

CHAPTER 158: ZONING REGULATIONS

GENERAL PROVISIONS

§ 158.002 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning. Any words not defined herein shall have their generally accepted meaning.

AGRITOURISM. An activity conducted on a farm that is offered to a member of the general public or to invited guests for the purposes of education, recreation, or active involvement in the farm operation. These activities shall be conducted in conjunction with principal agricultural production or processing. This term shall include farm tours, hayrides, corn mazes, seasonal petting farms, farm museums, pumpkin patches, “pick your own” or “cut your own” produce, camping and incidental stays provided that they are limited to no more than one campsite, and classes related to agricultural products or skills. No use that is otherwise identified in 158.071.01 permitted with site plan approval or by conditional use is permitted as agritourism.

ATTACHED ACCESSORY DWELLING. A portion of a single-family dwelling that shall provide complete, independent living facilities for sleeping, eating, cooking, and sanitation within the main dwelling unit, which may be internal, may be separated from the main dwelling unit by a continuous common wall, or may be separated by not more than fifteen feet of **LIVABLE FLOOR AREA**, but which is separate from the main dwelling unit’s cooking area, bathroom(s), and living areas.

BANQUET/EVENT 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 one-time events, which are not open to the general public without an invitation. Food must be provided by a licensed caterer. The facility may also include on-site kitchen facilities.

BED AND BREAKFAST. Any owner-occupied, residential dwelling in which rooms are rented to paying guests on an overnight basis with meal(s) served daily.

BUILDING HEIGHT. The vertical distance from grade plane to the average height of the highest roof structure.

CATERING ESTABLISHMENT. A business at which food prepared on the premises may be delivered to another location for consumption.

COMMERCIAL CAMPING AREA. Any tract of land not less than five acres which is designed, maintained, or intended for the purpose of supplying a location or accommodation for two or more tents, cabins, recreational vehicles, or other camping vehicles as sleeping quarters for persons engaged in recreational or vacation activities, except where the facilities are maintained for private use of the land owner.

COMMERCIAL SAWMILL. A permanent operation or facility which has, as its predominant purpose, the sawing, splitting, shaving, chipping of timber or planing of logs or trees into rough slabs or semi-finished products. A **COMMERCIAL SAWMILL** does not conduct manufacturing or refining. The operation may process timber without regard to point of origination.

COMMERCIAL WOOD PROCESSING. An operation which principally processes branches and logs by chopping, cutting, sawing, or splitting to produce firewood for sale, and which may include the accessory processing of the wood waste solely produced by the principal processing to create humus, mulch, or wood chips.

DETACHED ACCESSORY DWELLING. A dwelling unit (excluding mobile homes) on the same lot as the primary dwelling unit, but physically separated from the primary dwelling unit. A **DETACHED ACCESSORY DWELLING** unit shall provide complete, independent living facilities for one or more persons, including permanent facilities for living, sleeping, eating, cooking, and sanitation.

DWELLING. Any building arranged, designed, or used in whole or in part for residential purposes, but not including a tent, cabin, trailer, or mobile home, or a room in a hotel or motel.

(1) **DWELLING, MULTI-FAMILY.** More than two separate housing units for residential habitation contained within one building or several buildings within one complex. **MULTI-FAMILY DWELLING** does not include **TOWNHOUSE**.

(2) **DWELLING, SINGLE-FAMILY.** A detached building designed for or used exclusively for residential purposes by residents as a single dwelling unit, except when including an **ATTACHED ACCESSORY DWELLING**.

(3) **DWELLING, TOWNHOUSE.** One of a group of more than two attached dwelling units, each of which units is separated by a continuous common wall from any adjacent dwelling units and each of which dwelling units has its own entrance directly from the outside.

(4) **DWELLING, TWO-FAMILY.** A detached building with one dwelling unit above the other (duplex) or two semidetached dwelling units located on abutting lots or on the same lot, separated by a party wall without openings, in either case for or used exclusively for residential purposes, but not more than a total of two families or two housekeeping units.

DWELLING UNIT. A single unit providing complete independent living facilities for one or more persons including permanent provisions for living, sleeping, cooking, eating, and sanitation.

FOOD PROCESSING AND PACKING OF AGRICULTURAL PRODUCTS. An operation related to a farm that manufactures, packages, labels and/or stores any type of food.

FOOD PROCESSING AND PACKING PLANT. A commercial operation that manufactures, packages, labels or stores any type of food and does not provide food directly to a consumer.

GARDEN SUPPLY CENTER. An establishment for the sale of garden supplies and equipment, including but not limited to plant food/nutrients, pots, garden decorations, seeds, mulch, fertilizer, soil, insecticide, and hand tools.

LIVABLE FLOOR AREA. Heated space within a dwelling unit utilized for living, sleeping, eating, and sanitation. Garages, unfinished basements, storage or utility spaces, and similar areas are not considered as **LIVABLE FLOOR AREA.**

LIVESTOCK INCINERATION. A location for use in the act of cremation of **LIVESTOCK.**

SLAUGHTERHOUSE. Any structure and land where livestock raised off-site are slaughtered for commercial purposes. This may include the incineration of carcasses.

YARD. An open area on the same lot with a principal building(s) which lies between such building(s) and the lot line and is open and unoccupied from the ground up.

(1) **FRONT YARD.** A yard extending across the full width of the lot and lying between the front lot line and the nearest line of the principal building.

(2) **FRONT YARD, CORNER.** On corner lots, a yard fronting on a street but where the principal structure fronts on another street. The corner front yard is the area lying between the front yard and the rear yard. One rear yard shall be required.

GENERAL REGULATIONS

§ 158.040 DISTANCE REQUIREMENTS.

(A) Any uses or buildings subject to compliance with this section, as referenced in § [158.051](#), § [158.059](#), § [158.071.01](#), § [158.075.01](#), § [158.076](#), § [158.097](#) or § [158.082\(A\)](#), shall be located at least 200 feet from:

- (1) Any lot in a Residence District.
- (2) Any residential lot of less than three acres in the A or C District.
- (3) On adjoining lots of three acres or more, minimum separation distance of at least 300 feet from dwellings is required.

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

- (1) Coal yard;
- (2) Commercial kennels for more than ten dogs and veterinary facilities in the Agricultural and Conservation Districts;
- (3) Commercial swimming pools and golf ranges in the Agricultural and Conservation Districts;
- (4) Crematorium;
- (5) Electric generating power plant, not including solar facilities;
- (6) Facility for the dispensing of medical cannabis;
- (7) Flour and grain milling;
- (8) Heavy manufacturing;
- (9) Indoor growing of medical cannabis;
- (10) Indoor processing of medical cannabis;

(11) Shop for the service, repair, or sale exclusively of farm machinery and equipment; and

(12) Steel mill.

(C) The following uses shall be subject to three times the distance requirement in division (A) above:

(1) Above ground petroleum products storage (2,000 gallons or greater);

(2) Bituminous concrete mixing plant;

(3) Commercial sawmill;

(4) Concrete and ceramic products manufacture;

(5) Concrete or asphalt recycling;

(6) Contractors' equipment storage;

(7) Fairgrounds, racetracks, or courses in the Agricultural District;

(8) Food processing and Slaughterhouse in the Agriculture District;

(9) Oil-contaminated soil facility;

(10) Raising of animals for experimental purposes;

(11) Solid waste acceptance facility; and

(12) Truck or motor vehicle freight terminal.

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

(1) Acid or heavy chemical manufacturing;

(2) Airfield;

(3) Blast furnace, boiler works, foundry;

(4) Cement, lime, gypsum manufacturing;

(5) Distillation of bones, fat rendering, grease, lard or tallow manufacturing;

(6) Explosive manufacturing or storage;

(7) Fertilizer, potash, insecticide, glue, size, or gelatin manufacture;

(8) Junkyard;

(9) Livestock sales yards and buildings;

(10) Outdoor trap, skeet, rifle, or archery ranges, including gun clubs;

- (11) Petroleum products refining; and
- (12) Slaughterhouse.

(E) The following uses shall be subject to five times the distance requirement in division (A) above:

- (1) Airports; and
- (2) Rubble fills.

§ 158.048.01 TEMPORARY AND SEASONAL USES.

The following temporary and seasonal uses and other similar uses shall be subject to approval by the Zoning Administrator and shall meet the requirements of § [158.048](#).

(A) Carnivals and fairs sponsored by a nonprofit organization, a volunteer fire company, school, church, or other charitable, social, civic, or educational organization.

- (1) Such use shall operate for a period of time not to exceed ten days per event.
- (2) The use shall not be held more than once in any 30-day period at the same location.

(B) Seasonal sales of items, including but not limited to Christmas trees, pumpkins, plants, flowers, or other decorative plant materials for a period of not more than 90 consecutive days. Each seasonal item not sold within the same 90-day period requires a separate temporary zoning certificate.

(C) Stands for snowballs and similar confections:

- (1) The floor area of the structure shall be no greater than 150 square feet.
- (2) The use shall operate only between April 1 and October 1.

(D) Sidewalk sales.

(E) Produce stands of a seasonal nature.

(F) Temporary shelter for commercial displays, sales, and services.

(1) The uses may include all commercial displays, sales, and services permitted in the respective business and industrial zones for promotional displays or sales, seasonal activities, fireworks, truckload sales of products, sidewalk sales, and demonstration of products in a parking lot;

- (2) The shelter may include a trailer or tent; and
- (3) The use shall operate no longer than 30 consecutive days.

(G) Farmer's market or flea market:

(1) The zoning certificate shall only be issued for 30 days for a flea market and no more than 120 days for a farmer's market in any one calendar year; and

(2) Stalls, sales tables, and any other facilities related to the farmer's or flea market shall be located at least 25 feet from any abutting street. If located within a parking lot, the facilities shall be located so as to provide sufficient parking facilities for the patrons.

(H) Dumpsters and self-contained portable storage containers may be used on a residential property.

(1) A dumpster or self-contained portable storage unit may be used in conjunction with a valid residential building permit during the time the construction is active.

(2) When not used in conjunction with a valid residential building permit, a dumpster or self-contained storage unit may be used for a period up to 60 days with up to two 60-day extensions for good cause, for no more than six months in any calendar year.

(3) In the R-10,000 and R-7,500 Districts, self-contained storage units shall be limited to a length of 20 feet.

(I) Farm alcohol producer events or activities, subject to the provisions of § 158.168

(J) Temporary activities and structures needed based on hardship resulting from the destruction of any existing building or structure from a natural disaster or other health and safety emergencies, such as fire, windstorm, flood, explosion, act of public enemy, accident, or pandemic. Temporary activities may include food, water, and equipment distribution centers, warming or cooling shelters, and triage stations. Temporary structures may include emergency housing and outdoor storage. The use shall operate no longer than the duration of the emergency or the duration of an active building permit to restore the principal structure, whichever is shorter;

DISTRICTS

§ 158.070 A AGRICULTURAL DISTRICT.

(A) **Purpose and Intent.** The purpose of the Agricultural District is to provide locations generally outside of the designated growth areas where agriculture is the primary land use. Residential development potential is generally limited to one single-family or two-family dwelling for every twenty acres. Commercial and industrial uses are limited to agribusiness, agritourism, and those uses intended to serve the agricultural industry and residents of the area, while maintaining the character of the surrounding countryside. No water and sewer service is planned to these areas.

(B) **Applicability.** The following regulations and the applicable regulations contained in other sections shall apply in the A District.

(C) **Agriculture as preferred use.** Agriculture is the preferred use in the A District. All agricultural operations shall be permitted at any time, including the operation of farm machinery, and no agricultural use shall be subject to restriction because it interferes

with other uses permitted in the district. Compliance with Chapter 160, Right to Farm, is required.

(D) **Principal uses.** The regulation of principal uses is set forth in §158.071.01.

§ 158.071 C CONSERVATION DISTRICT.

(A) **Purpose and Intent.** The purpose of the C District is to prescribe a zoning category for those areas where, because of natural geographic factors and existing land uses, it is considered feasible and desirable to conserve open spaces, water supply sources, woodland areas, wildlife, and other natural resources. This district may include extensive steeply sloped areas, stream valleys, water supply sources, and wooded areas adjacent thereto. Industrial development should not be located in these areas, and residential development should generally be limited to one single-family detached dwelling per three acres. No water or sewer service is planned to these areas.

(B) **Applicability.** The following regulations and the applicable regulations contained in other sections shall apply in the C District.

(C) **Principal uses.** The regulation of principal uses is set forth in §158.071.01

§158.071.01 AGRICULTURAL AND CONSERVATION DISTRICTS: REGULATION OF PRINCIPAL USES.

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

- (1) The letter "P" indicates that the use is permitted in the district indicated.
- (2) The letter "C" indicates that the use is allowed following conditional use authorization by the BZA in accordance with [§158.133](#).
- (3) The letter "X" indicates that the use is prohibited.
- (4) The letters "NA" indicate the use is not applicable to the district.
- (5) Any use not listed is prohibited unless the BZA determines that the use is similar in impact, nature, function, and duration to an allowed use listed in the table of uses, and which would not be otherwise detrimental to the public health, safety, or general welfare of the community, unless otherwise specifically prohibited.
- (6) The particular and specific control the general.
- (7) In case of any difference of meaning or implication between the text and any caption, the text controls.
- (8) In case of any difference of meaning or implication between the text and any language in the definition of the use or the purpose and intent of the zoning district, the text controls.
- (9) Words used in the singular include the plural (and vice versa).

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

(11) An administrative adjustment or variance may not be granted to permit a use in a district where the use is prohibited or to eliminate the requirement that a conditional use approval be granted for a use.

(12) The Additional Regulations listed in the table below may not include all additional regulations that apply to the use, such as the requirement for site plan review under Chapter 155.

(13) Nonagricultural uses in the Agricultural District may be subject to the restrictions on development on remaining portions as set forth in Chapter 155.

LAND USE CATEGORY	AGRICULTURAL	CONSERVATION	ADDITIONAL REGULATIONS
SUBCATEGORY			
DESCRIPTION			
AGRICULTURAL			
Agriculture	P	P	158.002,158.035, 158.040 for any greenhouse heating plant or any building or feeding pens in which farm animals are kept
Agricultural research laboratory	C	X	158.167
Agritourism	P	P	158.002
Farm alcohol producer	C	C	158.002, 158.168
Farm for the raising of animals for experimental purposes	C	X	158.040
Feed or grain sales, may include storage	C	X	
Flour or grain milling, drying, storage	C	X	
Livestock sales yard and building	C	X	158.040, 158.162
Shop for the service, repair, or sale exclusively of farm machinery and equipment	C	X	158.040
COMMUNICATIONS			
Communications tower	C	C	158.002,158.039, 158.054
Communications tower complex	X	X	158.002,158.039, 158.054
COMMERCIAL			
Vehicle Sales/ Service (all uses)	X	X	

LAND USE CATEGORY	AGRICULTURAL	CONSERVATION	ADDITIONAL REGULATIONS
SUBCATEGORY			
DESCRIPTION			
Eating and Drinking Establishments (all uses)	X	X	
Retail/Service			
Butcher shop	C	X	158.002, 158.040
Garden supply center	C	X	158.002
Liquid or dry fertilizer sales	C	X	
Retail/service all others	X	X	158.002
Funeral and Interment			
Cemetery, mausoleum, or memorial garden	C	C	158.002
Crematorium	X	X	158.002
Funeral establishment	X	X	158.002
Lodging			
Bed and breakfast	C	C	158.002, 158.163
Lodging, all others	X	X	
Office/Health Care			
Veterinary facility	P	C	158.002, 158.040
Office/health care, all others	X	X	
Recreational/Entertainment			
Commercial camping area	C	C	158.002, 158.171
Wildlife preserve	P	P	
Golf course	C	C	158.002, 158.169, 158.040
Indoor recreational facility	X	X	158.002
Outdoor recreational area	C	C	158.002
Outdoor trap, skeet, rifle, or archery ranges, including gun clubs	C	C	158.040
Stable, commercial	P	P	158.040
RESIDENTIAL			
Household Living			
Multifamily	X	X	158.002
Retirement home	X	X	158.002
Retirement village	X	X	158.002
Single-family dwelling	P	P	158.002
Townhouse	X	X	158.002
Two-family dwelling	P	X	158.002
Group Living			
Assisted-living facility, < 8 residents	P	P	158.002
Assisted-living facility, >8 residents	C	C	158.002

LAND USE CATEGORY SUBCATEGORY DESCRIPTION	AGRICULTURAL	CONSERVATION	ADDITIONAL REGULATIONS
Nursing home	C	C	158.002
INSTITUTIONAL/COMMUNITY SERVICE			
Day care center/nursery school	C	C	158.002
Private school	C	C	
Religious establishment	C	C	158.002
INDUSTRIAL			
Manufacturing/Production			
Commercial sawmill	X	X	158.002
Commercial wood processing	C	X	158.002, 158.166
Food processing and packing of agricultural products	P	X	158.002
Research laboratories conducting bioscience research	C	X	158.172
Slaughterhouse	C	X	158.002, 158.040
Winery	C	C	158.040
Manufacturing/production, all others	X	X	
Trades (all uses)	X	X	
Warehouse/Storage/Distribution			
Contractors' equipment storage	C	X	158.002, 158.040, 158.173
Liquid or dry fertilizer storage	C	X	
Storage lot for commercial vehicles, not to include truck or motor freight terminals	C	X	158.170
Warehouse/storage/distribution, all others	X	X	
Waste-Related			
Rubble landfills	C	X	158.165
Transportation/Utilities			
Airfield	C	X	158.002, 158.040
Airport	C	X	158.002, 158.040
Community Energy Solar Generating System	P	X	158.002, 158.153
Utility equipment building, yard, above-ground station or substation, or telephone exchange	C	C	158.039
Utility equipment, all others	P	P	158.039
Miscellaneous			
Banquet/Event Facility	C	X	158.002, 158.040

LAND USE CATEGORY SUBCATEGORY DESCRIPTION	AGRICULTURAL	CONSERVATION	ADDITIONAL REGULATIONS
Commercial kennel, more than ten dogs	C	C	158.002, 158.040, 158.174
Commercial kennel, ten or fewer dogs	C	C	158.002, 158.040, 158.174
Conveyor system	P	C	158.002, 158.039
Extractive-type industries	C	X	158.002, 158.096
Fairgrounds, racetracks or courses	C	X	158.040, 158.160
Growing of medical cannabis	X	X	158.002, 158.040, 158.059
Mineral resource recovery operations, with a MRO designation	P	X	158.002, 158.096
Retreat facility	C	C	158.002, 158.164
Use-off-the premises signs	X	X	158.115
Water supply works, flood control or watershed protection works, fish and game hatcheries	P	P	
PUBLIC			
Cable television facilities when franchised by the BCC	X	P	
Public facility	P	P	158.049

§ 158.071.02 AGRICULTURAL AND CONSERVATION DISTRICTS: REGULATION OF ACCESSORY USES.

(A) Accessory uses in the Agricultural and Conservation Districts

(1) Accessory buildings and uses customarily incidental to any principal permitted use, nonconforming use, or authorized conditional use, including mobile homes subject to the applicable provisions of §[158.150](#);

(2) Home occupation, subject to Zoning Administrator approval following submittal of a signed affidavit stating that the use:

- (a) Does not utilize more than 500 square feet.
- (b) Does not involve retail sales from the premises.

(c) Involves no evidence from the outside of the dwelling to indicate that it is being used for anything other than residential purposes, other than a sign not exceeding three square feet;

- (d) Involves no customers to the dwelling.
- (3) Business signs, subject to the provisions of §§ [158.110](#) through [158.115](#);
- (4) One private stable on a lot or parcel of three acres or more for one animal unit, with a minimum fenced area of two acres. The minimum acreage is not applicable to the keeping of fowl.
 - (a) One additional acre of fenced area is required for each additional animal unit up to five animal units.
 - (b) For up to five animal units, structures intended to shelter, feed, or care for livestock must be set back 100 feet from any adjoining existing residences but must meet the minimum side and rear yard setbacks for the district.
 - (c) Beyond five animal units is considered an agricultural use and must meet the requirements for the agricultural use.
 - (d) No administrative adjustment or variance is allowed to the minimum acreage or setbacks associated with this provision.
- (5) Saddlery and tack shop on the premises of a commercial stable;
- (6) Storage modules may be used in conjunction with an approved business use of the property, provided that:
 - (a) On property of ten acres and less, there shall be no more than one storage module located on the property, and on property greater than 10 acres, there shall be no more than one storage module for each additional ten acres;
 - (b) The storage module(s) shall be subject to the following standards:
 1. The maximum size shall be eight feet by 24 feet on property of ten acres or less.
 2. The exterior surface shall be painted and kept in good repair.
 3. The storage module shall be vented where needed for safety purposes.
 4. The storage module shall be screened from adjacent roadway and from residences on adjoining properties.
- (7) Family day care, subject to Zoning Administrator approval following submittal of a signed affidavit stating that the use meets all applicable Maryland State requirements;

(8) Accessory dwelling units, which are subject to the following:

- (a) An accessory dwelling must have direct access from the outside;
- (b) The property owner must occupy either the principal dwelling unit or the accessory dwelling unit on the property;
- (c) The maximum size of an accessory dwelling shall be not more than 1,000 square feet of livable floor area, as defined in §158.002;
- (d) The accessory dwelling unit shall have no more than two bedrooms;
- (e) The accessory dwelling unit must meet all applicable building construction and Maryland Department of Health and Mental Hygiene and MDE regulations;
- (f) One additional off-street parking space must be provided for each bedroom in the accessory dwelling unit;
- (g) Only one accessory dwelling unit (attached or detached) shall be permitted on a lot; and
- (h) Detached accessory dwelling units shall be located on lots at least three acres in size and may not be located more than 50 feet from the principal dwelling.

(9) Antique and arts and crafts shops, in conjunction with a residence or farming operation, subject to Zoning Administrator approval in accordance with § [158.130\(G\)](#);

(10) Beauty parlors and barbershops, in conjunction with a residence, subject to Zoning Administrator approval following submittal of a signed affidavit stating that the use will be conducted by a single practitioner. If the use is to be conducted by more than one practitioner, it shall be approved in accordance with § [158.130\(G\)](#);

(11) Roadside stands for the sale of fresh fruits, vegetables, and other farm products, subject to Zoning Administrator approval in accordance with § [158.130\(G\)](#);

(12) Dance studios, when conducted within a dwelling by a resident, subject to Zoning Administrator approval in accordance with § [158.130\(G\)](#);

(13) Cottage industry, provided that it is conducted by a resident within the dwelling or within an accessory building which does not exceed 2,000 square feet in area, subject to Zoning Administrator approval following submittal of a signed affidavit stating that the use meets all applicable requirements;

(14) Within a dwelling, the professional office of a physician, insurance agent, realtor, or other profession determined by the Zoning Administrator to be similar in use and characteristics, subject to Zoning Administrator approval in accordance with § [158.130](#)(G);

(15) Lawn care and maintenance service, subject to Zoning Administrator approval following submittal of a signed affidavit stating that the use meets all applicable requirements, provided there are no more than two vehicles, two trailers and four employees, including the owner of the business;

(16) The above or below ground storage of not greater than 2,000 gallons, in aggregate capacity of petroleum products which is not sold at retail or wholesale, and subject to [Chapter 170](#) of the Carroll County Code and all applicable Maryland Department of the Environment (MDE) and National Fire Protection Association (NFPA) regulations;

(17) Above-ground petroleum storage exceeding 2,000 gallons but less than 50,000 gallons, in aggregate capacity, provided however, that no individual container may exceed 30,000 gallons. These petroleum products may not be sold at retail or wholesale, and shall be subject to the following:

(a) One hundred feet of separation from all existing or proposed residential dwellings on the same property;

(b) Setback requirements as specified by NFPA, but not less than 100 feet from all property lines;

(c) Compliance with [Chapter 170](#) of the Carroll County Code;

(d) Compliance with all state and NFPA regulations; and

(e) No variances of the above requirements may be granted;

(18) The production of firewood, humus, wood chips or mulch as an accessory use to the farming or residential parcels for land clearing or private use purposes. This use shall comply with the distance requirements of §158.040. No wood may be piled up over six feet. No variance to these requirements may be granted.

(19) When associated with a farm alcohol producer

(a) Tasting rooms;

(b) Accessory food sales to accompany the beverage tasting;

(c) Retail sales facility for the sale of novelty and gift items related to the beverage;

(d) Sales of beverages produced on-site;

(e) Guided tours; and

(f) Promotional activities.

(20) Livestock incineration in the Agricultural District, provided the incineration is only of animals raised on the property, except in extenuating circumstances.

§ 158.071.03 AGRICULTURAL AND CONSERVATION DISTRICTS: BULK REQUIREMENTS.

Agricultural District

Height regulations. Except as provided in §158.130 (E), no building or structure or part thereof shall be constructed or extended to exceed a height of 35 feet. The height limit for accessory buildings shall be not over 25 feet.

Other bulk requirements. The following minimum requirements shall apply, except as modified in §158.130 and elsewhere in this Chapter.

Use	Lot Area (acres)	Lot Width (feet)	Front Yard Depth (feet)	Side Yard (Width Each Side Yard) (feet)	Rear Yard Depth (feet)
Dwelling	1	150	40	20	50
Nursery school; day care center	2	100	40	30	50
Religious establishment	2	200	100	50	50
Schools:					
Elementary	15	400	150	100	50
Middle	20	400	150	100	50
High	40	500	150	100	50
Colleges	15	500	150	100	50
Nursing home, assisted living facility ¹	3	150	50	40	50

¹ The density for nursing homes and assisted living facilities shall be no more than 1 bed/3,000 sq. ft. For those areas in excess of 180,000 square feet, the determination of the density factor will be made by the Planning Commission and the Health Department upon the review and approval of the site development plan. In addition, as lot area increases above minimum of 45,000 square feet, increased provision of front,

Other principal permitted or conditional uses	3	200	40	30	50
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Conservation District

Height Regulations. Except on farms and except as provided in 158.130 (E), no building or structure shall exceed 35 feet.

Use	Lot Area (acres)	Lot Width (feet)	Front Yard (feet)	Side Yard (feet)	Rear Yard (feet)
CATV facilities	3	200	50	50	50
Dwellings ²	3	300	50	50	50
Schools:					
Elementary	15	400	150	100	50
Middle	20	400	150	100	50
High	40	500	150	100	50
Nursing home, assisted living facility ³	3	150	50	40	50
Other principal permitted or conditional uses	5	300	50	100	50

§ 158.075.01 RESIDENTIAL DISTRICTS: REGULATION OF PRINCIPAL USES.

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

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

side, and rear yards shall be determined by the Planning Commission and the Carroll County Health Department based on the site development plan.

² Requirements only apply to off conveyances and nonclustered subdivisions.

³ The density for nursing homes and assisted living facilities shall be no more than 1 bed/3,000 sq. ft. For those areas in excess of 180,000 square feet, the determination of the density factor will be made by the Planning Commission and the Health Department upon the review and approval of the site development plan. In addition, as lot area increases above minimum of 45,000 square feet, increased provision of front, side, and rear yards shall be determined by the Planning Commission and the Carroll County Health Department based on the site development plan.

(2) The letter "C" indicates that the use is allowed following conditional use authorization by the BZA in accordance with § [158.133](#).

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

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

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

(6) The particular and specific control the general.

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

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

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

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

(11) An administrative adjustment or variance may not be granted to permit a use in a district where the use is prohibited or to eliminate the requirement that a conditional use approval be granted for a use.

(12) The Additional Regulations listed in the table below may not include all additional regulations that apply to the use, such as the requirement for site plan review under Chapter 155.

LAND USE CATEGORY SUBCATEGORY DESCRIPTION	R- 40,000	R- 20,000	R- 10,000	R- 7,500	ADDITIONAL REGULATIONS
COMMERCIAL					

Banquet/event facility	X	X	X	X	158.002

LAND USE CATEGORY SUBCATEGORY DESCRIPTION	R- 40,000	R- 20,000	R- 10,000	R- 7,500	ADDITIONAL REGULATIONS

§ 158.075.02 RESIDENTIAL DISTRICTS: REGULATION OF ACCESSORY USES.

- (A) **Accessory uses in the Residential Districts.** Accessory uses in the residential districts shall be as follows:

(11) Private stable in a rear yard in the R-40,000 and R-20,000 Districts only, on a lot or parcel of three acres or more for one animal unit, with a minimum fenced area of two acres. The minimum acreage is not applicable to the keeping of fowl.

(a) One additional acre of fenced area is required for each additional animal unit up to five animal units.

(b) For up to five animal units, structures intended to shelter, feed, or care for livestock must be set back 100 feet from any adjoining existing residences, but must meet the minimum side and rear yard setbacks for the district.

(c) Beyond five animal units is considered an agricultural use and must meet the requirements for the agricultural use.

(d) No administrative adjustment or variance is allowed to the minimum acreage or setbacks associated with this provision.

(14) All other uses and structures customarily accessory and incidental to any principal permitted, nonconforming, or authorized conditional use.

§ 158.082 COMMERCIAL, INDUSTRIAL, AND EMPLOYMENT CAMPUS DISTRICTS: REGULATION OF PRINCIPAL USES.

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

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

(2) The letter "C" indicates that the use requires is allowed following conditional use authorization by the BZA in accordance with § [158.133](#).

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

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

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

(6) The particular and specific control the general.

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

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

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

(10) Words of 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) An administrative adjustment or variance may not be granted to permit a use in a district where the use is prohibited or to eliminate the requirement that a conditional use approval be granted for a use.

(12) The Additional Regulations listed in the table below may not include all additional regulations that apply to the use, such as the requirement for site plan review under Chapter 155.

LAND USE CATEGORY SUBCATEGORY DESCRIPTION	C-1	C-2	C-3	I-1	I-2	EC	ADDITIONAL REGULATIONS
<i>Agricultural</i>							

Agricultural research laboratories and facilities	X	X	C	C	P	P	

<i>Commercial</i>							
<i>Eating and Drinking Establishments</i>							
Catering establishment	P	P	P	X	X	P	158.002

Banquet/event facility	P	P	P	X	X	P	158.002

LAND USE CATEGORY SUBCATEGORY DESCRIPTION	C-1	C-2	C-3	I-1	I-2	EC	ADDITIONAL REGULATIONS

Lodging							
Bed and breakfast	C	X	X	X	X	X	158.002, 158.163

Recreational/Entertainment							

Conference center	X	C	P	X	X	P	158.002

Retreat facility	X	X	X	X	X	X	158.002,

Industrial							
Manufacturing/Production							

Food processing and packing plant	X	X	X	P	P	X	158.002, 158.040

§ 158.082 COMMERCIAL AND INDUSTRIAL DISTRICTS: REGULATION OF ACCESSORY USES.

(A) Accessory uses in the Commercial Districts.

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

(B) Accessory uses in the Industrial Districts.

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

OVERLAY DISTRICTS

§ 158.097 H HERITAGE DISTRICT.

- (D) Accessory uses.** Accessory uses shall be those enumerated in § 158.075.02.

(E) Height Regulations. Height regulations shall be those enumerated in § 158.075.03.

SIGNS

§ 158.114 USE-ON-THE-PREMISES SIGNS.

Business signs pertaining to use-on-the-premises, as an accessory use in all districts, provided that the following provisions are adhered to:

(G) Temporary signs located on the premises of a business which advertise special events of the business, such as grand openings, anniversaries, holiday sales, or other unique occasions of limited duration, subject to all distance, yard, and setback requirements and subject to the following limitations:

(1) **Area.** The sign shall be no larger than 36 square feet per side and shall have no more than two sides. If temporary single faced signs are used, no more than two temporary single faced signs may be used.

(2) **Time limit.** The sign may not be located at the business for longer than 30 days prior to the special event. The Zoning Administrator shall prohibit the use of temporary signs if it appears that the use is intended to avoid the restrictions on permanent signs. Temporary signs may be used no more than twice per calendar year.

(3) **Anchoring.** The sign must be anchored to the ground or to a permanent structure to prevent it from being moved by force of nature.

(4) **Signs on wheels.** Signs on wheels are prohibited, as are signs designed to be affixed to a wheeled chassis but which have either been removed from the chassis or have never been so attached.

(5) **Approval.** Prior to using the sign, a person shall have been issued a zoning certificate and must obtain the approval of the Zoning Administrator, who shall review the request to determine if the sign constitutes a potential hazard to health, safety, or welfare; or whether the use of the sign is for a truly temporary purpose rather than for a purpose that would require additional regulation under other provisions of this chapter.

(6) **May be allowed.** The Zoning Administrator may allow the use of pennants, banners, streamers, tethered balloons, or inflatables.

SPECIFIC USES

§ 158.160 FAIRGROUNDS, RACETRACKS, OR COURSES

- (A) Fairgrounds, racetracks, or courses for the conduct of seasonal or periodic meets of horses, dogs, aircraft, automobiles, motorcycles, off-road vehicles, and the like, may be authorized by conditional use provided that a site development plan shall be approved by the Planning Commission to demonstrate how the use will be conducted and operated so as not to adversely affect the natural resources.

§ 158.162 LIVESTOCK SALES YARDS AND BUILDINGS

A livestock sales yard and buildings may be authorized by conditional use in the Agricultural District, provided that:

- (A) The area used shall be a minimum of ten acres; and
- (B) A minimum front yard of 400 feet is provided.

§ 158.163 BED AND BREAKFAST

A bed and breakfast may be authorized by conditional use in the Agricultural or Conservation District, provided that:

- (A) The primary use of the structure and property shall be residential;
- (B) Interior residential features shall be retained in a manner which allow reconversion to a residential use;
- (C) The dwelling shall be owner-occupied and managed;
- (D) Parking shall be provided on site with one additional space required for each room that is available to be rented;
- (E) Other than an authorized sign, the bed-and-breakfast use shall be shown to be compatible with the neighborhood and shall be maintained and landscaped to eliminate outward signs of transient use;
- (F) Meals shall be served only to customers who are actually using the accommodations overnight, nonpaying residents, or their bona fide guests;
- (G) No more than one nonresident person may be employed on the premises;
and
- (H) A bed-and-breakfast shall not have any sign or other evidence of its use except one sign not exceeding two feet by three feet in area, which may be double-faced and illuminated.

§ 158.164 RETREAT FACILITY

A retreat facility may be authorized by conditional use, provided that:

- (A) A site development plan shall be approved by the Planning Commission;
- (B) The use shall be located on a property of not less than five acres;

- (C) All buildings and housing shall be located not less than 100 feet from adjoining property;
- (D) In the Agricultural District, such use shall be designed to preserve the maximum amount of land for agricultural purposes; and
- (E) In the Conservation District, such use shall be designed to preserve the maximum amount of conservation features.

§ 158.165 RUBBLE LANDFILLS

A rubble fill may be authorized by conditional use, subject to the following requirements, conditions, and limitations;

- (A) The use shall not be allowed unless authorized by valid permits issued by all governmental agencies which require a permit for any part of the activity or use performed;
- (B) Unless a valid close out permit has been issued and maintained for the site, termination or revocation of any permit required by the preceding section terminates any authority granted hereunder and constitutes a violation of this chapter;
- (C) This use shall be subject to site plan review under Chapter 155; and
- (D) Prior to beginning to use any property for this use, the owner shall enter into an indenture with the County Commissioners which guarantees that all of the requirements of this chapter and any permit required to conduct the use are met and further guarantees that the cost of eliminating any nuisance created by the rubble landfill, including fires, shall be borne by the property owner, and the owner shall provide a bond or other suitable guaranty to the County Commissioners (in the discretion of the County Commissioners) to ensure the proper use of the property and performance of the covenants contained in the indenture. For purposes of this section, the County Commissioners may include any provisions in the indenture it deems necessary to protect the health, safety, and welfare of the people of the county, and the County Commissioners shall be the sole arbiters of what constitutes a nuisance.

§ 158.166 COMMERCIAL WOOD PROCESSING

Commercial wood processing, including processing, storage, and sale at retail and wholesale, may be authorized by conditional use, provided that a site development plan shall be approved by the Planning Commission, and subject to the following conditions:

- (A) The use shall not be located within 600 feet from any property line;
- (B) The use shall be shown by the owner not to adversely affect the quantity or quality of groundwater or surface waters, or be otherwise detrimental to neighboring properties;
- (C) The BZA may limit the intensity of use on the site based on factors, including but not limited to the proximity to a public water supply and adequacy of access to the site;
- (D) The BZA may require an environmental impact study based on the scale of the project and on the recommendation of technical staff;
- (E) The BZA shall limit the hours and days of operations; and
- (F) No zoning certificate shall be issued until documentation of all necessary permits or exemptions from state and county agencies are presented to the Zoning Administrator.

§ 158.167 AGRICULTURAL RESEARCH LABORATORY IN THE AGRICULTURAL DISTRICT

An agricultural research laboratory may be authorized by conditional use in the Agricultural District, provided that:

- (A) the facility is located on a lot at least 25 acres in size. The lot size may be reduced if the BZA finds that the nature and scale of the operation can be appropriately accommodated, and
- (B) provided that a site development plan shall be approved by the Planning Commission.

§ 158.168 FARM ALCOHOL PRODUCER

A farm alcohol producer may be authorized by conditional use, subject to the following requirements, conditions, and limitations:

- (A) The primary use of the property shall continue to be agricultural in nature and any commercial aspects of this use shall not be used solely to warrant or justify the assignment of future land use designations or rezoning petitions.

(B) A farm alcohol producer must have a valid Class 4 limited winery, Class 8 farm brewery, or Class 1 distillery Maryland alcohol manufacturer license, or as may be amended.

(C) The alcoholic beverage shall be manufactured with an ingredient from a Carroll County agricultural product produced on the licensed farm. If Maryland Department of Agriculture determines for the calendar year that an insufficient supply of Maryland agricultural products exist, a farm alcohol producer may use agricultural products from outside Carroll County or outside the state to manufacture its alcohol products.

(D) The farm alcohol producer may purchase bulk beverage fermented, brewed, or distilled by a licensed alcohol manufacturer and blend the beverage with the farm alcohol producer's alcoholic beverage, if the aggregate purchase does not exceed 25% of the farm alcohol producer's annual beverage production.

(E) All associated structures shall be subject to a 200-foot front, rear, and side yard setback.

(F) Accessory uses at the farm alcohol producer are permitted, as outlined in § 158.071.02. The floor area for beverage tasting, sales of alcohol produced on-site or other non-alcoholic beverages, accessory food sales related to the beverage tasting, and retail sales facility for sale of novelty and gift items related to the beverage shall not exceed the on-site floor area being used for production and storage of such beverage. Sales of non-agricultural products shall be limited to no more than 25% of the floor area of the entire retail sales facility.

(G) *TOURS AND TASTINGS* means tours of the farm alcohol producer and/or tastings of beverages produced by the farm alcohol producer during the operating hours prescribed in the license. The farm alcohol producer may serve food in conjunction with tours and tastings, provided:

- (1) All advertising to the public is only for tours and/or tastings;
- (2) The amount and type of food is intended to be secondary and complementary to the alcohol as part of the tours and tastings; and
- (3) The food arrives at the establishment ready for service or in a state generally ready for consumption.

(H) Storage of beverages produced on the property is allowed.

(I) A Health Department food service license is required if food is served.

(J) Health Department approval for water supply and wastewater disposal systems is required. For farm alcohol producer facilities served by individual on-site sewage disposal systems (OSDS), the OSDS must provide adequate treatment and hydraulic capacity for the proposed or intended use.

(K) Approval is required from the Bureau of Permits and Inspections for the use of any structures by the public, including sanitation facilities, as outlined in [Chapter 170](#), Construction Codes.

(L) All vehicles parked must be parked on an approved property and may not be parked on public roads or rights-of-way.

(M) Any on-site event or activity at a farm alcohol producer that is expected to exceed site plan approval is considered a temporary/seasonal use and shall obtain a temporary zoning certificate from the Zoning Administrator by submitting a simplified application form as prescribed by the Zoning Administrator.

(N) Those events or activities which require a temporary zoning certificate are subject to the following additional conditions and requirements:

(1) The event or activity is intended to assist in the sale and direct marketing of alcoholic beverages produced by a Carroll County farm alcohol producer;

(2) The event or activity must be clearly incidental, related, and subordinate to the farm alcohol producer's agricultural farming product and must be consistent with state manufacturing license requirements;

(3) The event or activity must comply with the provisions of [Chapter 93](#), Nuisances, Noise;

(4) The event or activity requires a temporary zoning certificate subject to the provisions of [§158.048](#) and must be consistent with state manufacturing license requirements. Multiple events may be approved under one temporary zoning certificate. Modifications and additions to an approved temporary zoning certificate may occur with the prior approval of the Zoning Administrator;

(5) A temporary food permit license must be approved by the Health Department; and

(6) Approval of a zoning certificate for a temporary use will be determined on a case-by-case basis depending on individual site conditions and the applicant's demonstration that potential impacts to neighboring properties will be adequately addressed and minimized, including, but not limited to, access and traffic impacts, off-street parking, availability of water and sanitation facilities, and anticipated noise levels. The Zoning Administrator may revoke the temporary zoning certificate for a temporary/seasonal use if the use constitutes a nuisance because of noise, traffic, trash, or other cause.

(O) Banquet and meeting facilities.

(1) The BZA may also authorize, in conjunction with a farm alcohol producer, facilities and catering for private events, such as banquets, weddings, receptions, and reunions.

(2) Events at these facilities shall not be open to the public.

(3) Food must be provided and served by a licensed caterer.

(4) Site plan approval is required.

(P) No variances of the above requirements may be granted, with the exception of those provisions specified in § [158.130](#)(F), Application; limits.

§ 158.169 GOLF COURSE

Golf courses may be authorized by conditional use in the Agricultural and Conservation Districts subject to site plan review under Chapter 155 and the filing of a professionally prepared environmental impact plan demonstrating how use, maintenance, and activities will be conducted and operated so as to not adversely affect the natural resources and comply with the County's water resources protection standards as may be adopted by the county in the Water Resources Manual.

§ 158.170 STORAGE LOT FOR COMMERCIAL VEHICLES IN THE AGRICULTURAL DISTRICT

Storage lots for commercial vehicles, not to include truck or motor freight terminals, provided that the BZA shall have the authority to limit the number of vehicles based on the considerations enumerated in § 158.133 (G), and provided that the BZA determines sufficient space is available to park the vehicles without disturbance to neighboring

properties. Notwithstanding the area requirements of §158.071.03, the BZA may consider applications on sites of less than three acres.

§ 158.171 COMMERCIAL CAMPING AREA.

(A) **General regulations.** Every commercial camping area shall comply with all sanitary and other requirements prescribed by law or regulations, and the following requirements, unless the following requirements are waived or modified by the Planning Commission:

(1) Every such area where permitted shall be generally located in a wooded area or be screened either by a wooded area or by the natural topography and be at least 1,000 feet from any Residence District, 500 feet from any existing dwelling on adjacent property, or officially designated federal or state numbered highway or county road designated as a primary or secondary highway on the Major Road Plan of Carroll County, 100 feet from any other public road, and 50 feet from any property line in any case.

(2) Each campsite shall have an area of at least 2,000 square feet including parking space for one car, and no camp site shall be closer than 100 feet to any property line. The campsites, together with any nonaccessory buildings, shall not occupy in the aggregate more than 35% of the gross area of the designated camping area.

(3) An adequate water supply having the approval of the Carroll County Health Department shall be provided at one or more convenient locations in every camping area, not less than 150 feet from every site.

(4) Sanitary toilet facilities approved by the Carroll County Health Department shall be provided not more than 600 feet from any site, and if not of a flush-type connection with a sewage disposal unit, such disposal facilities shall be at least 200 feet from all campsites.

(5) Showers or other commonly accepted bathing facilities shall be provided at a ratio of four (two for men, two for women) per 30 campsites at one or more locations, provided that the Planning Commission may waive this requirement when the camping area is of a small primitive type and contains less than 15 campsites.

(6) Sanitary receptacles for the collection and storage of refuse shall be provided at convenient locations to be emptied regularly and the contents disposed of in a sanitary manner.

(7) No vehicular entrance to or exit from any camping area containing more than 15 individual campsites shall be located within 400 feet along the roads of any school, religious establishment, or any institution for children or dependents.

(8) No retail business or merchandising other than that which is subordinate to the operation of the camping areas and intended only for its occupants shall be permitted.

(B) **Standards.**

(1) **Access points.** Provision for separating entering and exiting traffic shall be by means of a grassed median or island-type arrangement, unless owing to exceptional or unusual topographic conditions the Planning Commission agrees to an alternate method.

(2) **Camping area road/drives.** Provision shall be made to limit two-way traffic whenever possible; where necessary, such roads should be a minimum width of 25 feet. One-way roads and drives should be a minimum of 12 feet in width. All roads and drives shall be designed with regard to the topography and constructed and stabilized to withstand all weather, with dust controlled wherever possible.

(3) **Clearing.** This activity shall be strictly limited in order to retain as much natural cover as possible. In this connection, provision shall be made for stable and level areas or pads on each individual site to safely accommodate camping vehicles and facilities.

(4) **Campsite arrangements.** Campsites shall be arranged along loop, horseshoe, or daisy-type drives in order to promote the maximum amount of privacy possible to the individual campsite unless an alternate method can be clearly demonstrated to carry out the objective of maximum privacy and adequate design. Open space areas shall effectively separate groups of campsites (usually not exceeding 30) from one another. Each individual campsite shall be numbered and clearly marked on a concrete, redwood, or other acceptable permanent marker and correspond with any approved site development plan.

(5) **Fencing and screening.** This shall be provided wherever necessary and needed by virtue of topographic or other conditions.

(6) **Fire control.** In addition to any requirements of state or county fire laws, a fire control plan shall be outlined and submitted for the Planning Commission's review and consideration. In addition, the site development plan shall indicate fire pits to be provided and designed to discourage indiscriminate fire building throughout the camping area.

(7) **Site development plan.** Any new commercial camping area or any expansion or modification of an existing commercial camping area shall be subject to the requirements of Chapter 155.

§ 158.172 RESEARCH LABORATORIES CONDUCTING BIOSCIENCE RESEARCH IN THE AGRICULTURAL DISTRICT

Research laboratories and facilities conducting bioscience research through clinical and preclinical testing on animals, plants, or foods for the purpose of developing products which are technically, scientifically, or clinically useful, may be authorized by conditional use subject to the following requirements:

(A) Such uses shall be located on a minimum lot of 25 acres;

- (B) The use shall be subject to a front, rear, or side yard of 200 feet, unless the use includes any exterior animal holding or living areas including kennels with or without runs, pens, corrals, barns or sheds, then the use shall be subject to a front, rear, or side yard of 400 feet;
- (C) Such uses may not exceed a classification of Biosafety Level (BSL) 2 as that term is defined by the Centers for Disease Control (CDC) as of May 1, 2004;
- (D) Such uses shall comply with all applicable federal certifications that apply to the testing and research being performed on site if recommended or mandatory for the industry; and
- (E) Such uses must meet all applicable Carroll County Health Department regulations and standards.

§ 158.173 CONTRACTORS' EQUIPMENT STORAGE IN THE AGRICULTURAL DISTRICT

Contractors' equipment storage may be authorized by conditional use in the Agricultural District subject to the following requirements:

- (A) The area within which each use is located shall be no more than one acre in size;
- (B) The minimum area of the property on which each use is located shall be five acres.

§ 158.174 COMMERCIAL KENNELS IN THE AGRICULTURAL AND CONSERVATION DISTRICTS

Commercial kennels may be authorized by conditional use subject to the following requirements:

- (A) The minimum area for a commercial kennel for ten dogs or fewer shall be five acres;
- (B) The minimum area for a commercial kennel for more than ten dogs shall be ten acres;
- (C) All commercial kennels shall be subject to the distance requirements of §158.040.