 25 feet. This is especially important for any commercial use adjacent to a residential land use. Building heights should be limited to a maximum of 35 feet in the C-1 and C-2 Districts, to reflect their needed compatibility with adjacent residential units.
- Paragraph (B)(1): Industrial District development located adjacent to a Residential Use or District should have increased setbacks (25 feet) instead of 10-20 feet on the side(s) adjacent to a Residential District.

The FDCA appreciates the county's time and efforts to update the Zoning Regulations, and our opportunity to provide input into the undertaking. Please contact us if there are any clarifications needed on our comments.

Sincerely,



Tim Passarello, President
Freedom District Citizens Association
P.O. Box 351
Eldersburg, MD 21784
(410) 549-1200

COPY TO: Mr. Richard J. Soisson, Chair, Planning and Zoning Commission
Board of County Commissioners:
Commissioner Stephen Wantz, President
Commissioner Ed Rothstein, Vice President
Commissioner Richard Weaver, 2nd Vice President
Commissioner Dennis Frazier
Commissioner Eric Bouchat

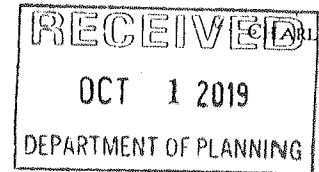
LAW OFFICES
HOLLMAN, MAGUIRE, TITUS, KORZENIEWSKI & LUZURIAGA
CHARTERED

JOHN T. MAGUIRE, II
RICHARD R. TITUS
PETER J. KORZENIEWSKI
MATTHEW G. LUZURIAGA
MANDI M. PORTER

189 EAST MAIN STREET
WESTMINSTER, MARYLAND 21157
WESTMINSTER LINE - 410-848-3133
BALTIMORE LINE - 410-876-3183
FACSIMILE LINE - 410-876-2790
WWW.CARROLL-LAWYERS.COM

OF COUNSEL
ROBERT L. SLINGLUFF
(1977-1996)

SENDER'S EMAIL: jmaguire@carroll-lawyers.com



October 1, 2019

HAND-DELIVERED

Board of County Commissioners for
Carroll County
225 N. Center Street
Westminster, Maryland 21157

Re: 2019 Carroll County Comprehensive Rezoning
Industrial Zone
Service, Repair, Sale of Farm Equipment

Dear Commissioners:

I am writing on behalf of Finch Services, Inc. in connection with its John Deere dealership stores in the greater Westminster and Eldersburg areas. Both of these stores are currently in the I-R District where they have been operating as Carroll County mainstays for generations. In both cases, the proposed zoning maps will place these properties in the new I-1 Zoning District. Under the categories set forth in Section 158.082 of the draft of the amended zoning text, the usage table in the fifth (5th) line on Page 44 would now prohibit "shop for the service, repair or sale of farm equipment" in the I-1 District. See copy attached. This would effectively make this use non-conforming at both locations. The client's efforts to rectify this result with the Planning Director have apparently fallen on deaf ears.

As you know, non-conforming uses are disfavored and intended to be phased-out by law. This presents many pitfalls for a property and business owner for the use, expansion, financing and sale of the property going forward for reasons and eventualities both predictable and unpredictable. In short, this diminution in status can place unreasonable and unnecessary restrictions on the business and property in the future, not to mention its impact on value as certain sticks in the bundle of property rights get stripped away.

You are no doubt familiar with the nature and appearance of this business which includes assembly, service, repair and sales of large-sized farm, lawn and ground maintenance equipment with large service bays that certainly take on the appearance of an industrial nature to even the most casual observer. A few representative photographs of the

HOLLMAN, MAGUIRE, TITUS, KORZENIEWSKI & LUZURIAGA
CHARTERED

Board of County Commissioners for
Carroll County
October 1, 2019
Page 2

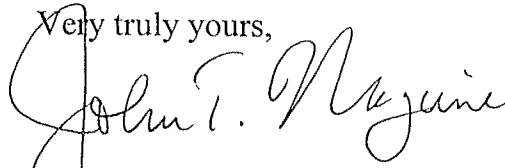
Westminster location are enclosed herewith.

By comparison, the same zoning table on page 46 of the draft Amendment makes "Building or landscaping supply sales and storage yard" and "Rental of vehicles and goods with primarily outdoor equipment storage" among the comparable uses that are principal permitted uses in the same I-1 District. Furthermore, there are only one or two other such operations in the County so the need to phase out or discourage this use in the I-1 zone is not present.

Finch Services, Inc. respectfully requests that a "shop for the service, repair or sale of farm equipment" be allowed as a principal permitted use in the I-1 District. This would merely preserve, rather than diminish, its ability to do business and evolve over time in these appropriate locations and give the subject use equal status to other comparable uses designated as principal permitted uses.

Your consideration is appreciated.

Very truly yours,



John T. Maguire

JTM/pae
Enclosure

cc: Dann Finch, Vice President - Finch Services, Inc. (with enclosure)
✓ Lynda D. Eisenberg, Planning Director (with enclosure)

Section 158.082

(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).

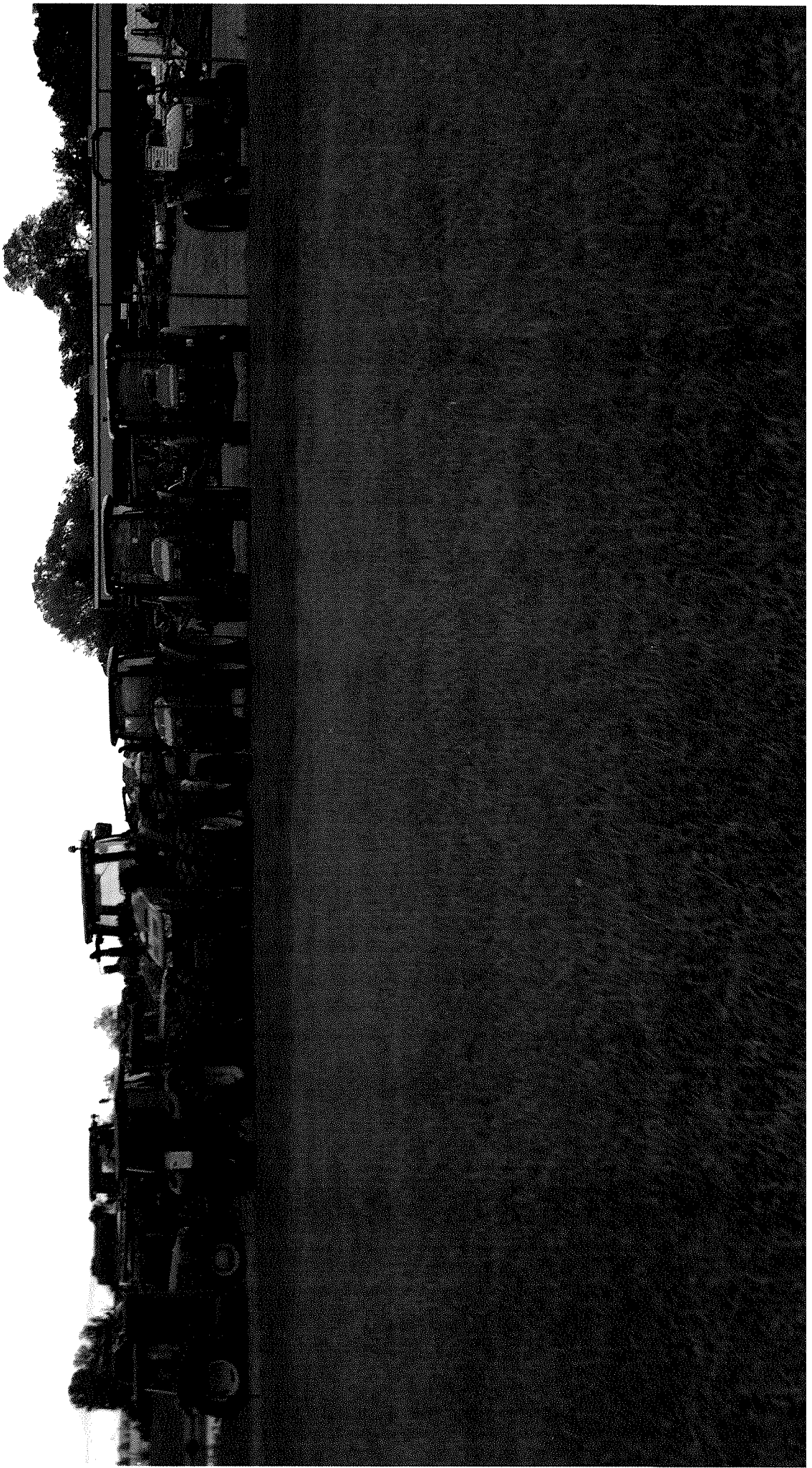
(10) Words or phrases not specifically defined in this Chapter shall be construed according to the common and generally recognized usage of the language. Technical words and phrases, and others that have acquired a specific meaning in the law, shall be construed according to that meaning.

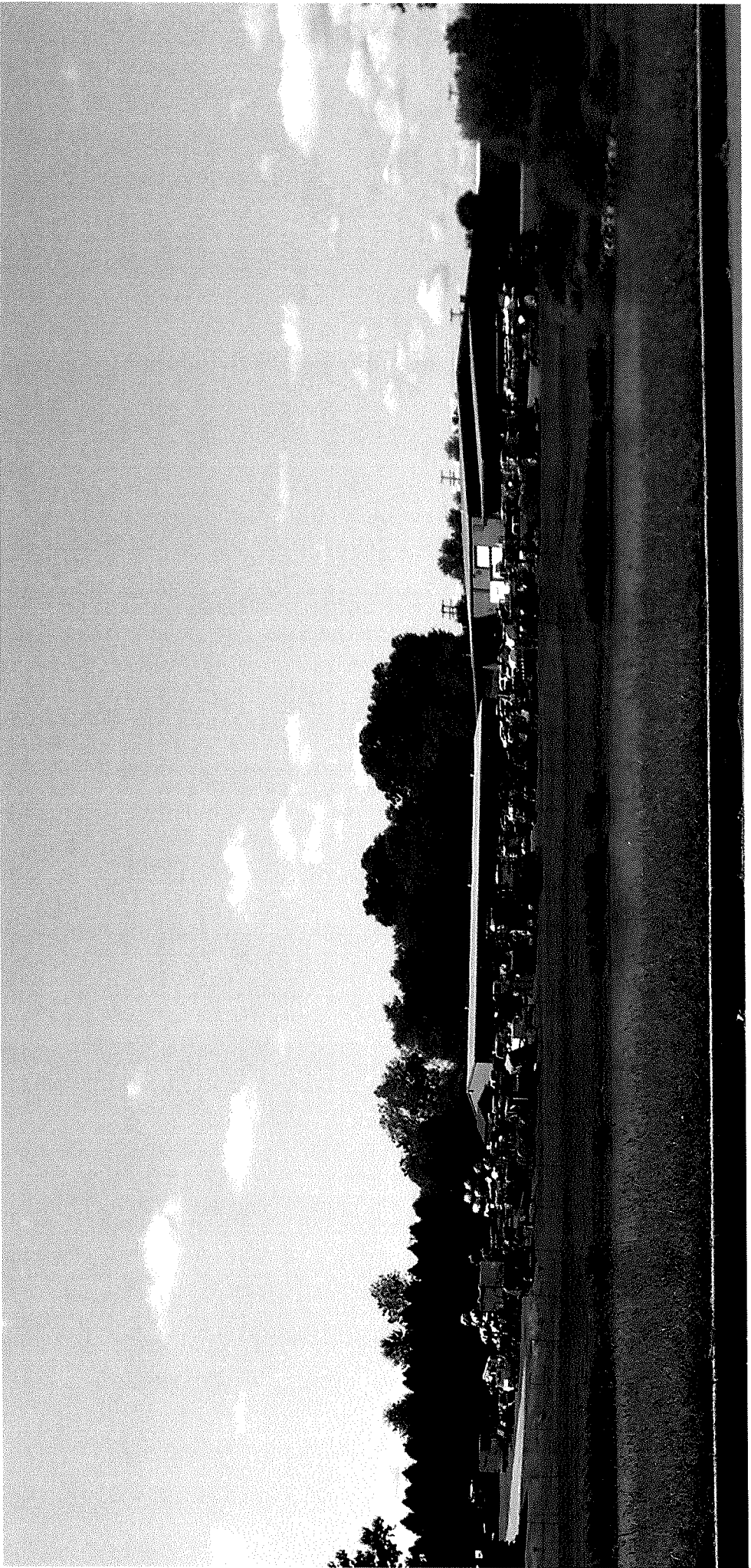
(11) Variances shall not be granted to the uses listed in the following Table of Land Uses.

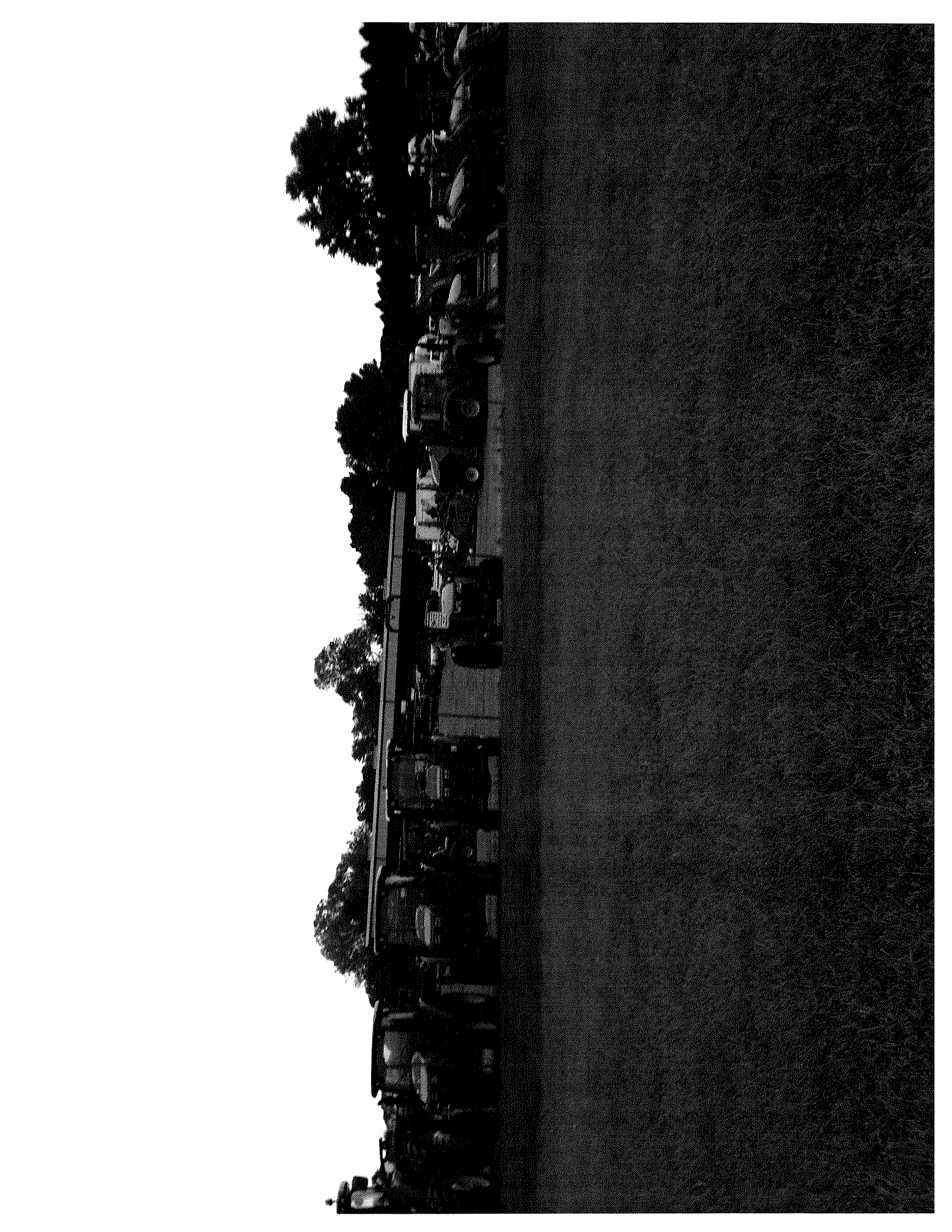
(The following table, although not underlined, is new language)

Change to P - Principal Permitted Use

| LAND USE CATEGORY SUBCATEGORY DESCRIPTION | C-1 | C-2 | C-3 | I-1 | I-2 | EC | ADDITIONAL REGULATIONS |
|--------------------------------------------------------------|-----|-----|-----|-----|-----|----|---------------------------|
| AGRICULTURAL | | | | | | | |
| Agriculture | P | P | P | P | P | P | 158.002, 158.035 |
| Agricultural research laboratories and facilities | X | X | C | C | P | P | 158.070 |
| Feed or grain sales, may include storage | X | P | P | P | P | X | |
| Flour or grain milling, drying, storage | X | X | X | P | P | X | 158.040 |
| Shop for the service, repair, or sale of farm equipment | C | P | P | X | X | X | 158.040 |
| COMMUNICATIONS | | | | | | | |
| Communications tower | C | P | P | P | P | C | 158.002, 158.039, 158.054 |
| Communications tower complex | C | P | P | P | P | C | 158.002, 158.039, 158.054 |
| COMMERCIAL | | | | | | | |
| Vehicle Sales/ Service | | | | | | | |
| Automobile service center | C | P | P | C | C | X | 158.002, 158.083 |
| Car wash (self or full service) | X | P | P | X | X | X | |
| Fuel station | P | P | P | X | X | X | 158.002 |
| Vehicle repair shop | X | P | P | P | X | X | 158.002, 158.083 |
| Vehicle sales lot (under 10,000 lbs. gross vehicle weight) | X | P | P | X | X | X | 158.002 |
| Vehicle sales lot (10,000 lbs. or more gross vehicle weight) | X | C | P | X | X | X | 158.002 |
| Eating and Drinking Establishments | | | | | | | |
| Catering establishment or banquet facility | P | P | P | X | X | P | 158.002 |







DULANY LEAHY CURTIS & BROPHY LLP

J. BROOKS LEAHY
AMBER DAHLGREEN CURTIS
STEPHANIE R. BROPHY
CANDIE C. DEMING

ATTORNEYS AT LAW
127 EAST MAIN STREET
WESTMINSTER, MARYLAND 21157-5012

WILLIAM B. DULANY
(1927-2017)
WESTMINSTER 410-848-3333
BALTO LINE 410-876-2117
FAX LINE 410-876-0747

October 3, 2019

Hand Delivered

Board of Carroll County Commissioners
225 North Center Street
Westminster, MD 21157

2019 OCT -3 PM 4:23

Re: Text Amendments for Commercial Industrial and Employment Campus Districts

Dear Commissioners:

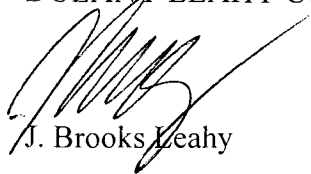
This office represents Long Meadow Farm 21784, LLC, a Maryland Limited Liability Company, which company owns slightly more than 120 acres located south of Bennett Road in the Freedom District. The final designated land use for their property in the Freedom Community Comprehensive Plan is for the bulk of the property to be residential-medium and an approximately 30-40-acre portion designated as commercial-high. It is my understanding that the commercial-high zoned property would be designated as C-3 district.

In reviewing the land use table under proposed section 158.082, I note that retirement home/ age-restricted adult housing is allowed as a Permitted use in the C-1 and the C-2 zones, but it is not permitted in the C-3 zone. On behalf of my client, we would request that you consider allowing retirement home/age-restricted adult housing to be a Permitted use in the C-3 zone. Generally, the C-3 zone allows more uses and more intense uses than the C-1 and C-2 zone. It seems to me that the additional flexibility to allow for retirement home/age-restricted adult housing in the C-3 zone would make sense.

My client would appreciate your consideration of this requested change.

Sincerely,

DULANY LEAHY CURTIS & BROPHY LLP



J. Brooks Leahy

JBL/lss

cc: Lynda Eisenberg, leisenberg@carrollcountymd.gov

S:\WPDOCS\GENERAL FILES\Long Meadow Farm 21784, LLC\10615-0001 - re Sale or Development Real Estate\Commissioner Letter,2019.10.02.docx



September 19, 2019

Carroll County Department of Planning
Attention: Ms. Lynda D. Eisenberg
225 North Center Street
Westminster, MD 21157

Dear Ms. Eisenberg,

Thanks for the time affording Mr. Goldsborough and myself Tuesday by you and Paige Sunderland. The description of the changes to zoning should help clarify Carroll County's future growth plans.

I own the former Fairlawn Tool property at 1900 Hanover Pike. Last September, I moved into our new facility built at 1232 Independence Way in Westminster. I had many choices for relocation but decided to stay in Carroll County. Fairlawn Tool, Inc. is growing and we intend to hire many more people in the coming years in our manufacturing facility.

Our building has been for sale since June, 2018 and has had very little interest. Now I need the commissioner's help and discretion. I have a potential buyer of my Hampstead property which now is zoned "IR". I understand the change will be voted on in early October. If that happens, it is my hope that there will not be changes to the I-1 classification as it is proposed today because Mr. Goldsborough's business fits nicely into the I-1 classification.

I look forward to your response and look to a long and mutually beneficial relationship with Carroll County.

Sincerely,

Gary L. Romig Jr.

President/Fairlawn Tool, Inc.

Dear Commissioner Rothstein, I am grateful for your service and desire to see Carroll County thrive and become a strong community in family structure as well as economic growth.

My name is Dan Miller and I am currently pastoring a church in the Ellicott City area. We recently had a developer purchase our church and the adjacent house. So as you may imagine it has placed us in need of finding a new home for our congregation.

Our real estate agent recently made us aware of a property at 7400 Buttercup Rd in Sykesville. As we

begin to look into the logistics of purchasing the property we inquired at the county offices of Plan Review and Zoning.

We were able to confirm what we had already anticipated and that was the need for a Conditional Use Permit to use the building as a religious facility. We also found out that 7400 Buttercup is zone Industrial and according to the zoning department would currently allow religious organizations to use that property. The question then arose that there is a scheduled vote and zoning change possible by the end of Oct. 2019 that would discontinue to allow religious facilities to occupy Industrial zoned properties. With that question on the table, we were advised to contact the Commissioner of the district that the property is located and get your council and possible get an understanding if this is something we can still pursue.

We are excited about the new location and feel we could be of a positive impact on the community. We are a small congregation and anticipate to continue to lease a good portion of the building for industrial use.

Please advise,

Sincerely, Dan Miller

410-615-4372

LAW OFFICES
HOFFMAN, COMFORT, OFFUTT, SCOTT & HALSTAD, LLP

R. NEAL HOFFMAN
RICHARD H. OFFUTT, JR.
DAMIAN L. HALSTAD
DAVID K. BOWERSOX
DENNIS M. TWIGG*

24 NORTH COURT STREET
WESTMINSTER, MARYLAND 21157

—
RALPH G. HOFFMAN
(1910-1994)
E. RONALD COMFORT
(1947-2016)

JEFFREY D. SCOTT
(OF COUNSEL)

—
410-848-4444
410-876-2266
FAX: 410-876-9263
E-MAIL: lawyers@hcolaw.com
dbowersox@hcolaw.com

October 11, 2019

Board of County Commissioners of Carroll County
225 North Center Street
Westminster, MD 21157

Dear Commissioners:

We thank you for the opportunity to comment on the new proposed text and write this letter to offer you general thoughts on the effect of adopting the text as proposed. It has been reiterated throughout the process that the intent of the text amendment is to keep property owners in the County “whole.” It has also been suggested that it is the goal to minimize the number of non-conforming uses as a result of this text amendment, and that if a property owner were to become non-conforming, that status would not have a great effect on the existing use of the property. The following is intended to clarify the ways in which property owners are not being kept whole and the detrimental significance of becoming a non-conforming use.

Please note the following:

- This document does not list the uses being added to the districts and/or the uses some are “gaining.” This document was created by analyzing the uses provided in the current zoning text for the business and industrial districts to best compare it to the uses provided in the new proposed text for the commercial and industrial districts.
- **Highlighted text** indicates a use that is now being outright prohibited under the re-write, when it is currently allowed.
- **Text indicated in red font** is the current zoning text that allows for some uses to pass through to different zones. Currently it is hard to analyze with any precision given that the agricultural, conservation and residential districts are proposed for a future re-write; however, the impact of these uses being “lost” in the re-write is twofold:
 - first, any land owner with *undeveloped property* in this zoning district is now losing development rights that they had under the current text (many significant rights); and
 - second, any land owner with *developed property* containing a use that is now prohibited under the re-write will have a non-conforming use. A non-conforming use puts a property owner at a legal disadvantage and poses an incredibly challenging uphill battle (if it is even legally possible) when at

SERVING CARROLL COUNTY SINCE 1936



WWW.CARROLLCOUNTYMARYLANDLAWFIRM.COM

any time that owner wants to expand, alter, amend or redevelop that property with that use, or a similar use. This disadvantage can also be financial as it relates to a potential drop in property value (as is often the case when a developed property now has an “illegal” use) and difficulty in any financing of the property.

The following is a list of all uses that a current property owner in the following business and industrial districts will “lose” under the proposed new text amendment:

B-NR (assuming this equates to C-1 or C-2)¹

1. Current Principal Permitted Uses being “lost”
 - a. “Radio and television studios or repair shops” → not listed in the use chart and does not clearly fall within another use.
 - b. “Department stores, as part of a PBC” → new text proposes PCC as permitted in all commercial districts, but there is a size limitation on “general retail” which makes any “general retail” over 10,000 sq ft prohibited in C-1. See footnote 1.
 - c. “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...” → no proposed replacement of these pass throughs
 - i. Unclear (although certain assumptions can be made) as to everything being “lost” because text on the Ag and Residential Districts has not been drafted or considered as part of this process). Has greatest negative potential to land owners if pass throughs are now prohibited.
2. Current Conditional Uses being “lost”
 - a. “Any conditional use permitted and as regulated in the “A” District, except mobile homes, mobile home parks, race tracks or course 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” → no proposed replacement of these pass throughs
 - i. Unclear (although certain assumptions can be made) as to everything being “lost” because text on the Ag and Residential Districts has not been

¹ This analysis is based upon an assumption that approximately 80% of the uses now listed in the B-NR District will fall within the new definitions of “general retail” or “general service.” General retail less than 10,000 sq ft is permitted in all commercial districts. General retail between 10-60,000 sq ft is prohibited in C-1 and permitted in C-2 & C-3. General retail above 60,000 is prohibited in C-1, conditional in C-2, and permitted in C-3.

drafted or considered as part of this process). Has greatest negative potential to land owners if pass throughs are now prohibited.

- b. "custom carpentry and woodworking shops" → proposed as prohibited in C-1
- c. "sheet metal and light metal working shops" → proposed as prohibited in C-1
- d. "custom sign painting shops" → not listed in the use chart and does not clearly fall within another use.

B-G (assuming this equates to C-3)

1. Current Principal Permitted Uses being "lost"

- a. "bottling of soft drinks or milk or distribution stations" → proposed as prohibited in all commercial districts.
- b. "newspaper publishing establishments" → not listed in the use chart and does not clearly fall within another use.
- c. "sign painting shops" → not listed in the use chart and does not clearly fall within another use.
- d. "telephone central office or service center" → not listed in the use chart and does not clearly fall within another use.
- e. "tourist homes" → not listed in the use chart and does not clearly fall within another use.
- f. "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" → no proposed replacement of these pass throughs
 - i. Unclear (although certain assumptions can be made) as to everything being "lost" because text on the Ag and Residential Districts has not been drafted or considered as part of this process). Has greatest negative potential to land owners if pass throughs are now prohibited.

2. Current Conditional Use being "lost"

- a. "Any conditional use permitted and as regulated in the B-NR District..." → no proposed replacement of these pass throughs
 - i. Results in the prohibition of (analyzed within new text):
 - 1. bed and breakfast
 - 2. country inn
 - 3. retirement home
 - 4. above ground petroleum products storage.

I-R (assuming this equates to I-1)

1. Current Principal Permitted Uses being “lost”
 - a. Currently, the list of principal permitted uses in the zone is prefaced by a statement saying “uses of a light industrial nature including but not limited to the following,” which results in an ability for the Zoning Administrator or the BZA to determine that a use not otherwise specifically listed is appropriate in the zone. The new text (§158.082(A)(5)) *requires* a BZA determination without giving discretion to the Zoning Administrator, resulting in a more significant legal expense to a property owner for a use that may otherwise seem common sense.
 - b. “manufacture of pottery or other similar ceramic products...” → now proposed as conditional.
 - c. “Heliports” → now proposed as conditional
 - d. Facilities for the dispensing of medical cannabis → now proposed as prohibited, unless associated with a grow or process facility.
 - e. “newspaper publishing establishments” → not listed in the use chart and does not clearly fall within another use.
 - f. “sign painting shops” → not listed in the use chart and does not clearly fall within another use.
 - g. “Truck or motor freight terminals” → now proposed as conditional
 - h. “Commercial parking lots” → now proposed as prohibited in both Industrial Districts.
 - i. “Hotels and motels” → now proposed as prohibited in both Industrial Districts.
2. Current Conditional Use being “lost”
 - a. “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 “BG” use that is determined by the BZA to be of the same general character as a PBC.” → no proposed replacement of these pass throughs

I-G (assuming this equates to I-2)

1. Current Principal Permitted Uses being “lost”
 - a. Currently, the list of principal permitted uses in the zone is prefaced by a statement saying “uses of a heavy industrial nature including, but not limited to the following,” which results in an ability for the Zoning Administrator or the BZA to determine that a use not otherwise specifically listed is appropriate in the zone. The new text (§158.082(A)(5)) *requires* a BZA determination without giving discretion to the Zoning Administrator, resulting in a more significant legal expense to a property owner for a use that may otherwise seem common sense.
 - b. Facilities for the dispensing of medical cannabis → now proposed as prohibited, unless associated with a grow or process facility.
 - c. “Any use permitted and as regulated as a principal permitted use in the I-R District, except as hereinafter modified” → no proposed replacement of these pass throughs
 - i. Results in the prohibition of (analyzed within new text):
 1. Vehicle repair shop
 2. professional or business office
 3. indoor recreational facility
 4. indoor trap, skeet, rifle or archery ranges, including gun clubs
 5. building or landscaping supplies sales and storage yard
 6. rental of vehicles and goods with primarily outdoor equipment storage
 7. limited distillery
 8. micro-brewery
 9. business/industrial park
 10. industrial park
2. Current Conditional Uses being “lost”
 - b. “Foundries” → not listed in the use chart. If this is intended to fall within “welding, sheet metal, machine, carpentry, or similar shop” that could be specified.
 - a. “Garbage, offal, or dead animal reduction” → now proposed as prohibited
 - c. “Gas manufacture or storage for heat or illumination” → not listed in the use chart and does not clearly fall within another use.
 - d. “Any conditional use as set forth and as regulated in the I-R District” → no proposed replacement of these pass throughs

- i. Results in the prohibition of (analyzed within new text):
 - 1. Outdoor recreational area
 - 2. See also pass through conditional use language being lost from current text (noted above under conditional use for I-R (business uses)).

As you can see, one of the largest concerns is the elimination of pass through uses. If it remains the intent of the Commissioners to both keep property owners "whole," and to promote flexibility within the zoning ordinance, a continuation of the existing text allowing for pass through uses would be easy to carry forward into the new proposed text. Such carry over would also eliminate a majority of the impending non-conforming uses under the new text. To offer some perspective, if you are currently an owner of I-G property, proposed to change to I-2, and you are eligible for the pass through uses under the conditional use provisions, you will stand to lose approximately eighty (80) uses, plus or minus, that you would otherwise be allowed to apply to the Board of Zoning Appeals for.

It is our sincere hope that you take these suggestions into consideration, and that, if nothing else, you adopt the text as currently proposed with full knowledge of the impact it stands to have on property owners in the County. If you are unwilling to consider carrying forward the pass through uses, appropriate grandfathering language could, at a minimum, protect property owners with a current legal use from becoming non-conforming as a result of the proposed text.

Thank you for the opportunity to comment upon the draft text and also for your consideration of this matter.

Very truly yours,



David K. Bowersox,
Chairman, Carroll County Bar Association
Special Committee on Administrative
Regulation

cc: Ms. Roberta Windham
Ms. Lynda Eisenberg
Timothy C. Burke, Esquire
Committee Members

From: [Kelly Shaffer](#)
To: [Rothstein, Edward](#); [Wantz, Steve](#); [Weaver, Richard](#); [Frazier, Dennis](#); [Bouchat, Eric](#)
Cc: [Clark Shaffer](#); [Eisenberg, Lynda](#); [Lane, Mary S](#); [Voight, Jay C.](#); psunderland@carrollbiz.org; jlyburn@carrollbiz.org; [Windham, Roberta J.](#)
Subject: [External E-mail] St. John Properties Comment to the Proposed Text Amendment
Date: Friday, October 11, 2019 3:22:43 PM
Attachments: [2019-10-11 chapter-158-zoning-text-amendment comments.pdf](#)
[Commissioners outgoing 10.11.19 - SJP text amendment comments.pdf](#)

This message originated outside of Carroll County Government. Use caution when opening attachments, clicking links or responding to requests for information.

Good afternoon,

On behalf of St. John Properties, Inc., attached please find comments to the proposed text amendment. If for any reason you have trouble viewing the comments in red made to the document attached as "2019-10-11 chapter-158-zoning-text-amendment comments," please do not hesitate to let me know and I can deliver additional hard copies or send in an alternate way.

Thank you and have a good weekend.

Kelly Shaffer Miller, Esquire

Shaffer & Shaffer, LLP

73 E. Main Street

Westminster, MD 21157

phone [\(410\) 848-3737](tel:(410)848-3737)/ fax [\(410\) 848-3977](tel:(410)848-3977)

The information contained in this communication may be confidential, is intended only for the use of the recipient named above, and may be legally privileged. If the reader of this communication is not the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication, or any of its contents, is strictly prohibited. If you have received this communication in error, please re-send this communication to the sender and delete the original message and any copy of it from your computer system.

Text Amendment for the Commercial, Industrial and Employment Campus Districts

Underlining = New text

~~Strikeout~~ = Deleted text

*** = Existing text

CHAPTER 158: ZONING REGULATIONS

GENERAL PROVISIONS

158.002 DEFINITIONS

ARTISAN MANUFACTURING AND PRODUCTION. The manufacture and production of commercial goods by a manual worker or craftsman, in a building no greater than 3,500 square feet in size, including but not limited to jewelry, metalwork, cabinetry, stained glass, textiles, ceramics, or hand-made food products.

or tenant space

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

under common ownership or control,

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 developed as a stand-alone entity. approved as a single development plan, which may be comprised of multiple lots and buildings.

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 functions including, but not limited to, banquets, weddings, anniversaries, and other similar celebrations, and may also include on-site kitchen

electricians, HVAC contractors, plumbers, mailing and shipping services,

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, electronics, appliance or furniture repair, photographic studio, and the rental of products, but excluding the rental of products with primarily outdoor storage and 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 significant environmental impact on adjacent properties, including water, air, and light pollution, noise, or odor. Heavy manufacturing includes, but is not limited to, brick or clay products, paper, cloth, paints, spice, glucose, wire and perfume. This use may also include the accessory storage and distribution of products or parts. This use does not include other manufacturing uses specifically listed in the Table of Principal Uses.

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 developed as a stand-alone entity.~~ and commercial
~~under common ownership or control, and approved as a single site development plan, which may be comprised of~~

~~multiple lots and buildings.~~

KENNEL, COMMERCIAL. Any premises ~~Property on which any person engages in the business of is used or designed for the~~ boarding (daily or overnight), breeding ~~more than two litters per year, buying, letting for hire, training for a fee, or selling sale of more than three dogs or other~~ canines.

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.

cabinet making, woodworking,

LIGHT MANUFACTURING AND PRODUCTION. A location used for the manufacturing of finished products or parts, usually from previously prepared materials, including processing, fabrication, compounding, assembly, treatment, and packaging of such products or parts. The products are usually made for end-users, and such uses do not include processing of hazardous gases and chemicals, and do not emit noise, smoke vapors, fumes, dust, odor or vibration. Light manufacturing includes, but is not limited to, electrical appliances, communications equipment, scientific instruments, photographic or optical products, apparel, cosmetics, musical instruments, commercial bakeries, and novelties. This use may also include the accessory storage, sales, and distribution of products or parts. This use does not include other manufacturing uses specifically listed in the Table of Principal Uses.

LIMITED DISTILLERY. A facility that has been issued a Class 9 Manufacturer's license under the Alcoholic Beverages Article of the Annotated Code of Maryland.

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. An Outdoor Recreational Facility may include space for teaching of the recreational activity.

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 accessory to facility use.

VARIANCE. A variance is a relaxation of the terms of this chapter, except where specifically prohibited, in accordance with §§ 158.130(A) and (C) and 158.133(B), where such variance will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the results of the actions of the applicant, a literal enforcement of the chapter would result in practical difficulty or unreasonable hardship.

or limit the accessory uses allowed in the underlying zoning district

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 distribution facility, at which ~~any~~ storage is minor, transitory, and merely incidental to the purpose of facilitating order fulfillment and transportation of goods ~~or chattels~~.

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

YARD, INTERIOR. The yards on both sides of an interior lot line of an industrial district development.
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 |
| "C-1" | <u>Commercial Low Intensity District</u> |

(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 and Employment Campus 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~~ principal permitted 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:

the following uses unless they are located within the same development as the uses or buildings requiring the specified setbacks
(e.g., a distillery is allowed in I-1 and schools are allowed in an Industrial Park - and they could be located in the same building, so the setback should not apply, or should be measured from use to use)

(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, as referenced in Section 158.082(A), 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 or intended to be occupied by a dwelling not located on the same lot as the said use or buildings, or
- (b) for which a residential lot has been recorded, or
- (c) for which a construction permit for a dwelling has been issued;

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

~~or~~

- (7) Fertilizer, potash, insecticide, glue, size, or gelatin manufacture;
- (8) Junkyard;
- (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.~~

158.059 MEDICAL CANNABIS.

Uses related to the growing, processing, or dispensing of medical cannabis shall comply with the following requirements:

~~(A) The licensed premises of a medical cannabis dispensary, medical cannabis processor, or medical cannabis grower, may not be located within 1,000 feet of an existing public or private elementary school, middle school, or high school, or a site acquired for the location of such a facility, provided that the school is programmed for construction in the current Community Investment Plan (CIP).~~

~~(B)~~ (A)

~~(C)~~ (B)

~~(D)~~ (C)

Add to 158.060

Computation of Distance: (1) For purposes of computing the distance from a multi-tenant building or site, any distance requirement shall be measured from the perimeter of the use and not from the entire building or site; (2) For purposes of computing the distance from a use or building to a panhandle-shaped lot, any distance requirement shall be measured from the use or building to the property line except that the panhandle portion of a lot shall be excluded from the distance requirements.

~~(E)~~ (D)

Add diagrams, illustrating both cases to the County's book of examples.

158.060 MEASUREMENT OF SEPARATION OR DISTANCE BETWEEN USES.

When measuring a required separation between uses, distance shall be determined from the nearest point of the structure occupied by the use requiring separation to the nearest point of the boundary of the lot from which the separation is to be established. In the case of an

(A) Purpose and Intent. ~~The purpose of the "I-RR" 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, wholesale distribution, and limited office and commercial uses which are supportive or directly related to industrial uses, which may not be as intense 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. 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.

^{permitted}
~~encouraged~~
^{^ The foregoing notwithstanding, retail uses are permitted within an Industrial Park in the I-1 District.}

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

(C) Principal Uses. The regulation of principal uses is set forth in Section 158.082.

(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;~~

- ~~(m) Commercial parking lots;~~
- ~~(n) Trade schools;~~
- ~~(o) Professional training centers;~~
- ~~(p) Offices and office parks;~~
- ~~(q) Hotels and motels; and~~

A Business/Industrial Park is not a Planned Commercial Center and shall not be subject to the provisions of the code as they relate uniquely to a Planned Commercial Center. In addition to the uses allowed in the I-1 District, uses permitted by right in the C-3 District, which are not otherwise permitted uses in the I-1 District, may be located within a Business/Industrial Park, may be comprised of a single or multiple lots with single and multi-tenant buildings containing multiple permitted uses, provided that:

with an SDP approved prior to April 1, 2019, and any subsequent revisions or amendments thereto,

~~(D) (r) Business/Industrial Parks. Business/Industrial Parks, approved as Business parks prior to April 1, 2019, subject to a minimum size of ten acres, are permitted in the I-1 District. Retail and commercial uses, which are delineated as accessory uses in division (E)(2) (9) below, or general service and general retail principal permitted uses in § 158.077(C)(1) and (C)(5) 158.082 (A), and Planned Commercial Center, subject to the provisions of Sec. 155.094, may be located on separate lots or parcels within a business/industrial park provided that:~~

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

C-3 permitted uses, not otherwise permitted in the I-1 District,

(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.

C-3 permitted use, not otherwise permitted in the I-1 District,

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

25,000 (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;

Note: Please see list of examples justifying the 25,000 SF limit, on p. 62

~~(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;~~

Note: Suggest removing (3) because the C-3 uses are dispersed throughout various buildings that can house I-1 and C-3 uses. Therefore, just let the area limitation of 15% required above to control.

~~(3) (4) The business/industrial park shall be ineligible for additional accessory uses under § 158.079(E) (2) 158.083(B) (2);~~

~~(4) (5) The development of the business/industrial 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);~~

~~(5) (6)~~ An average of four parking spaces per 1,000 square feet of building area shall be provided for the lots within a business/industrial park;

~~(7)~~ The following uses are prohibited in a business/industrial park:

- See Comment 1, this page ~~(a) Antique shops;~~
- See Comment 2, this page ~~(b) Automobile service center;~~
- See Comment 1, this page ~~(c) Day treatment or care facility;~~
- See Comment 3, this page ~~(d) Funeral establishments;~~
- See Comment 4, this page ~~(e) Kennels, commercial;~~
- See Comment 1, this page ~~(f) Nonprofit clubs and fraternal organizations;~~
- See Comment 5, this page ~~(gh) Religious establishments;~~
- See Comment 6, this page ~~(hi) Residential dwelling units;~~
- See Comment 1, this page ~~(ij) Retail greenhouses;~~
- See Comment 7, this page ~~(jk) Retirement homes;~~
- See Comment 1, this page ~~(kl) Second hand or consignment shops;~~
- See Comment 1, this page ~~(lm) Tattoo or body piercing shops; and~~
- See Comment 8, this page ~~(mn) Vehicle repair shops.~~

Comments:

1. This use is not specifically called out or prohibited in any districts so should not be prohibited in a B/IP.
2. ASC is a permitted use in C3 and should be allowed as part of a B/IP.
3. Add "Funeral establishments as part of a business park, business/industrial park, or industrial park" to the use chart and make it a permitted use in a BP and prohibited use in a B/IP and IP.
4. Kennels are not allowed in the I-1 and are not a permitted use in C-3, therefore it is redundant to prohibit the use in a B/IP.
5. Is it legal to prohibit religious establishments when secular uses where large groups gather are permitted?
6. Add "Dwelling in a Business/Industrial Park, all types" to the use chart and prohibit the use.
7. Retirement home is a prohibited use in C-3 & I-1 so no need to prohibit here.
8. Vehicle repair shop is a permitted use in both C-3 and I-1 so it should be permitted in a B/IP.

~~(6) (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/industrial 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/industrial park.

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

(d) All other buildings or lots within the business/industrial park may have signs in accordance with § 158.114.

~~(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.~~

~~(d) the following, when associated with a brewery or micro brewery, and pursuant to 158.079(C)(2)(c):~~

- ~~1. Tasting rooms;~~
- ~~2. Accessory food sales to accompany the beverage tasting;~~
- ~~3. Retail sales facility for the sale of novelty and gift items related to the beverage;~~
- ~~4. Guided tours; and~~
- ~~5. Promotional activities.~~

~~(2.9) 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.~~

~~(EH) Required conditions. Required conditions Site plan review. Site plan review, if required, shall be the same as provided by as per Chapter 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,

12) For purposes of a Business/Industrial Park and an Industrial Park, as governed by 158.079(D) and 158.156 respectively, any use permitted in either the C-3 or I-1 district shall be considered permitted, and no conditional use approval shall be required even if said use is conditional in one of the districts. (Example: Building or landscaping supplies sales and storage yard)

(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 uses listed in the following Table of Land Uses.

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

| LAND USE CATEGORY SUBCATEGORY DESCRIPTION | C-1 | C-2 | C-3 | I-1 | I-2 | EC | ADDITIONAL REGULATIONS |
|--------------------------------------------------------------|----------|----------|----------|----------|----------|----------|---------------------------|
| AGRICULTURAL | | | | | | | |
| Agriculture | P | P | P | P | P | P | 158.002, 158.035 |
| Agricultural research laboratories and facilities | X | X | C | C | P | P | 158.070 |
| Feed or grain sales, may include storage | X | P | P | P | P | X | |
| Flour or grain milling, drying, storage | X | X | X | P | P | X | 158.040 |
| Shop for the service, repair, or sale of farm equipment | C | P | P | X | X | X | 158.040 |
| COMMUNICATIONS | | | | | | | |
| Communications tower | C | P | P | P | P | C | 158.002, 158.039, 158.054 |
| Communications tower complex | C | P | P | P | P | C | 158.002, 158.039, 158.054 |
| Radio and television studios | X | X | X | P | X | X | |
| COMMERCIAL | | | | | | | |
| Vehicle Sales/ Service | | | | | | | |
| Automobile service center | C | P | P | C | C | X | 158.002, 158.083 |
| Car wash (self or full service) | X | P | P | X | X | X | |
| Fuel station | P | P | P | X | X | X | 158.002 |
| Vehicle repair shop | X | P | P | P | X | X | 158.002, 158.083 |
| Vehicle sales lot (under 10,000 lbs. gross vehicle weight) | X | P | P | X | X | X | 158.002 |
| Vehicle sales lot (10,000 lbs. or more gross vehicle weight) | X | C | P | X | X | X | 158.002 |
| Eating and Drinking Establishments | | | | | | | |
| Catering establishment or banquet facility | P | P | P | X | X | P | 158.002 |

Add "Medical or dental center, as part of a Business/Industrial Park or an Industrial Park" - these uses exist at Liberty Exchange and do not count against the area of business park currently so they should not count toward the area of the B/IP or IP, (excluding this use would leave Liberty Exchange less than whole vs. current status) - see proposed changes to §158.156.

Veterinary facility, w/o runways in IP or B/IP X X X P X X 158.002, 158.040

| LAND USE CATEGORY SUBCATEGORY DESCRIPTION | C-1 | C-2 | C-3 | I-1 | I-2 | EC | ADDITIONAL REGULATIONS |
|------------------------------------------------------------------------------------------------------------------------|--------------------------------|-----|-----|-----|-----|----|----------------------------------|
| Restaurant | P | P | P | X | X | P | 158.083 |
| Restaurant, with drive thru | X | P | P | X | X | X | |
| Tavern/Bar | P | P | P | X | X | P | 158.083 |
| Funeral and Interment | | | | | | | |
| Cemetery, mausoleum, or memorial garden | C | C | C | X | X | X | 158.002 |
| Crematorium | X | P | P | X | P | X | 158.002, 158.040 |
| Funeral establishment | X | P | P | X | X | X | 158.002 |
| Lodging | | | | | | | |
| Bed and breakfast | C | X | X | X | X | X | 158.002, 158.071 |
| Country inn | C | X | X | X | X | X | 158.002, 158.071 |
| Hotel or motel | X | C | P | X | X | P | |
| Hotel or motel, as part of an Industrial Park | NA | NA | NA | P | NA | NA | 158.002, 158.156 |
| Office/Health Care | ^or a Business/Industrial Park | | | | | | ^158.079(D) |
| Facility for dispensing of medical cannabis | X | P | P | X | X | X | 158.002, 158.040, 158.059 |
| Facility for dispensing of medical cannabis, in conjunction with a medical cannabis growing and/or processing facility | X | X | X | P | P | X | 158.002, 158.040, 158.059 |
| Medical or dental center | P | P | P | X | X | P | 158.002 |
| Professional or business office | P | P | P | P | X | P | 158.083 |
| Veterinary facility, without runways | C | P | P | X | X | X | 158.002, 158.040 |
| Veterinary facility, with runways | X | C | C | X | X | X | 158.002, 158.040 |
| Recreational/Entertainment | | | | | | | |
| Adult entertainment business, massage establishment, striptease business | X | X | X | X | P | X | 158.002, 158.154 |
| Amusement park | X | X | P | X | X | X | |
| Conference center | X | C | P | X | X | P | 158.002, 158.070 |
| Conference center as part of an Industrial Park or a Business/Industrial Park | NA | NA | NA | P | NA | NA | 158.002, 158.156 158.079(D) |
| Golf course | X | X | X | X | X | P | 158.002 |
| Indoor recreational facility | P | P | P | P | X | P | 158.002 see Comment 1, this page |
| Indoor theater | X | C | P | X | X | X | |
| Indoor trap, skeet, rifle, or archery ranges, including gun clubs | X | P | P | P | X | X | 158.040 |
| Outdoor drive-in theater | X | X | C | X | X | X | |
| Outdoor recreational area | P | P | P | C | X | P | 158.002 |
| Outdoor trap, skeet, rifle, or archery ranges, including gun clubs | X | X | X | X | X | X | 158.040 |
| Retreat facility | X | X | X | X | X | X | 158.002, 158.070 |

(1) Uses and structures customarily accessory and incidental to any principal permitted use or authorized conditional use, including but not limited to:

(a) A mobile home or dwelling directly related to 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. Any such retail use shall be excluded from the area limitation in Section 158.079(D)(1).

(d) Towing service, when accessory to an automobile service center or vehicle repair shop.

(e) Car wash, when accessory to a permitted or conditional use.

(f) Motor vehicle rental and leasing, when accessory to an automobile service center or vehicle repair shop.

(g) Consumption or tasting of alcohol produced on-site, food sales to accompany the beverage tasting, retail sales of novelty and gift items related to the beverage, guided tours, and promotional activities at a brewery, micro-brewery, distillery, limited distillery, or winery.

(h) 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.

(i) Solar energy conversion facility, subject to the requirements of Section 158.153.

(3) The bulk requirements for dwellings in the Rural Villages shall be the same as in the R-10,000 District, and where adjoining any Residence District, the side yard shall be not less than 25 feet.

(4) The bulk requirements for dwellings not in the Rural Villages shall be as follows:

(a) For dwellings that were in the B-NR District, the bulk requirements shall be the same as in the R-10,000 District, and where adjoining any Residence District, the side yard shall be not less than 25 feet.

(b) For dwellings that were in the B-G District, the bulk requirements shall be the same as in the R-7,500 District, and where adjoining any Residence District, the side yard shall not be less than 15 feet.

(5) The bulk requirements for age-restricted housing shall be the same as for nonresidential uses.

(B) Bulk requirements in the Industrial Districts.

(1) The following requirements shall be observed in the industrial districts, subject to the provisions of Section 158.130:

(a) Front yard: minimum 10 feet.

(b) Side yard: minimum 20 feet.

(c) Rear yard: minimum 20 feet.

(e) ~~(d)~~ Height: maximum 50 feet.

(d) Interior yard: minimum 0 feet.

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

*** (D) Within a business/industrial park or an industrial park, the yard requirements may be reduced by the approval of Planning Commission.

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

158.114 USE-ON-THE-PREISES SIGNS.

(C) The total area of all signs shall not exceed four times each linear foot of the building wall ~~most nearly parallel to or confronting the adjacent street being used as a tenant front.~~ Only one building frontage shall be used in computing the sign area allowance, except on a corner lot, in which case an additional 25% of the sign area allowed may be authorized. In no case shall the area of any one sign exceed 200 square feet on any one side. Computations of signs shall include all sides (where applicable) including the entire face of the sign and any wall work incidental to its decoration and shall include the space between letter figures and designs or the space within letter figures and designs.

 , a Business Park (BP), a Business/Industrial Park (I/BP), or an Industrial Park (IP)

(D) No exterior sign shall exceed 30 feet in total height, as measured from the adjacent public road, if freestanding. Only one freestanding sign is permitted, except if located in a Planned Commercial Center.

(1) A Planned Commercial Center fronting on more than one street may be permitted one additional sign not exceeding 200 square feet in area containing the names of the Planned Commercial Center or establishments located therein, that may be placed in any location within the boundaries of the project within the required yard area along each street.

(2) For each interior business in a PCC, signs may be permitted not to exceed an area four square feet for each linear foot of store frontage and located in accordance with a signage plan approved by the Planning Commission.

(G) Temporary signs located on the premises of a business which advertise special events of the business subject to all distance, yard, and setback requirements and subject to the following limitations:

(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.

158.155 JUNKYARDS.

(A) A junkyard may be authorized by conditional use, 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 INDUSTRIAL PARK.

Use same definition suggested on p. 3

~~(A) An Industrial Park is a self-contained development area of at least ten acres that is cohesive, with a common development scheme, and developed as a stand alone entity.~~

(1) An Industrial Park is permitted in the I-1 District, and principal uses include all uses permitted by right or authorized by conditional use in the I-1 District, except the following:

- (a) Airport
- (b) Bus terminal
- (c) Concrete or asphalt recycling
- (d) Contractor's equipment storage facility
- (e) Oil contaminated soil facility
- (g) ~~(f)~~ Solar energy conversion facility, ground mounted
- (h) ~~(e)~~ Storage of sludge

(f) outdoor recreational area

Conditional Use Note: Striking this text would remove (c), (d), (f) and (o) from list

(2) Additional principal uses permitted may include uses permitted by right ~~or authorized by conditional use~~ in the commercial districts, provided that these uses and the supporting parking lot area collectively comprise no more than 20% of the land area of the entire Industrial Park. However, the following uses permitted in the commercial districts are prohibited in an Industrial Park:

- (a) ~~Adult day care facility~~ child daycare is permitted so allow adult too
- (b) Assisted living facility - but a continuing care retirement community is allowed?
- (c) ~~Cemetery or mausoleum~~ - see Conditional Use Note, this page
- (d) ~~Commercial kennel~~ - see Conditional Use Note, this page
- (e) Retail store greater than ~~5,000~~ square feet in size - 5,000 SF is too small, increase
- (f) ~~Crematorium~~ - see Conditional Use Note, this page

- (g) Drug rehabilitation clinic
- (h) Dwellings - see Comment 6, p. 24
- (i) Funeral establishment - see Comment 3, p. 24
- ~~(j) Hospice facility - see Comment 1, p. 24~~
- (k) Hospital
- (l) Indoor theater
- (m) Nursing home - see comment for 2(b) above
- ~~(n) Pawn, consignment, or antique shop - see Comment 1, p. 24~~
- ~~(o) Outdoor drive-in theater - see Conditional Use Note, p. 59~~
- ~~(p) Outdoor recreation - added to list of prohibited I-1 conditional uses in 158.156 (A)(1)~~
- ~~(q) Outdoor trap, skeet, rifle, or archery ranges, including gun clubs~~
- (r) Self-service storage facility
- ~~(s) Tattoo or piercing establishment - see Comment 1, p. 24~~
- ~~(t) Vehicle repair - see Comment 8, p. 24~~
- (u) Vehicle sales

Not allowed in C-1, C-2, C-3, I-1 or I-2 so no need to list here

~~(3) The following principal uses are also permitted by right in an Industrial Park, without being subject to the percentage limitations above:~~

- ~~(a) Conference center~~
- ~~(b) Hotel~~

Conference center and hotel are both listed as permitted uses in an industrial park, no need to list here

~~(4) The following temporary use is prohibited in an Industrial Park:~~

- ~~(a) Flea market - see Comment 1, p. 24~~

→ (5) 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 acreage of the entire Industrial Park.

→ This restriction seems redundant and too restrictive.

(6) Landscaping, signs, walkways, and parking will be provided in an integrated and harmonious design.

~~(7) An Industrial Park may not be subject to subdivision.~~

158.157 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.

158.158 SELF-SERVICE STORAGE FACILITY.

(A) Self- service storage facilities may be permitted in the C-2 and C-3 Districts, subject to the following conditions:

- (1) Maximum individual 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.
- (4) A business office may 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, accessory vehicle storage 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 158.114, 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 of the Carroll County Code.

158.159 BUSINESS PARK.

Use same definition suggested on p. 1

~~(A) A Business Park is a self-contained development area of at least ten acres that is cohesive, with a common development scheme, and developed as a stand alone entity.~~

(1) A Business Park is permitted in the C-3 district, and principal uses include all uses permitted by right or authorized by conditional use in the C-3 District, except the following:

- (a) Cemetery or mausoleum
- (b) Crematorium
- (c) Funeral establishment
- (d) Outdoor drive-in theater
- (e) Self-service storage facility

(2) Additional principal uses may include uses permitted by right ~~or authorized by conditional use~~ in the I-1 District, ~~except an oil-contaminated soil facility~~, provided that these uses and the supporting parking lot area collectively comprise no more than 20% of the land area of the entire Business Park.

(3) Dwellings may also be permitted in a Business Park, provided that the total developed area for dwellings collectively comprises no more than 20% of the total land area of the Business Park development.

(4) The Planning Commission shall require phasing of construction of the residential portion of the Business Park to ensure that this component is in support of the primary employment uses.

(5) Landscaping, signs, walkways, and parking will be provided in an integrated and harmonious design.

~~(6) A Business Park may not be subject to subdivision, with the exception of single-family dwellings.~~

List of example uses to justify 25,000 SF limit - see p. 23

Increase max size for retail use to 25,000 SF, allows:

- Small-scale grocer (e.g., Fresh Market, Trader Joe's, Lidl)
- Sitdown/full-service restaurants (e.g., Basta Pasta planned expansion, Texas Road House, Clydes)
- Pharmacy (e.g., CVS, Walgreens)
- Health clubs (e.g., Planet Fitness, Retro Fitness) - see Comment 1 re: Indoor Recreational Facilities and Health Clubs in use chart, p. 45
- Daycare (e.g., Goddard School, Celebree School)

SHAFFER AND SHAFFER, LLP
ATTORNEYS AT LAW
73 EAST MAIN STREET
WESTMINSTER, MARYLAND 21157

CLARK R. SHAFFER
CLARK@SHAFFERANDSHAFFERLLP.COM

KELLY SHAFFER MILLER
KELLY@SHAFFERANDSHAFFERLLP.COM

STACY P. SHAFFER
STACY@SHAFFERANDSHAFFERLLP.COM

410/848-3737
410/876-0100
FAX: 410/848-3977

October 11, 2019

Board of Commissioners for Carroll County
225 N. Center Street
Westminster, MD 21157
Delivered by Hand & Email

RE: M.T. Laney Company, Inc. Comment to the Proposed Text for the Commercial,
Industrial and Employment Campus Districts

Dear Board of Commissioners for Carroll County:

I write to you on behalf of my clients, M.T. Laney Co., Inc. (Laney). As you are likely aware, Laney is a long-standing family owned and operated company that owns multiple properties throughout Carroll County. With the proposal of the draft text amendment to the commercial, industrial and employment campus districts, Laney has one unresolved concern which I will outline in this letter.

Laney currently owns multiple properties on Enterprise Street in the Freedom District of Carroll County. Those properties are presently zoned I-R and are proposed for I-1. If adopted as proposed, the text for the I-1 district will eliminate all "pass through" uses presently permitted or conditional in the I-R district. Specifically, Laney has gone through the recent conditional use approval process for pass through uses provided for in §158.079(D)(2) of the existing County Code (copy attached for your convenience).

In a decision dated April 26, 2019, Board of Zoning Appeals Case No. 6143 granted Laney conditional use approval for a vehicle repair shop and vehicle equipment/sales at 5400 Enterprise Street. Although Laney is glad to see that a vehicle repair shop remains permitted in the I-1 district, Laney is concerned with the new text as it relates to the prohibition of all vehicle sales (both size prohibitions are concerning) and the general flexibility of the property for future uses.

As a result of the proposed text amendment, Laney has two concerns:

1. The elimination of pass through uses in the I-1 district; and
2. The implication of becoming a non-conforming use.

Although the “loss” of existing rights is of concern to Laney, a larger concern is the implication of becoming a non-conforming use. Such classification puts Laney at both a legal disadvantage, as well as a potential financial disadvantage as it relates to property value and financing. If the proposed text were to be adopted as-is, Laney’s approved vehicle/equipment sales use would become non-conforming.

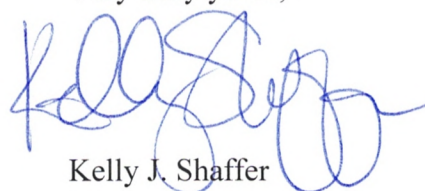
We would respectfully suggest that these concerns are likely not unique to Laney and could be fairly easily resolved. Laney would request that these same pass through uses continue to be conditional in the I-1 district. This would leave Laney in the same position it stands today without having “lost” any uses. We believe that the existing pass through language is already limiting enough to resolve any concerns resulting from commercial pass through uses in industrial zones. The text as it is currently written limits eligibility to properties of a certain acreage (5 or less) and created prior to March 9, 2004 (meaning you cannot now subdivide industrial property for the purpose of gaining these pass through uses).

If the Commissioners are unwilling to consider that request, Laney would alternatively suggest some sort of “grandfathering” language be added to the I-1 district (and perhaps all of the districts) to protect all uses previously approved under existing pass through language and prevent those existing approvals from becoming non-conforming. We would suggest language similar to the following: “All conditional uses approved prior to November 1, 2019 shall be considered permitted uses as regulated within the district, and shall be permitted to expand or alter in accordance with the requirements of Chapter 155.”

Over the past several years Laney has grown its business exponentially and invested in additional property throughout the County as a result. Laney looks forward to continuing its operations in Carroll County and is hopeful that the new proposed zoning text will afford them the flexibility to further expand and continue their operations within their home County.

We thank you in advance for your consideration of this request. Please do not hesitate to contact us with any questions, comments, or concerns.

Very truly yours,



Kelly J. Shaffer

CC: M.T. Laney Company, Inc.
Lynda Eisenberg, Department of Planning (*by email only*)
Mary Lane, Department of Planning (*by email only*)
Jay Voight, Zoning Administrator (*by email only*)
Paige Sunderland, Economic Development (*by email only*)
Jack Lyburn, Economic Development (*by email only*)

- 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.

(2004 Code, § 223-117)

(s) Breweries or micro-breweries provided that such operations shall be in compliance with any and all local and state liquor laws and licensing requirements and Health Department regulations, and shall possess any and all licenses which may be required by Carroll County and/or the State of Maryland.

(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 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;
- (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.

(2004 Code, § 223-118)

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

LAW OFFICES
HOLLMAN, MAGUIRE, TITUS, KORZENIEWSKI & LUZURIAGA

JOHN T. MAGUIRE, II
RICHARD R. TITUS
PETER J. KORZENIEWSKI
MATTHEW G. LUZURIAGA
MANDI M. PORTER

SENDER'S EMAIL: jmaguire@carroll-lawyers.com

CHARTERED
189 EAST MAIN STREET
WESTMINSTER, MARYLAND 21157
WESTMINSTER LINE - 410-848-3133
BALTIMORE LINE - 410-876-3183
FACSIMILE LINE - 410-876-2790
WWW.CARROLL-LAWYERS.COM

OF COUNSEL
ROBERT L. SLINGLUFF
(1977-1996)
CHARLES D. HOLLMAN



October 1, 2019

HAND-DELIVERED

Board of County Commissioners for
Carroll County
225 N. Center Street
Westminster, Maryland 21157

Re: 2019 Carroll County Comprehensive Rezoning
Industrial Zone - Finch Services, Inc.
Medford/MD Route 31 Property

Dear Commissioners:

I am writing on behalf of our client, Finch Services, Inc. in connection with its property at the northwest intersection of MD Route 31 and Medford Road. The property consists of a single unimproved parcel containing 58.21 acres acquired by Finch Services, Inc. in 1974. I am including herewith an Existing Zoning Exhibit Plat which shows this entire existing Route 31 I-G General Industrial corridor and a variety of characteristics of the Finch property.

The property is split-zoned with 22.03 acres fronting on MD Route 31 zoned I-G General Industrial, and 36.1 acres to the rear fronting on Medford Road and Wakefield Church Road zoned A Agricultural. The parcel is also split between Election Districts 7 and 11. The parcel is partly within the Westminster City Designated Growth Area as to the industrially zoned land and partly outside the Westminster Designated Growth Area as to the agriculturally zoned land. The property is likewise oriented to the municipal public water and sewer service area in the industrial portion, and just outside the service area in the agricultural portion.

The property owner has been unsuccessful in marketing the property with the existing split-zoning because industrial users would be extremely limited or prohibited from utilizing the agricultural portion of the parcel. The property owner desires a rezoning of the agricultural portion to the I-2 District under the new Zoning categories as shown on the Proposed Zoning Exhibit Plat included herewith. Industrial zoning for the entire property

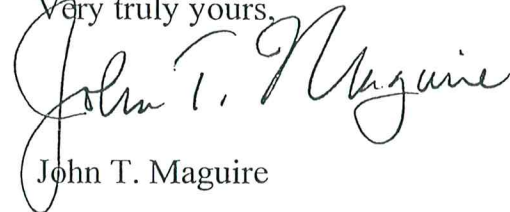
Board of County Commissioners for
Carroll County
October 1, 2019
Page 2

would be consistent with and facilitate the extension of the planned industrial corridor along MD Route 31, a major State highway.

While the Planning office explained that this type of request would be deferred to a "by request" phase at a later date or to a future time when the agricultural zone is evaluated, it has become apparent in recent weeks that the present legislative initiative is to adopt zoning maps for the entire County, rather than just the Commercial-Industrial Districts. If the entire subject parcel is better comprehensively zoned for industrial uses, then it is appropriate that it be addressed now. A change from agricultural to industrial would be more appropriate now in the industrial phase rather than at some unknown future time in the agricultural phase because this request addresses an adjustment to the existing industrial district, i.e., a modification to make a severely restricted industrial parcel usable and marketable in an area committed to industrial development.

The client respectfully requests the Board to consider and include the subject property in its entirety in the I-2 District on the zoning maps currently up for approval.

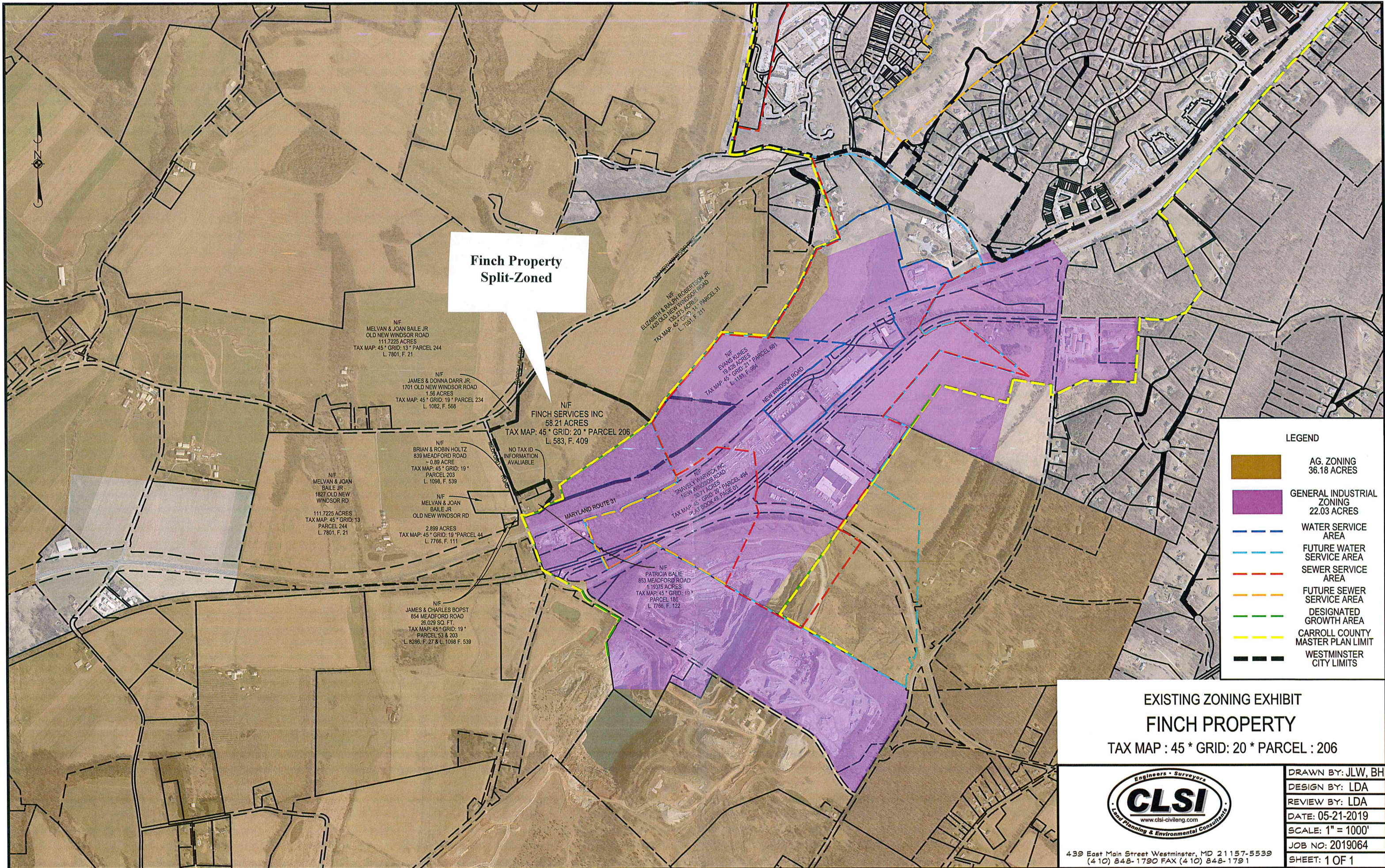
Very truly yours,

A handwritten signature in black ink, appearing to read "John T. Maguire". The signature is fluid and cursive, with the first name "John" and last name "Maguire" clearly legible.

John T. Maguire

JTM/pae
Enclosure

cc: Dann Finch, Vice President - Finch Services, Inc. (no enclosure)
✓ Lynda D. Eisenberg, Planning Director (with enclosure)





From: [Info CCG](#)
To: [Carroll Rezoning](#)
Subject: Comprehensive Rezoning - Comment Card Submission
Date: Friday, September 20, 2019 9:52:42 AM

The following comment was submitted:

Name

David Callaway

Email

dcallaway@callawaytransportation.com

What I like most about the proposed zoning:

No comment

What about the proposed zoning could use some improvement

My family is a resident of Long Reach Farms. Rezoning the area on route 26 would be very ADVERSE to our family and our life style. We moved here 5 years ago as it is a very nice rural part of the Eldersburg Area. There are many areas closer into the center of Eldersburg that can handle additional business. There are also many new developments that are sitting empty that can accommodate new business'. Please do not take away our quality of life needlessly and financially hurt our home values.

Callaway Family

127 Kathleen Court - Long Reach Farms

Eldersburg MD 21784

443-756-3305

Please complete

SHAFFER AND SHAFFER, LLP
ATTORNEYS AT LAW
73 EAST MAIN STREET
WESTMINSTER, MARYLAND 21157

CLARK R. SHAFFER
CLARK@SHAFFERANDSHAFFERLLP.COM

KELLY SHAFFER MILLER
KELLY@SHAFFERANDSHAFFERLLP.COM

STACY P. SHAFFER
STACY@SHAFFERANDSHAFFERLLP.COM

410/848-3737
410/876-0100
FAX: 410/848-3977

October 1, 2019

Carroll County Planning Commission
Richard Soisson, Chairman
225 N. Center Street
Westminster, MD 21157

BY HAND

RE: Comprehensive Rezoning

Dear Mr. Soisson,

At the most recent Planning Commission Meeting, I was informed that I misunderstood the process and that the Planning Commission would not consider my client's request to recommend changing the zoning classification on a particular piece of property. I did not understand the rationale offered then and I still do not understand it.

Let me explain. Over the past couple of years, the County has engaged in a Comprehensive Planning process that resulted in Land Use Designations being applied to virtually all of the property in Carroll County (excluding municipalities). The matter before you last Tuesday was whether or not to recommend Comprehensive Zoning Maps covering all of those properties. Adoption of that map by the County Commissioners will be the final step in a rezoning of all of those properties. It is not true that the only zoning action effectuated by those zoning maps was to "rezone" certain industrial and commercial properties in the County.¹ Rather, that map applied a particular zoning designation to every property. It is a misunderstanding to believe that, if the map was not changing the previous designated zoning for a property, it was not a rezoning. If you do not believe me, I would respectfully request that you ask your County Attorney's Office whether, in the event a property owner applied for an individual rezoning for a particular piece of property, that property owner would be informed that the last comprehensive rezoning of his/her property occurred in 2019.

At your meeting, I attempted to point out facts on the ground that dictated against the zoning classification shown on the maps for a particular property. I was informed that those facts

¹ Even when the County places the same zoning classification on a piece of property as its previous classification as part of a comprehensive rezoning, it is still "rezoning" the property. It is stating that it has looked at and considered the property and believes that the previously existing zoning classification is still appropriate for that particular property.

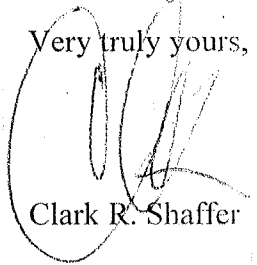
did not matter and that the property owner should have raised the issue during the Comprehensive Planning process. I was further informed, or led to believe, that no one really "looked at" the properties that were not industrial or commercial when they placed a Land Use Designation on them. Thus, one would think it would be important to know the actual facts on the ground regarding the historical and long term use of the property involved before recording a particular zoning classification for that property.

I respectfully suggest that the Planning Commission (and perhaps its staff) misunderstand the process. What occurred on Tuesday was the recommendation of zoning maps covering virtually all of Carroll County and is the necessary prerequisite to the legislative act of applying a particular zoning classification to all of those properties. To say that a property owner cannot have his/her case heard as part of the consideration of those maps is incorrect and unjust.

I fully understand that the staff indicates they intend to "address" this matter by conducting a "by request" zoning process sometime in the future. This is all well and good but it is not promised, may not be comprehensive, and does not eliminate the requirement that government officials hear from citizens and property owners when they intend to rezone their property.

Thank you for your attention to this matter. I will proceed to participate in the process as my clients direct from here on in.

Very truly yours,



Clark R. Shaffer

cc: File Copy
✓ Lynda Eisenberg, Secretary to Planning Commission

Bavetta, Laura E.

From: kcwhang@wgroupcre.com
Sent: Wednesday, October 09, 2019 5:49 PM
To: CCPlanning
Cc: Swro@hotmail.com
Subject: [External E-mail] Request for Amendment (Written Comment): Carroll County Comprehensive Zoning: Property: 1012 Baltimore Blvd., Westminster, MD
Attachments: BWMD Request for Zoning Change.pdf
Importance: High

This message originated outside of Carroll County Government. Use caution when opening attachments, clicking links or responding to requests for information.


Department of Planning:

Dear Sir/Madam:

Per your instructions, I am submitting a follow up written comment (from the Oct. 3, public hearing) regarding a request for zoning amendment for 1012 Baltimore Blvd., Westminster, MD. Should you have any questions or comments, please do not hesitate to contact me. Thank you.

Kwang Chul "KC" Whang

CEO & Principal Broker

The  Group Commercial Real Estate

8404 Early Bud Way, Laurel, MD 20723, USA

C 240-460-3488

O 240-238-5731

F 301-317-8560

[linkedin.com/in/kcwhang](https://www.linkedin.com/in/kcwhang)

www.wgroupcre.com

1012 BWMD LLC.

c/o The W Group Commercial Real Estate
8404 Early Bud Way
Laurel, MD 20723
240-238-5731

October 8, 2019

Lynda D. Eisenberg, Director of the Department of Planning
Carroll County Department of Planning
225 North Center Street
Westminster, MD 21157

Ref.: Comprehensive Rezoning. Request for property rezoning
Property Address: 1012 Baltimore Blvd. (Rt. 140) , Westminster, MD 21157.

To the Planning Director and Commissioners:

I am submitting this request for a zoning amendment on behalf of **1012 BWMD, LLC.**, owner of **1012 Baltimore Blvd., (Rt. 140), Westminster, MD 21157.** The zoning commission is considering changing the above referenced property, currently zoned "I-R" (Industrial Restricted) to the proposed "Industrial Light" zone. Given that our neighboring properties already have the Commercial "C" zoning designation, we respectfully request that the commissioners grant our property the Commercial "C" zone designation.

The rationale behind this request is based on:

- 1. The History of the Property**
- 2. The Practical, Highest and Best Use for the Property**
- 3. Economic Utility of the Property**

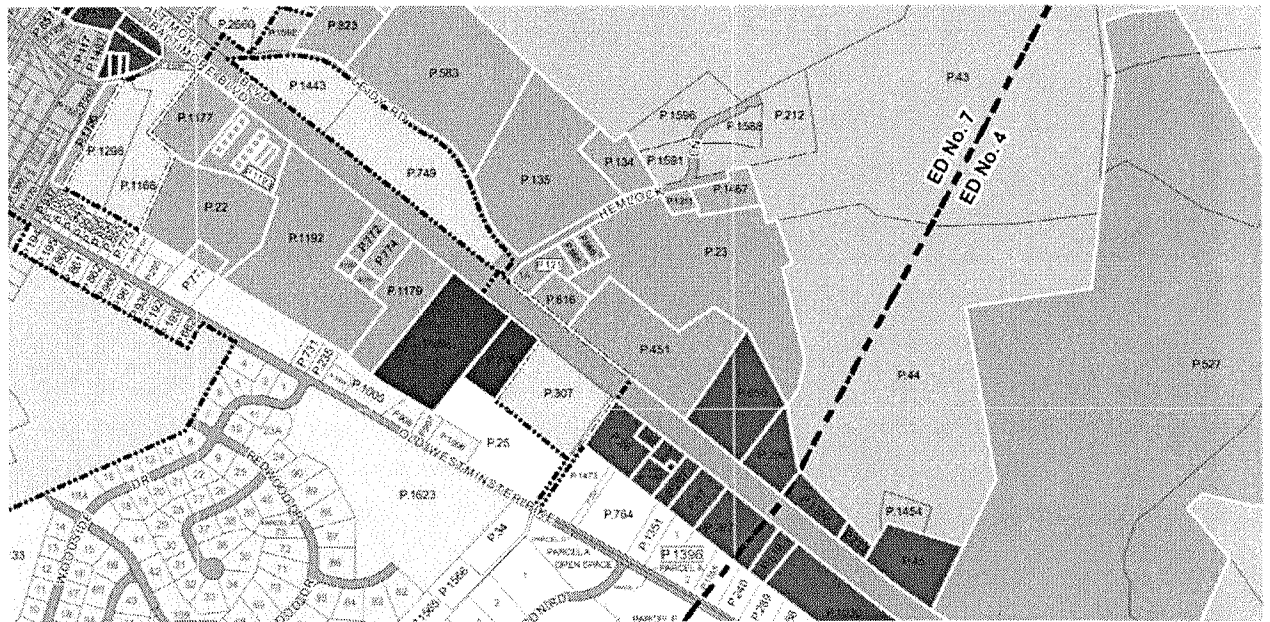


1012 Baltimore Blvd. AKA, Remax Property (P. 616)

1. HISTORY OF THE PROPERTY:

1012 Baltimore Blvd. was built in 1960. For almost 80 years, this property has been continuously occupied with retail tenants; originally a tavern, then a restaurant, and most recently, since 2002, as a free standing Remax Real Estate office.

It is important to note that although Remax is technically an office use. However, the property was selected by the franchisee, and further approved by Remax International, Inc., for the property's retail accessibility and highway visibility, just as Berkshire Hathaway Real Estate office was established at 1030 Baltimore Blvd., in the property immediately to the east of our property.



Zoning Map Page 46

2. THE PRACTICAL, HIGHEST AND BEST USE FOR THE PROPERTY

Neighbors:

According to the current zoning map, our neighbors to the south and east of the property are



1010 Baltimore Blvd. Bank Building (P.121)

zoned Commercial (C-2 and C-3). Our 2 immediate neighbors to the right and left, on the west-bound side of Baltimore Blvd. are: A bank building with a drive thru feature (1010 Baltimore Blvd. to the West [P.121]), and a Large box retail center (1030 Baltimore Blvd. to the East, [P. 451]), including the following tenants:

- Wolf Furniture
- The Big Screen Store
- AAA Westminster
- Berkshire Hathaway Homes
- Carroll County Animal Hospital
- US Navy Recruitment Center
- Thrive Fitness
- Old Line Bank
- U-Haul



1030 Baltimore Blvd. (P.451)

Immediately across the street on Baltimore Blvd. (east bound Rt. 140), the properties are occupied by:

- Goodyear Auto Center

Len Stoler Dodge Jeep Ram
Express Care Urgent Care Center
Sheets Gas Station and Convenience Store

According to the latest zoning map. The properties on the east-bound Rt. 140 side are zoned Commercial, C-2 and C-3. On our side (west-bound Rt. 144, parcels: P. 121, P. 616 and P. 451) are zoned Light Industrial, although the logical designation should be Commercial. We believe that based on utility, practicality and historic and future uses, and highest benefit/service to the community, our section (of west bound Rt. 144), comprising of 1010, 1012 (our property) and 1030 Baltimore Blvd. should also be considered Commercial, C-2, C-3 zones, just like our immediately adjacent, and neighbors across the street.



East-bound Baltimore Blvd. Neighbors (P. 306)



East-bound Baltimore Blvd. Neighbors (P. 308)

Practical, Highest and Best Use:

Given the history of the property, its current and past uses, street visibility, access and the nature of the neighbors to the immediate east, west and south of the property, the property is ideally and naturally suited for retail/commercial uses. **Designating this property as “Commercial” zone will not only help sustain the value of the property, but will also preserve current and future rental rates/income, and the county’s real estate tax base. Additionally, the “Commercial” designation will help generate the most amount of employment, and additional tax revenues for the county.** Lastly, having retail/commercial buildings on Rt. 140 will be aesthetically more appealing than a continuous row of industrial buildings flanking the gateway into the heart of the City of Westminster, which is also the county government seat of Carroll County.

3. ECONOMIC UTILITY OF THE PROPERTY:

Our 1.2-acre property sits on Baltimore Blvd. (Rt. 140), with highway frontage. It is a 3,500 square feet, free standing building with a basement approximately the same size, totaling 6,500 SF. The property has a steep, 15+ feet drop towards the back half of the lot.



1012 Baltimore Blvd. Aerial: NOTE: the elevation change in the rear of the property.

Due to the drastic drop in elevation, the property is only 50% useable/buildable. In order to use/build on the remaining rear half of the property, a significant fill and grading and compacting needs to take place. The property owner conducted studies and estimates were obtained, to determine what it would cost to make the rear half of the lot useable/buildable. Earlier this year, we received an estimate of \$800,000.00, from Merritt Construction Services, a division of Merritt Companies.

The property was purchased in 2017 at \$1.35MM. At a retail/basement retail, blended rental rate of \$17.00 PSF (+/-), the property is currently economically sustainable. However, if we were to convert this to an "Industrial" property, to confirm with the new zone, the owners of 1012 Baltimore Blvd., will have to spend \$800,000.00 in addition to approximately \$100.00 per square foot to deliver (ground up, new building) and lease a 10K-15K SF (maximum) "light industrial" building. Conservatively, \$2,000,000.00 will have to be invested to deliver 12,000 SF of light industrial building. That increases the property owner's investment basis to \$3,350,000.00. To make that number work economically, the rent for industrial space has to be \$268,000.00 per year, (assuming a reasonable 8.00% capitalization rate.

The conclusion is that this new "Light Industrial" property will have to be rented at \$22.00 per square foot, plus tax, insurance and property maintenance, which will inevitably make conforming to "Light Industrial" use impractical and economically infeasible because Industrial rental rates are only roughly half of the retail/commercial rental rates.

Therefore, the best way to ensure the future economic viability of this property is to keep this property leased to retail/commercial tenants who will pay retail/commercial rental rates. Industrial use tenants can only afford, and pay, industrial rental rates, which again, are roughly only half of what retail/commercial tenants are able to pay.

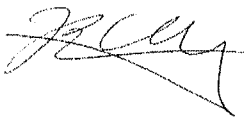
Having the latitude of "Permitted Uses" that a Commercial "C" zoning designation allows, is critical to the future livelihood and viability of the property. **Conversion of this property to an "industrial" zoned property, will make this property economically non-viable, and non-sustainable into the future.**

CONCLUSION:

In conclusion, once again, for the benefit of both the property owners, but also for the greater good of the Westminster community, and Carroll County, we earnestly request to designate 1012 Baltimore Blvd. (and perhaps consideration be made for 1010 and 1030 Baltimore Blvd. as well) to be converted to Commercial: C-2 or C-3 zones.

Thank you for your attention to this important matter. If you have any questions, or comments, please do not hesitate to contact me.

Respectfully,

A handwritten signature in black ink, appearing to read 'K. Whang', with a stylized flourish at the end.

Kwang Chul Whang
Real Estate Broker and Real Estate Consultant for
1012 BWMD, LLC.

-----Original Message-----

From: Lawrence Rief <LawrenceR@crcrealty.com>

Sent: Sunday, October 13, 2019 5:16 PM

To: CARROLL COUNTY <donotreply@crcrealty.com>; Eisenberg, Lynda
<leisenberg@carrollcountymd.gov>

Cc: Lawrence Rief <LawrenceR@crcrealty.com>

Subject: [External E-mail] Comp. Rezoning - Tax Acct. ID 0707025149

This message originated outside of Carroll County Government. Use caution when opening attachments, clicking links or responding to requests for information.

Dear , Ms. Eisenberg

Per our conversation of Friday WESTMINSTER Gateway LLC Agree's with your zoning change from 1-1 to C-2 for the existing shopping center tract .

Thank you for your assistance on this matter .

Yours truly ,

Lawrence Rief

Member

Westminster Gateway LLC

Sent from my iPhone

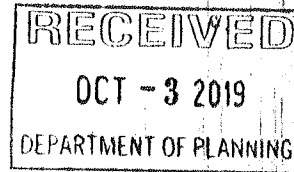
SHAFFER AND SHAFFER, LLP
ATTORNEYS AT LAW
73 EAST MAIN STREET
WESTMINSTER, MARYLAND 21157

CLARK R. SHAFFER
CLARK@SHAFFERANDSHAFFERLLP.COM

KELLY SHAFFER MILLER
KELLY@SHAFFERANDSHAFFERLLP.COM

STACY P. SHAFFER
STACY@SHAFFERANDSHAFFERLLP.COM

410/848-3737
410/876-0100
FAX: 410/848-3977



October 3, 2019

Board of County Commissioners of Carroll County
c/o Steve Wantz, President
225 N. Center Street, Room 300
Westminster, MD 21157

BY HAND

RE: Dave & Dale Fogle – Tax Account ID 14011714 (parcel 136) and Tax Account ID 14035524 (parcel 422) – Woodbine, Carroll County, Maryland

Dear Commissioners:

I represent the David and Dale Fogle, the owners of the above referenced properties. Please consider this letter a comment on the proposed Commercial and Industrial Text Amendment and related Zoning maps and include it as part of the public record.

The above referenced parcels are located at the southwest corner of the intersection of Woodbine Road and Fannie Dorsey Road. Parcel 422 (the corner lot) is currently occupied by a contractor's equipment storage yard type use, and historically has been continuously used for light industrial/contractors equipment storage yard purposes for decades. It is improved with a building that is and has been used for such purposes.

The adjoining parcel (parcel 136) is vacant, but is planned for a similar type use in the future and the Fogles have been working with preliminary perc tests etc. to prepare for development of a similar type use.

The immediately surrounding area is a mixture of multi-family residential and older and sometimes discontinued commercial uses.

REQUEST

The purpose of this letter is to request that you consider C-3 zoning for these two properties. The properties are proposed for C-2 zoning on the maps currently before you.

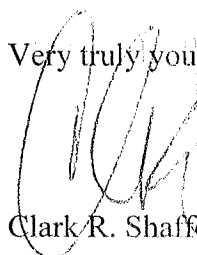
The basis for this request is that the historical use of the properties, their location, and the surrounding area, dictate in favor of C-3 category. As you know, that category is the heaviest

commercial category and importantly allows some of the lighter industrial uses, which would accommodate the Fogle's proposed and potential use of the property. Although C-3 allows larger retail uses, those larger retail uses would never be eligible on these small parcels. Rather, the practical effect of the C-3 zoning would be to accommodate the Fogles existing and planned use of the properties and to allow regular smaller commercial uses (in the future) on these parcels.

Accordingly, it is respectfully requested that you change the proposed zoning category of the above referenced properties from C-2 to C-3 on the Zoning Maps you are considering for adoption.

Thank you in advance for your time and consideration. If you have questions, comments or concerns we would be happy to address them.

Very truly yours,


Clark R. Shaffer

CRS/emm

cc: File Copy
Dale Fogle - sent via email only
David Fogle - sent via email only
Lynda Eisenberg, Planning Director – sent via email only

The following comment was submitted:

Name

Christine Schlaerth

Email

cschlaerth@carrollcc.edu

What I like most about the proposed zoning:

What about the proposed zoning could use some improvement

I am vehemently against the change in zoning to “light industrial” for the parcel of land adjacent to Chapel Rd and Old Westminster Road. The change would produce increased traffic, industrial noise, dirt, and dust in what has been a peaceful and idyllic neighborhood. I moved to this neighborhood specifically because it was brought to my attention that the area surrounding my home was zoned as agricultural and conservation. This change would be a move in the wrong direction.

Please complete

From: Info CCG <infoccg@carrollcountymd.gov>
Sent: Sunday, October 13, 2019 10:08 AM
To: Carroll Rezoning <CarrollRezoning@carrollcountymd.gov>
Subject: Comprehensive Rezoning - Comment Card Submission

The following comment was submitted:

Name

Michael Schlaerth

Email

mikeschlaerth@yahoo.com

What I like most about the proposed zoning:

I believe the proposed zoning changes at the location of Chapel Road and Old Westminster Road would be a mistake. This is a beautiful area less than 1/4 of a mile from my house, where I live with my wife and three small children. I can speak for myself and other voting residents in this area when I say the proposed zoning changes to this location would bring unwanted traffic congestion, dust, dirt, and would destroy the aesthetic beauty of our neighborhood.

What about the proposed zoning could use some improvement

No zoning change to the location of Chapel Road and Old Westminster Road.

Please complete

From: [Eisenberg, Lynda](#)
To: [Lane, Mary S](#)
Subject: FW: Comprehensive Rezoning - Comment Card Submission
Date: Friday, October 11, 2019 3:30:14 PM

From: Info CCG <infoccg@carrollcountymd.gov>
Sent: Friday, October 11, 2019 3:18 PM
To: Carroll Rezoning <CarrollRezoning@carrollcountymd.gov>
Subject: Comprehensive Rezoning - Comment Card Submission

The following comment was submitted:

Name

Jill Popowich

Email

Jill.Popowich@gmail.com

What I like most about the proposed zoning:

What about the proposed zoning could use some improvement

THE MAP

My comments and concerns have always centered around the map and the proposed future land uses, the map that we haven't been allowed to address before now and the one that we still seem to be sweeping aside. One that is set to the CURRENT land-use online without any instruction on how to manipulate the views. When viewed by the average citizen, who more than likely doesn't know there are layers and additional hidden information, this map seems harmless.

I'd like to specifically address the property at the corner of 140 and Reese Road. Currently zoned as agriculture, this property has a proposed future land-use comprised of Heavy Commercial, Light Commercial, Heavy Industrial and Light Industrial. This is THE largest piece of land in Carroll County to have such a severe change in land use. Well over 400 acres. I had a very disheartening conversation with my District 2 Commissioner Richard Weaver in the first public rezoning hearing at the beginning of 2018 who seemed completely unaware of such an impactful change to a parcel of land that size in his own district. A change to a map that he signed off on as a commissioner representing the hard-working residents and land owners of district 2.

My questions to the commissioners voting on the proposed changes is: Do you feel you totally understand the impact of the changes being proposed and how it will affect the people of your districts, the land they own and the future generations? Do you understand what the proposed text changes mean? Do you understand what the proposed text changes mean when they are applied to the map as neither have been discussed in unison?

I have to question the County's motives for the proposed future land-use for these parcels as some are completely landlocked and inaccessible (such as parcel 0050) other than through the county landfill, adjacent agriculture properties, a conservation area, or through a white

sign road in a residential neighborhood. This property has a future land use of I-1 which is light industrial. This property is/was the last remaining parcel that was part of the Drechsler Estates development. When we attended hearings for that development, we were told that remaining 80 acres could only have one house built on it and it was being reserved for the developer to do just that for himself. Clearly the rules are changing. Either the county is considering this land as an opportunity to expand the landfill (and other landfill uses) into the residential neighborhood (with minimal setbacks) or the following will be allowed (these are just the highlights):

- Hotel or motel, as part of an Industrial Park
- Communications tower complex
- Facility for dispensing of medical cannabis, in conjunction with a medical cannabis growing and/or processing facility
- Conference center as part of an Industrial Park
- Indoor trap, skeet, rifle, or archery ranges, including gun clubs
- Trade school or professional training center
- Distillery
- Food processing and packing plant
- Indoor processing of medical cannabis
- Light manufacturing
- Storage of pelletized or granular dried sewage sludge
- Underground petroleum products storage
- Warehouse or distribution facility
- Indoor growing of medical cannabis
- Laboratory (chemical, physical, or biological), not including agricultural

In addition to the light industrial, Parcels 0534, 0075 and 1601 have been designated as I-2 or Heavy Industrial. This land too is currently privately owned and not currently part of the landfill property but will either have the ability for landfill expansion or the following uses:

- Agricultural research laboratories and facilities
- Communications tower complex
- Crematorium
- Facility for dispensing of medical cannabis, in conjunction with a medical cannabis growing and/or processing facility
- Adult entertainment business, massage establishment, striptease business
- Bituminous concrete mixing plant
- Blast furnace, boiler works, foundry
- Concrete or asphalt recycling (although I believe the landfill is already doing this)
- Heavy manufacturing
- Indoor processing of medical cannabis
- Sawmill, commercial
- Steel mill
- Airport/heliport
- Coal yard
- Electric generating power plant

- Truck or motor freight terminal
- Underground petroleum products storage
- Warehouse or distribution facility
- Oil-contaminated soil facility
- Solid waste acceptance facility, as defined in Chapter 50 of the Carroll County Code
- Indoor growing of medical cannabis
- Laboratory (chemical, physical, or biological), not including agricultural

Fantastic!

I understand that any proposed uses will need to be reviewed on a case by case basis, but this opens the doors to industrial developments that do not fit into the residential development that has been established on Reese Road.

Much of this property shares borders with residential, agriculture and nature reserve and has the potential if developed without the appropriate considerations in place to greatly impact the local eco systems and property values. For parcels this large with the potential for such harsh land-uses, the buffer and set back allowances will be inadequate for the visual blight that will be created in our quiet piece of Carroll County.

I have not specifically addressed my concerns with Parcels 1601 and 0073 (and the other piece of 1601) doomed with a future land use of C3 Heavy Commercial. I suspect this land will never be developed as such since retail is dead and running from Carroll County to Owings Mills. I also understand that these changes are proposed future land-uses and any change to the current land use will have to undergo site plan review and public hearings on a case by case basis. But as we are learning from the re-zoning exercise, our voices may be heard, but is anyone really listening?

For those that have never seen the ACTUAL proposed land use map for land I am referring, below is an attached file. That big dark purple and red area is the corner of Reese Road and 140.

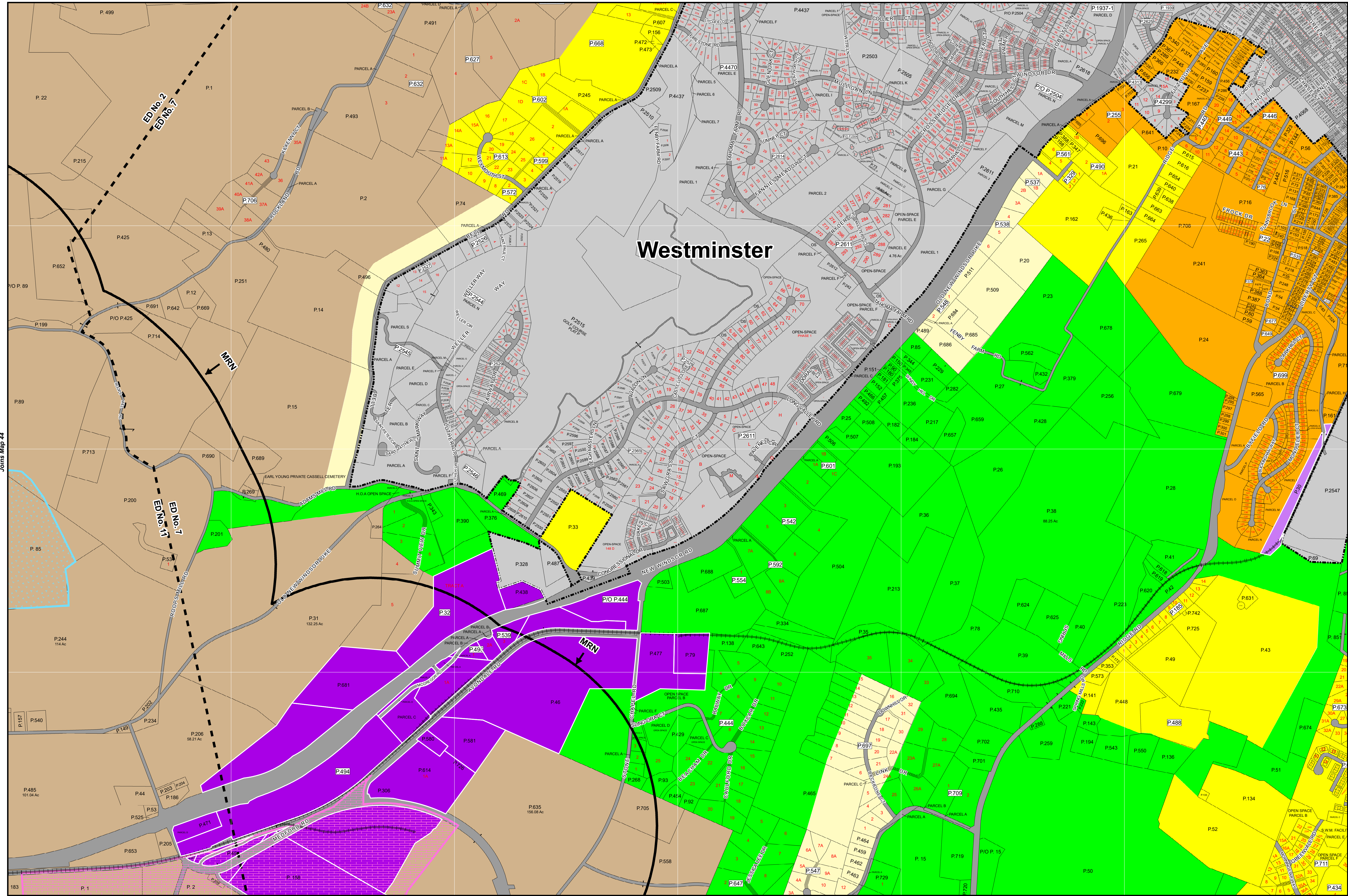
For those that may be reading this without the benefit of the image, go to:

<https://gisweb.carrollcountymd.gov/ComprehensiveRezoning/>

Agree to the terms. Then in the upper right portion of the blue bar, the first icon that looks like a stack of papers, click it then check the box that says "County Land Use". The future land use changes will become visible.

Please complete

Part III



Zoning Map 45

Properties outlined in white are those that are the subject of this rezoning.

Zoning Districts

- R-7,500
- R-10,000
- R-20,000
- R-40,000
- Conservation
- Agricultural
- Mobile Home Park
- Heritage

Comprehensive Rezoning

- C-1
- C-2
- C-3
- I-1
- I-2

Overlays

Mineral Resource Overlay

- MR (Recovery Area)
- VRA (Viable Resource Area)
- MRN (Notification Area)

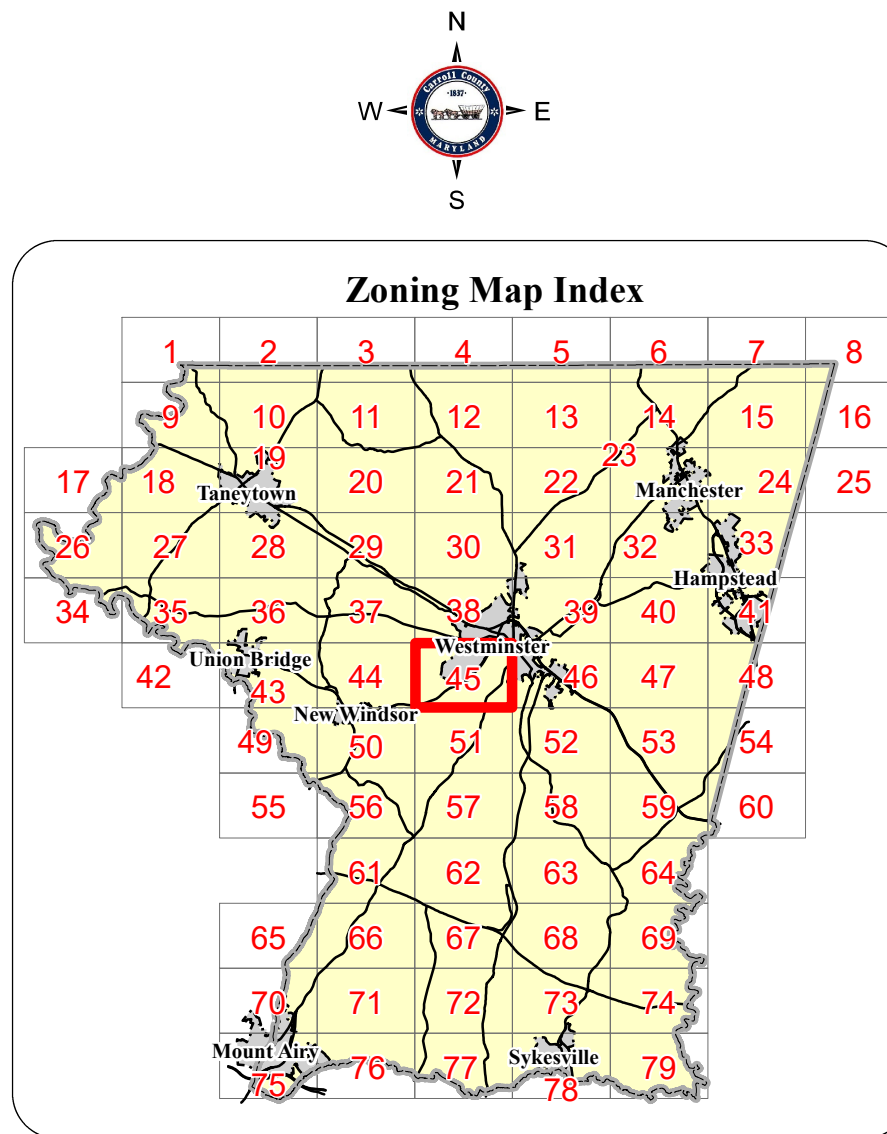
Historic District Overlay

- Historic District Overlay

General

- County Border
- Corporate Limits
- Parcel Boundary
- Railroad

DRAFT
9/12/2019

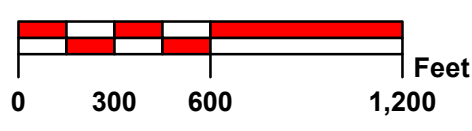


Zoning Map 45

| | | | | | | | |
|--------|--------|------------|--------------------------|--------|----------------|------------|-----------------------------------------|
| 9. | MA 169 | 2/5/1987 | Amendment #3 Corollary | 18. | Res. 1009-2017 | 9/7/2017 | Annexation # 69 (Westminster WWTP) |
| 8. | MA 155 | 6/10/1986 | Annexation #21 | 17. | | 2/11/2014 | Ordinance No. 2014-02 |
| 7. | MA 128 | 5/10/1984 | Annexation #18 | 16. | MA 271 | 11/22/2005 | Rezoning Case #209 |
| 6. | MA 115 | 12/16/1982 | Annexation #13 | 15. | MA 262 | 4/1/2004 | Annexation # 53 |
| 5. | MA 106 | 3/3/1981 | Rezoning Case#97 | 14. | | 8/7/2003 | Court of Special Appeals, Case No. 1989 |
| 4. | MA 100 | 12/23/1980 | Rezoning Case #119 | 13. | MA 260 | 3/4/2003 | Annexation # 49 |
| 3. | MA 80 | 5/25/1978 | | 12. | | 12/20/2000 | Ordinance No.-00-10 |
| 2. | MA 65 | 7/11/1974 | ("AE" Designation No. 1) | 11. | MA 232 | 7/24/1997 | Rezoning Case #193 |
| 1. | MA 22 | 11/21/1968 | Annexation | 10. | MA 208 | 2/27/1992 | Mineral Resource Overlay |
| Rev. # | MA # | Date | Description | Rev. # | MA # | Date | Description |

The information contained on this map is not to be construed or used as a "legal description" and is not a survey product. While Carroll County strives to provide the best data possible, it does not provide any warranty of accuracy or completeness regarding the map information. Where uncertainty exists in regards to the zoning districts, a determination by the Zoning Administrator may be required.

Any errors or omissions should be reported to the Carroll County Department of Land and Resource Management GIS section. Mapping contact: LRM@carrollcountymd.gov or 410-386-2949. Zoning contact: zoningadministration@carrollcountymd.gov or 410-386-2980

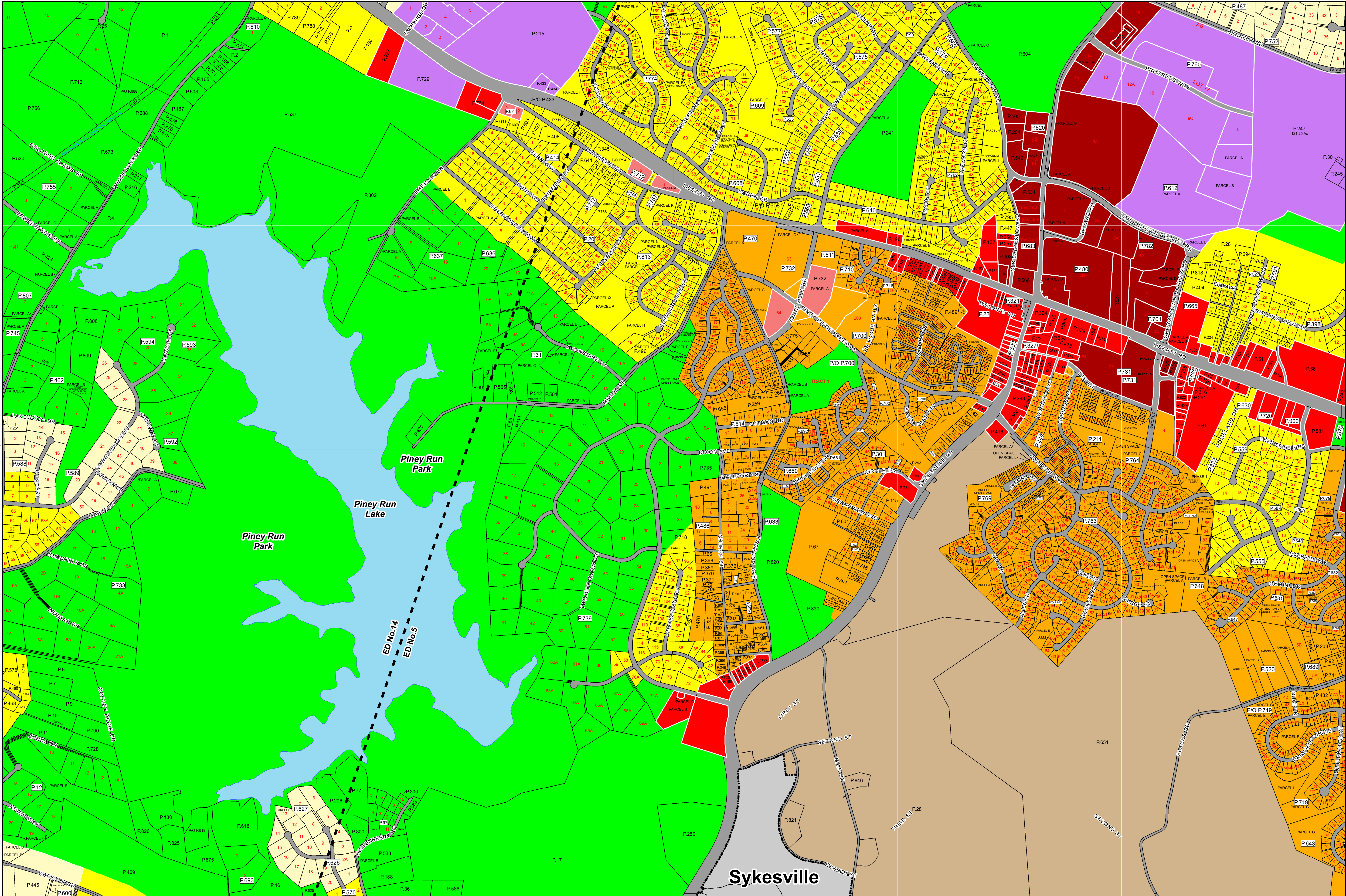


By Resolution of the County Commissioners of Carroll County, Maryland, a body corporate and politic of the State of Maryland

Map signed this _____ Day of _____, 20____

Attest: Shawn D. Reese County Clerk

| | | | |
|--------------------------------------------------|--------------------|-------------------|--------------|
| Stephen A. Wantz | President | C. Eric Bouchat | Commissioner |
| Edward C. Rothstein | Vice-President | Dennis E. Frazier | Commissioner |
| C. Richard Weaver | 2nd Vice President | | |
| COUNTY COMMISSIONERS OF CARROLL COUNTY, MARYLAND | | | |



Zoning Map 73

Properties outlined in white are those that are the subject of this rezoning.

Zoning Districts **DRAFT**
9/12/2019

- R-7,500
- R-10,000
- R-20,000
- R-40,000
- Conservation
- Agricultural
- Mobile Home Park
- Heritage

Comprehensive Rezoning

- C-1
- C-2
- C-3
- I-1
- I-2

Overlays

Mineral Resource Overlay

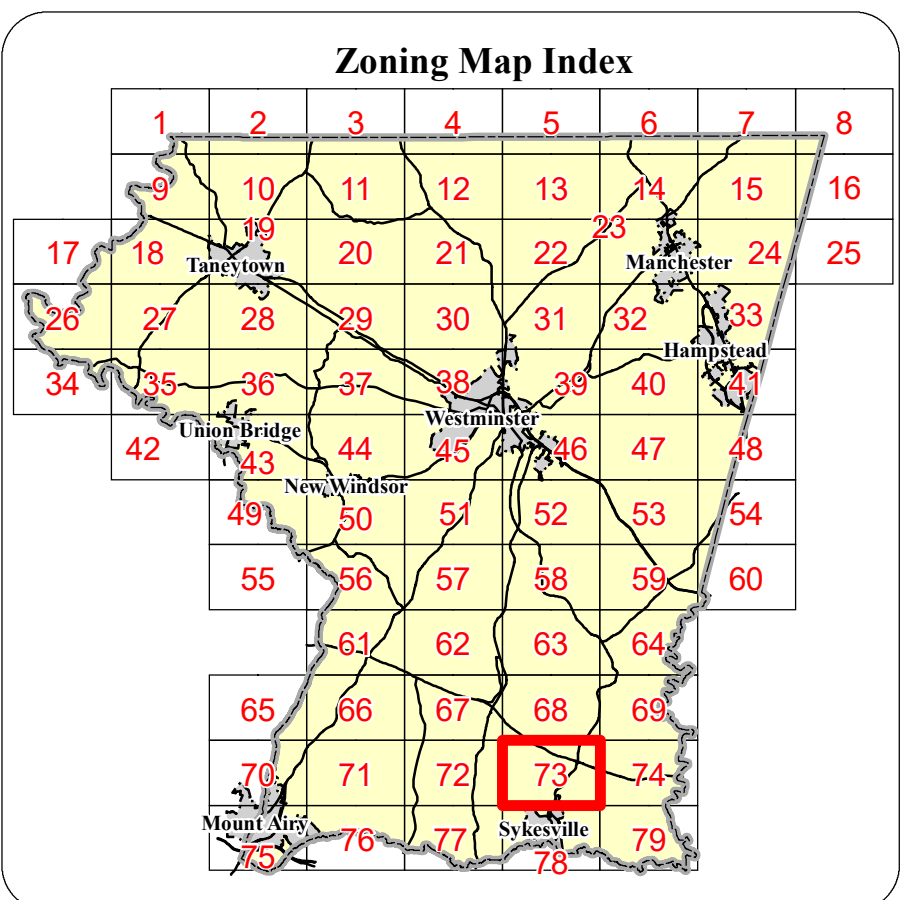
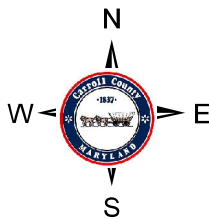
- MR (Recovery Area)
- VRA (Viable Resource Area)
- MRN (Notification Area)

Historic District Overlay

- Historic District Overlay

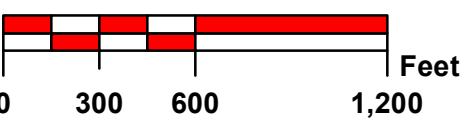
General

- County Border
- Corporate Limits
- Election District Boundary
- Railroad



| | | | | | | | | | | | |
|--------|--------|------------|----------------------------------|--------|------------|------------|--------------------------------------------------|--------|---------------|-----------|------------------------|
| 9. | MA 190 | 10/25/1990 | Amendment to Freedom "Mini" Plan | 18. | Res 915-14 | 3/20/2014 | Rezoning Case #221 Resolution #915-14 | 27. | | | |
| 8. | MA 184 | 1/11/1990 | Rezoning Case #164 | 17. | Res 819-11 | 3/24/2011 | Rezoning Case #215 Resolution #819-11 | 26. | | | |
| 7. | MA 67 | 10/17/1974 | Rezoning Case #70 | 16. | Res 818-11 | 3/24/2011 | Rezoning Case #214 Resolution #818-11 | 25. | | | |
| 6. | MA 56 | 11/6/1973 | Rezoning Case #53 | 15. | Res 790-10 | 9/1/2010 | Rezoning Case #213 Resolution #790-10 | 24. | | | |
| 5. | MA 57 | 11/20/1972 | Rezoning Case #49 | 14. | Res 739-09 | 2/12/2009 | Rezoning Case #212 Resolution #739-09 | 23. | | | |
| 4. | MA 52 | 6/29/1972 | Amend Ordinance 1E | 13. | | 11/21/2002 | Ordinance #02-17 | 22. | | | |
| 3. | MA 38 | 11/4/1969 | Rezoning Case #38 | 12. | MA 241 | 12/13/1999 | Rezoning Case #201 | 21. | | | |
| 2. | MA 28 | 2/6/1966 | Rezoning Case #23 | 11. | MA 237 | 5/3/1999 | Annexation 1998-02 (Sykesville Warfield Complex) | 20. | Res. 973-2016 | 3/24/2016 | Comprehensive Rezoning |
| 1. | MA 9 | 6/8/1967 | Rezoning Case #13 | 10. | MA 219 | 7/13/1993 | Rezoning Case #158 | 19. | Res. 866-2016 | 1/7/2016 | Rezoning Case #223 |
| Rev. # | MA # | Date | Description | Rev. # | MA # | Date | Description | Rev. # | MA # | Date | Description |

The information contained on this map is not to be construed or used as a "legal description" and is not a survey product. While Carroll County strives to provide the best data possible, it does not provide any guaranty of accuracy or completeness regarding the map information. Where uncertainty exists in regards to the zoning districts, a determination by the Zoning Administrator may be required. Any errors or omissions should be reported to the Carroll County Department of Land and Resource Management GIS section. Mapping contact: LRM@carrollcountymd.gov or 410-386-2949. Zoning contact: zoningadministration@carrollcountymd.gov or 410-386-2980



By Resolution of the County Commissioners of Carroll County, Maryland, a body corporate and politic of the State of Maryland

Map signed this _____ Day of _____, 20____

Attest: Shawn D. Reese County Clerk

Stephen A. Wantz President

Edward C. Rothstein Vice-President

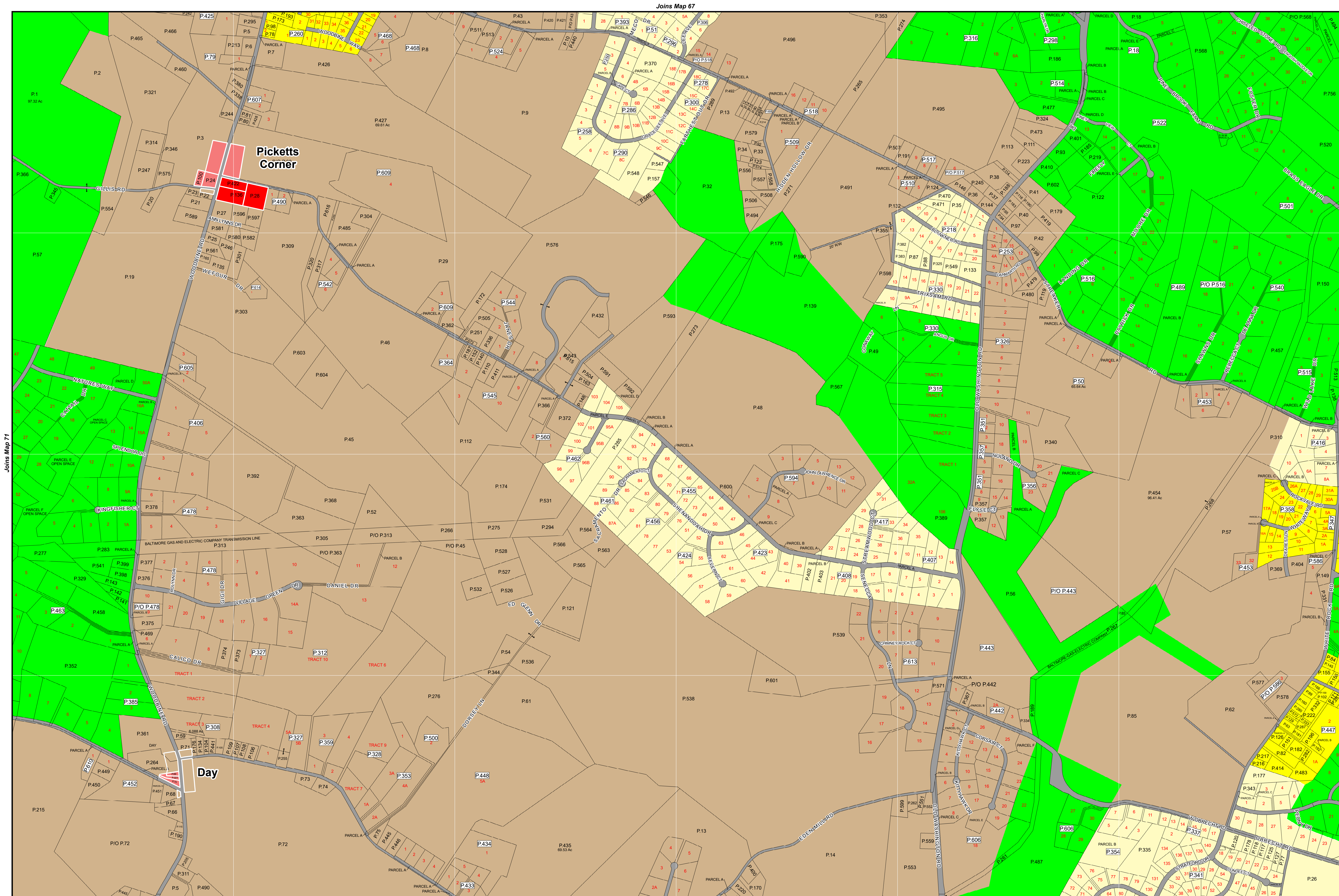
C. Richard Weaver 2nd Vice President

COUNTY COMMISSIONERS OF CARROLL COUNTY, MARYLAND

C. Eric Bouchat Commissioner

Dennis E. Frazier Commissioner

Zoning Map 73



Zoning Map 72

Properties outlined in white are those that are the subject of this rezoning.

Zoning Districts

- R-7,500
- R-10,000
- R-20,000
- R-40,000
- Conservation
- Agricultural
- Mobile Home Park
- Heritage

DRAFT
9/12/2019

Comprehensive Rezoning

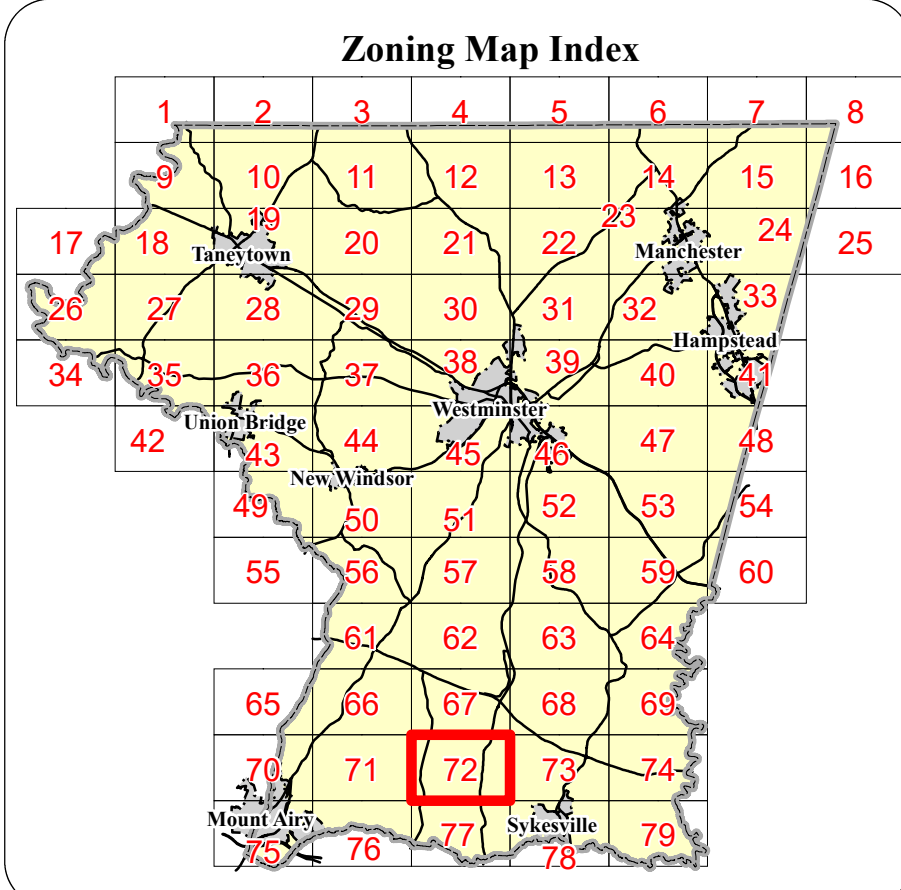
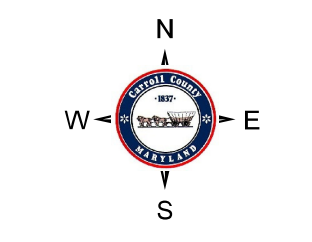
- C-1
- C-2
- C-3
- I-1
- I-2

Overlays

- Mineral Resource Overlay
 - MR (Recovery Area)
 - VRA (Viable Resource Area)
 - MRN (Notification Area)
- Historic District Overlay

General

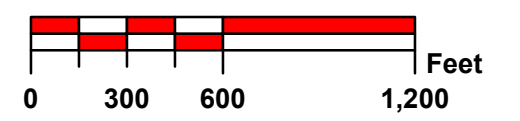
- County Border
- Corporate Limits
- Election District Boundary
- Parcel Boundary
- Railroad



| | | | | | |
|--------|--------|-------------|--------|------|-------------|
| 9. | | | 18. | | |
| 8. | | | 17. | | |
| 7. | | | 16. | | |
| 6. | | 8/7/2003 | 15. | | |
| 5. | | 12/20/2000 | 14. | | |
| 4. | MA 239 | 10/5/1999 | 13. | | |
| 3. | MA 211 | 6/11/1992 | 12. | | |
| 2. | MA 79 | 4/26/1978 | 11. | | |
| 1. | MA 52 | 6/29/1972 | 10. | | |
| Rev. # | MA # | Date | Rev. # | MA # | Date |
| | | Description | | | Description |

The information contained on this map is not to be construed or used as a "legal description" and is not a survey product. While Carroll County strives to provide the best data possible, it does not provide any guaranty of accuracy or completeness regarding the map information. Where uncertainty exists in regards to the zoning districts, a determination by the Zoning Administrator may be required.

Any errors or omissions should be reported to the Carroll County Department of Land and Resource Management GIS section. Mapping contact: LRM@carrollcountymd.gov or 410-386-2949. Zoning contact: zoningadministration@carrollcountymd.gov or 410-386-2980



By Resolution of the County Commissioners of Carroll County, Maryland, a body corporate and politic of the State of Maryland

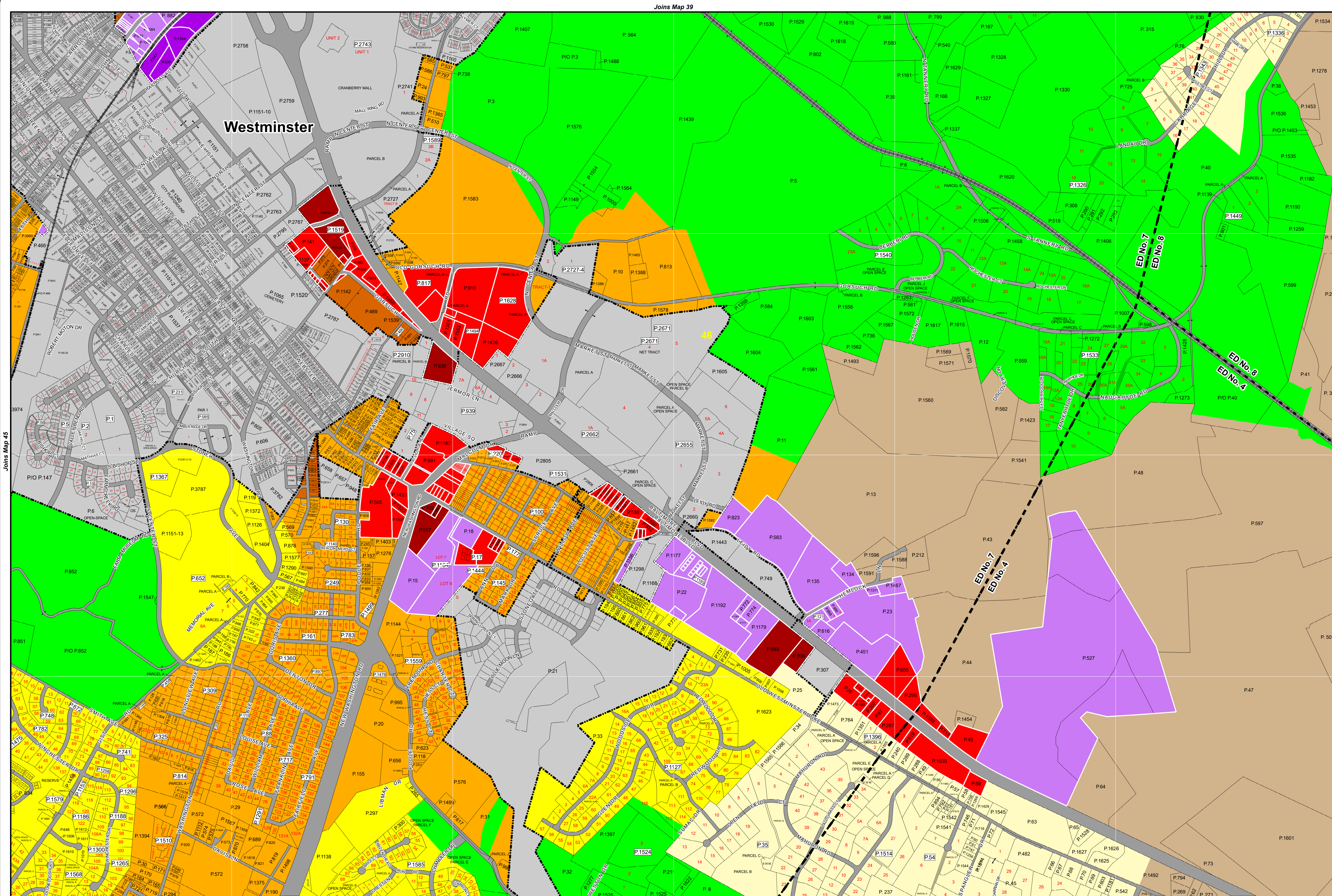
Map signed this ____ Day of _____, 20__

Attest: Shawn D. Reese County Clerk

Stephen A. Wantz President
Edward C. Rothstein Vice-President
C. Richard Weaver 2nd Vice President
C. Eric Bouchat Commissioner
Dennis E. Frazier Commissioner

COUNTY COMMISSIONERS OF CARROLL COUNTY, MARYLAND

Zoning Map 72



Zoning Map 46

Properties outlined in white are those that are the subject of this rezoning.

Zoning Districts

- R-7,500
- R-10,000
- R-20,000
- R-40,000
- Conservation
- Agricultural
- Mobile Home Park
- Heritage

Comprehensive Rezoning

- C-1
- C-2
- C-3
- I-1
- I-2

Overlays

Mineral Resource Overlay

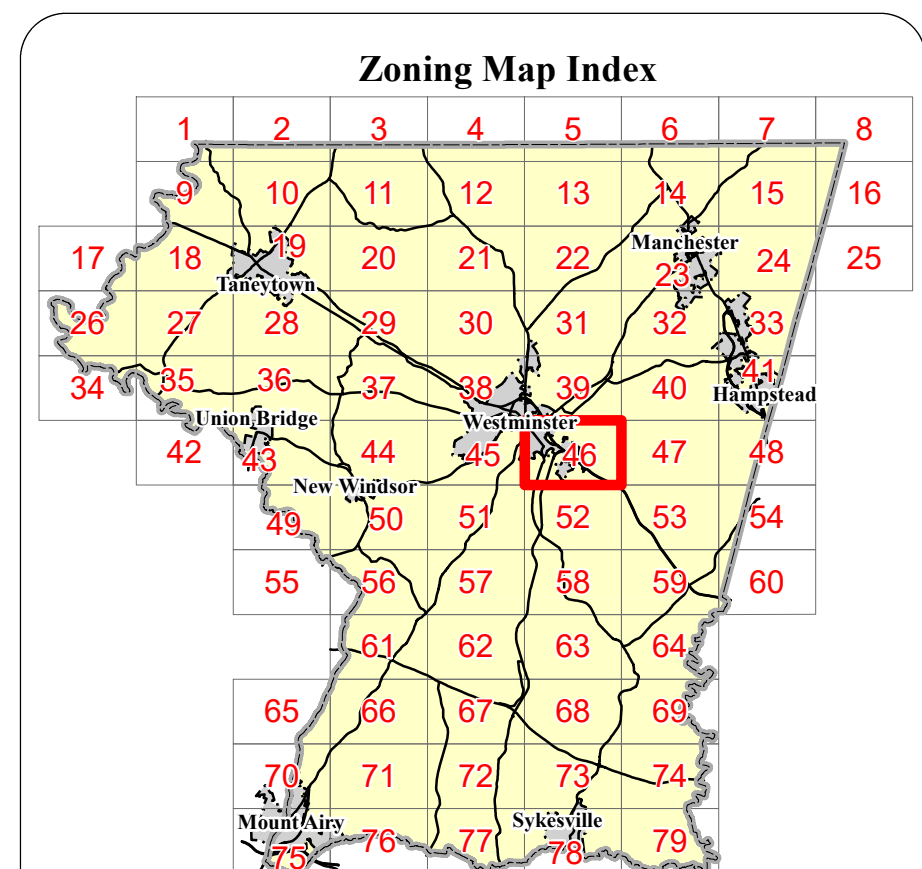
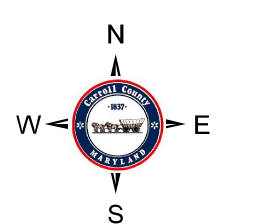
- MR (Recovery Area)
- VRA (Viable Resource Area)
- MRN (Notification Area)

Historic District Overlay

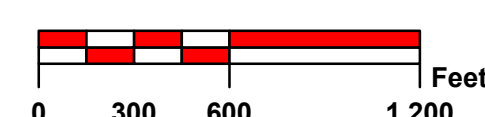
- Historic District Overlay

General

- County Border
- Corporate Limits
- Parcel Boundary
- Railroad
- Election District Boundary



| | | | | | | | | | | |
|----------|------------|------------|-------------|-------------------|------------|------------|-------------------------------|-------------------|-----------------------------------------|-----------------------|
| 9. MA 43 | Annexation | 18. MA 139 | 3/12/1985 | Annexation #17 | 27. MA 248 | 5/10/2001 | Annexation 26, 28, 32, 36, 39 | 39. Res. 988-2017 | 3/16/2017 | Annexation No. 67 |
| 8. MA 37 | 7/14/1969 | 17. MA 135 | 9/27/1984 | Annexation #16 | 26. MA 225 | 12/20/2000 | Ordinance No. 40-10 | 38. Res. 987-2017 | 3/16/2017 | Annexation No. 63 |
| 7. MA 32 | 5/20/1969 | 16. MA 129 | 6/29/1984 | Annexation #15 | 25. MA 225 | 6/22/1995 | Rezoning Case #190 | 37. 9/4/2014 | 2/1/2014 | Ordinance No. 2014-02 |
| 6. MA 31 | 4/9/1969 | 15. MA 128 | 5/10/1984 | Annexation #14 | 24. MA 191 | 10/18/1990 | Rezoning Case #159 | 36. 5/7/2013 | 2/1/2014 | Ordinance No. 2014-02 |
| 5. MA 29 | 3/27/1969 | 14. MA 119 | 8/4/1983 | Annexation #13 | 23. MA 175 | 3/30/1989 | Rezoning Case #155 | 35. MA | 5/7/2013 | Ordinance No. 2014-02 |
| 4. MA 24 | 12/3/1968 | 13. MA 115 | 12/16/1982 | Annexation #12 | 22. MA 154 | 6/10/1986 | Annexation #25 | 34. MA | 5/7/2013 | Ordinance No. 2014-02 |
| 3. MA 14 | 10/9/1967 | 12. MA 108 | 3/3/1981 | Rezoning Case #97 | 21. MA 152 | 5/9/1986 | Annexation #23 | 33. MA-274 | 5/30/2006 | Annexation No. 58 |
| 2. MA 12 | 8/22/1967 | 11. MA 94 | 9/24/1979 | Annexation #20 | 20. MA 148 | 10/31/1985 | Annexation #20 | 32. MA-273 | 5/30/2006 | Annexation No. 57 |
| 1. MA 3 | 9/23/1966 | 10. MA 46 | 11/18/1971 | Rezoning Case #43 | 19. MA 145 | 9/26/1985 | Annexation #22 | 31. MA-272 | 5/30/2006 | Annexation No. 54 |
| Rev. # | MA # | Date | Description | Rev. # | MA # | Date | Description | 30. MA-266 | 1/20/2006 | Annexation No. 54 |
| | | | | | | | | 29. 6/7/2003 | Court of Special Appeals, Case No. 1989 | Annexation No. 54 |
| | | | | | | | | 28. 11/21/2002 | Ordinance No. 02-17 | Annexation No. 54 |



Joins Map 52

| | | |
|-------------------|-----------------------------------------|-----------------------|
| 39. Res. 988-2017 | 3/16/2017 | Annexation No. 67 |
| 38. Res. 987-2017 | 3/16/2017 | Annexation No. 63 |
| 37. 9/4/2014 | 2/1/2014 | Ordinance No. 2014-02 |
| 36. 5/7/2013 | 2/1/2014 | Ordinance No. 2014-02 |
| 35. MA | 5/7/2013 | Ordinance No. 2014-02 |
| 34. MA | 5/7/2013 | Ordinance No. 2014-02 |
| 33. MA-274 | 5/30/2006 | Annexation No. 58 |
| 32. MA-273 | 5/30/2006 | Annexation No. 57 |
| 31. MA-272 | 5/30/2006 | Annexation No. 54 |
| 30. MA-266 | 1/20/2006 | Annexation No. 54 |
| 29. 6/7/2003 | Court of Special Appeals, Case No. 1989 | Annexation No. 54 |
| 28. 11/21/2002 | Ordinance No. 02-17 | Annexation No. 54 |

The information contained on this map is not to be construed or used as a "legal description" and is not a survey product. While Carroll County strives to provide the best data possible, it does not provide any guarantee of accuracy or completeness regarding the map information. Where uncertainty exists in regards to the zoning districts, a determination by the Zoning Administrator may be required.

By Resolution of the County Commissioners of Carroll County, Maryland, a body corporate and politic of the State of Maryland

Map signed this _____ Day of _____, 20____

Attest: Shawn D. Reese County Clerk

Stephen A. Wantz President

Edward C. Rothstein Vice-President

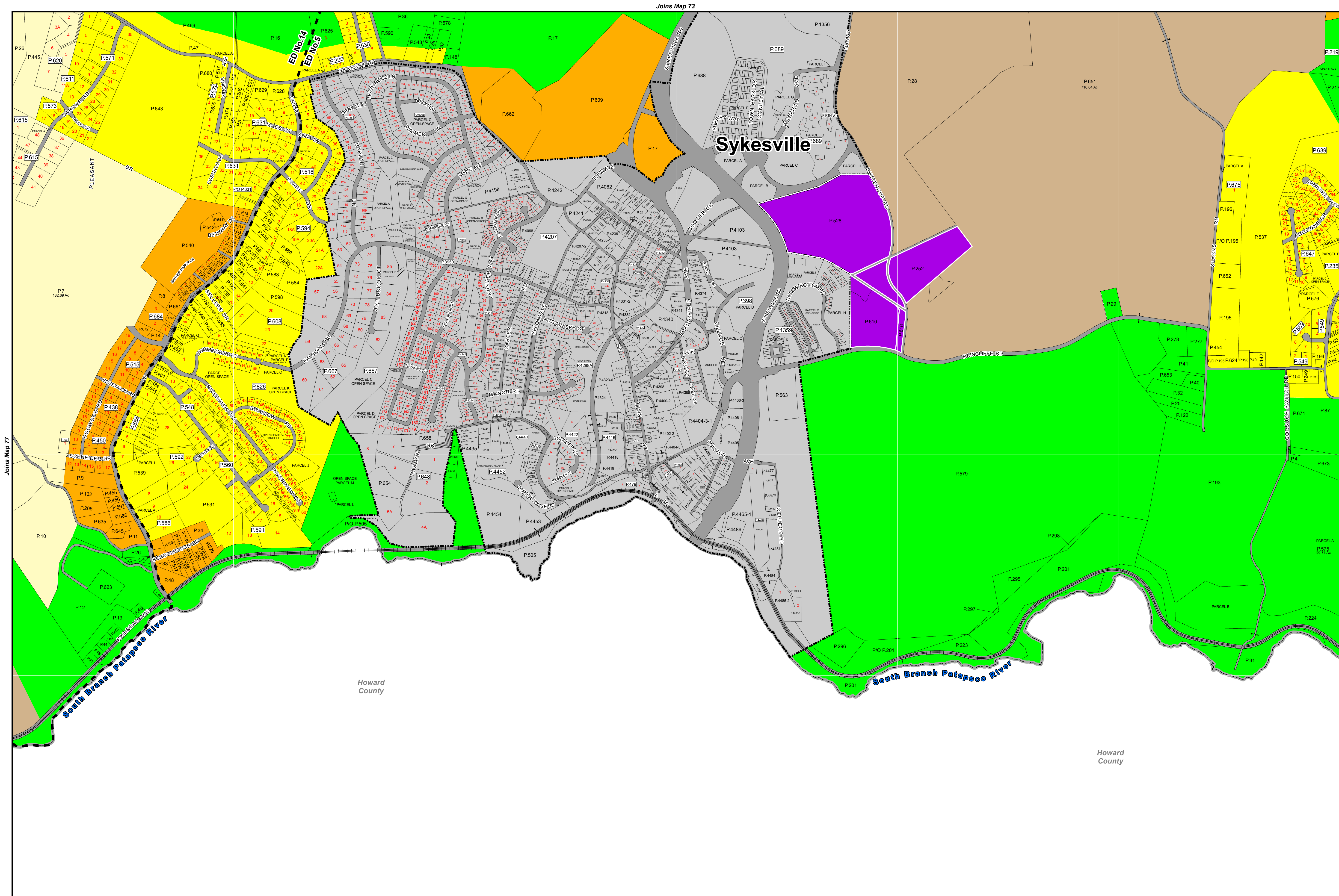
C. Richard Weaver 2nd Vice President

COUNTY COMMISSIONERS OF CARROLL COUNTY, MARYLAND

C. Eric Bouchat Commissioner

Dennis E. Frazier Commissioner

Zoning Map 46



Zoning Map 78

Properties outlined in white are those that are the subject of this rezoning.

Zoning Districts

- R-7,500
- R-10,000
- R-20,000
- R-40,000
- Conservation
- Agricultural
- Mobile Home Park
- Heritage

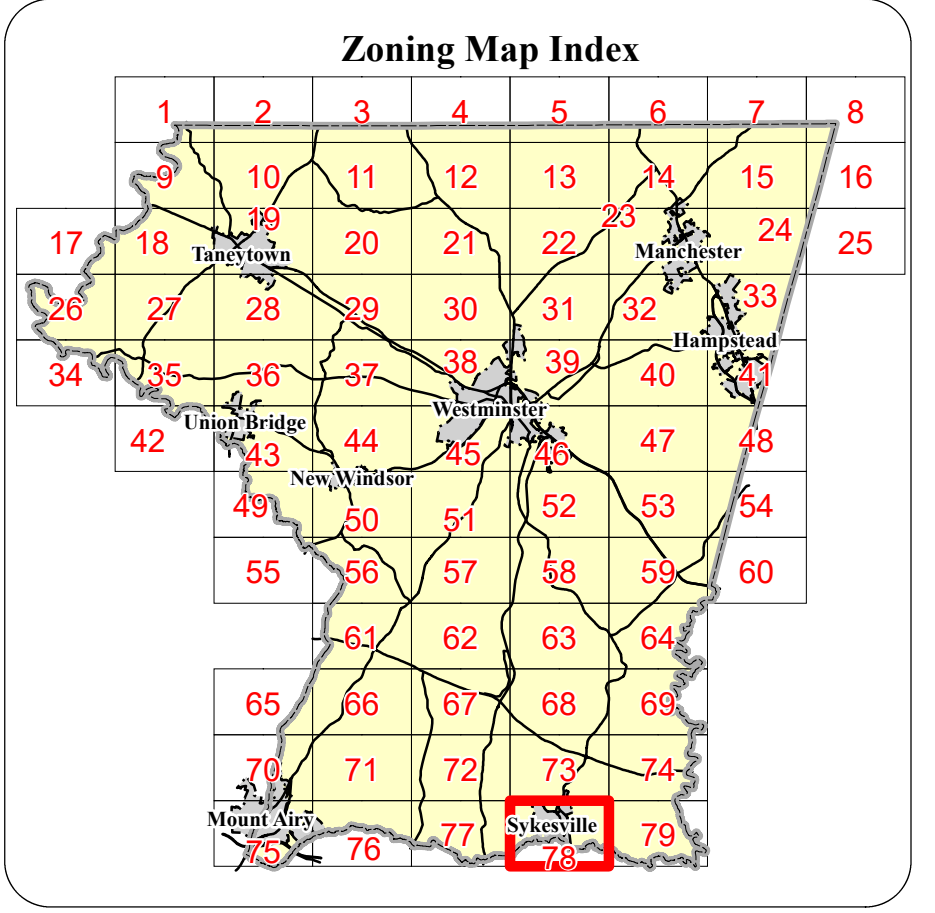
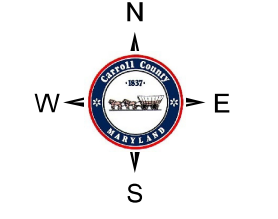
DRAFT
9/12/2019

Comprehensive Rezoning

- C-1
- C-2
- C-3
- I-1
- I-2

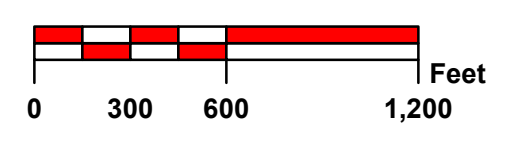
Overlays

- Mineral Resource Overlay**
 - MR (Recovery Area)
 - VRA (Viable Resource Area)
 - MRN (Notification Area)
- Historic District Overlay**
 - Historic District Overlay
- General**
 - County Border
 - Corporate Limits
 - Election District Boundary
 - Parcel Boundary
 - Railroad



| Rev. # | MA # | Date | Description | Rev. # | MA # | Date | Description |
|--------|--------|------------|---------------------------------------|--------|------|------|------------------------|
| 9. | MA 279 | 6/5/2008 | Annexation Sykesville | 18. | | | |
| 8. | MA 247 | 5/10/2001 | Annexation Sykesville | 17. | | | |
| 7. | MA 237 | 5/3/1999 | Annexation Sykesville | 16. | | | |
| 6. | MA 212 | 6/16/1992 | Annexation Sykesville | 15. | | | |
| 5. | MA 160 | 8/26/1986 | Annexation #4 Sykesville | 14. | | | |
| 4. | MA 117 | 5/5/1983 | Annexation Sykesville- Millard Cooper | 13. | | | |
| 3. | MA 87 | 2/2/1979 | Sykesville Zoning Map Amendment | 12. | | | |
| 2. | MA 47 | 11/30/1971 | Rezoning Case #45 | 11. | | | Comprehensive Rezoning |
| 1. | MA 39 | 2/5/1970 | Annexation Sykesville | 10. | | | |

The information contained on this map is not to be construed or used as a "legal description" and is not a survey product. While Carroll County strives to provide the best data possible, it does not provide any warranty of accuracy or completeness regarding the map information. Where uncertainty exists in regards to the zoning districts, a determination by the Zoning Administrator may be required. Any errors or omissions should be reported to the Carroll County Department of Land and Resource Management GIS section. Mapping contact: LRM@carrollcountymd.gov or 410-386-2949. Zoning contact: zoningadministration@carrollcountymd.gov or 410-386-2980



By Resolution of the County Commissioners of Carroll County, Maryland, a body corporate and politic of the State of Maryland

Map signed this _____ Day of _____, 20____

Attest: Shawn D. Reese County Clerk

Stephen A. Wantz President
Edward C. Rothstein Vice-President
C. Richard Weaver 2nd Vice President
C. Eric Bouchat Commissioner
Dennis E. Frazier Commissioner

COUNTY COMMISSIONERS OF CARROLL COUNTY, MARYLAND

Zoning Map 78