

ARTICLE 1
General Provisions

- A. Title.** This Chapter is known and may be cited as the “Land Management Code.” Individual Articles of this Chapter may be cited as the “Ordinance” it is crafted to govern, as described in each Article. This Chapter includes both the text of the regulations and the Zoning Map of the City of Hagerstown, as maintained by the Planning and Code Administration Department.
- B. Purpose.** This Chapter is adopted as the revision and reorganization of several former land use and development regulatory ordinances in a single document.

This Chapter is adopted with the intent that its provisions will:

1. Promote public health, safety, and general welfare of the citizens of Hagerstown;
2. Implement the policies of the Comprehensive Plan;
3. Provide a system of land use and development regulations that provides for harmonious use and development of land;
4. Regulate and control the division and development of land that enables the City to effectively grow;
5. Provide adequate light and air;
6. Promote the conservation of natural and cultural resources;
7. Facilitate the adequate provisions of transportation, water, sewerage, schools, recreation, soil conservation, landscaping, parks and other public facilities and services.

This Chapter is made with reasonable consideration of, among other things, the character of the City, the suitability of its various areas for particular uses; the desire to protect the value of buildings and encourage orderly development; and the most appropriate use of land throughout the jurisdiction.

- C. Mayor and City Council.** The Mayor and City Council have the following powers and duties pursuant to the Annotated Code of Maryland and the Charter of the City of Hagerstown:
 1. Render final decisions pertaining to amendments to the Zoning Map of the City of Hagerstown and this Land Management Code.
 2. Adopt the Comprehensive Plan and any amendment thereto.
 3. Appoint members of the Planning Commission, Board of Zoning Appeals, and Historic District Commission.
 4. Accept and/or appropriate funds for the expenses of the Planning Commission, Board of Zoning Appeals, Historic District Commission, and the Planning and Code Administration Department.

5. Adopt a schedule of fees for plan reviews, permits, fee-in-lieu contributions, inspections, and other activities set forth in this Chapter.

6. Exercise all additional authority, power and duties granted by the City Charter and Maryland Law.

D. Authority. This Chapter and its subsequent components are established in accordance with:

1. The applicable provisions of the Charter of the City of Hagerstown.

2. The applicable provisions of the Land Use Article of the Annotated Code of Maryland.

3. The applicable provisions of Section 5-1601 through 5-1612, Natural Resources Article, Annotated Code of Maryland, as pertaining to Forest Conservation Programs.

4. Federal Emergency Management Agency, 44 Code of Federal Regulations.

E. Applicability. This Chapter applies to all properties within the Corporate Limits of the City of Hagerstown, Maryland. Except as hereafter specified, no land, building, structure or premises shall be used, subdivided or altered, and no building or part thereof or other structure shall be located, erected, reconstructed, extended, enlarged, converted, or altered except in conformity with the provisions of this Code.

F. Consistency with the Comprehensive Plan. This Chapter and its component parts have been prepared in accordance with, and is generally consistent with goals and policies of the Comprehensive Plan.

G. Coordination with Other Chapters. The use of buildings and land within the City is subject to all other regulations, whether or not such other regulations are specifically referenced in this Chapter. References to other regulations or provisions of this Chapter and Code are for the convenience of the reader. Lack of a cross reference does not mean that other regulations do not apply.

Where the provisions of this Chapter impose greater restrictions than those of any statute, other regulations, or ordinance, the provisions of this Code shall prevail. Where the provisions of any federal, state, or City statute, ordinance, or regulation impose greater restrictions than these Regulations, the provisions of such federal, state, or City statute, regulation, or ordinance shall prevail.

H. Interpretation. Interpretation and application of the provisions of this Chapter shall be regarded as the basic and minimum requirements for the protection of public health, safety, comfort, convenience, and general welfare. The meaning of any and all words, terms or phrases in this Chapter shall be construed in accordance with Article 3 of this Chapter.

This Chapter contains numerous graphics, illustrations, and drawings in order to assist the reader in understanding and applying the law. However, to the extent that there is any inconsistency between the text of this Chapter and any such graphic, illustration or drawing, the text shall control unless otherwise provided in the specific section.

I. Severability. Should any Article, Section, Subsection, or provision of this Chapter be declared by a court of competent jurisdiction to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of this Chapter as a whole, or any part thereof other than the part so declared to be invalid or unconstitutional.

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- J. Permits and Certificates.** No development shall occur on any property within the City until the applicable permits, approvals, and certificates for such activity or development have been issued and approved by the officials with the authority to approve the same. The Zoning Administrator shall have the authority to revoke an issued zoning certificate or zoning approval of a building permit in accordance with Article 4, Section S.1.g.
- K. Violations and Enforcement.** Violations and enforcement of this Chapter shall be in accordance with Article 8, and any specific provision of individual Articles of this Chapter.
- L. Uses or Developments Rendered Nonconforming by the Adoption of this Chapter.** This Chapter is the re-codification of four former chapters of the City Code (Zoning, Subdivision, Floodplain Management, and Forest Conservation) into a single, unified Chapter with minor content amendments effective on September 26, 2008. It is the intent that the original effective date of these ordinances shall continue in full force and effect. Should content changes adopted with this re-codification result in zoning, subdivision, floodplain management or forest conservation nonconformity on property, the effective date of this Chapter shall constitute dates of amendment of the affected former ordinance(s). Any zoning, subdivision, floodplain management, or forest conservation plan in process prior to the effective date of this Chapter shall be allowed to proceed under the terms of the Ordinances in effect prior to the adoption of this Chapter.
- M. Liability.** The Zoning Administrator or any other employee charged with the enforcement of this Chapter, while acting for the jurisdiction, shall not thereby be rendered liable personally, and is hereby relieved from all personal liability for any damage accruing to persons or property as a result of an act required or permitted in the discharge of official duties or omissions thereof. Any suit instituted against any officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this Chapter shall be defended by the legal representative of the jurisdiction until the final termination of the proceedings. The Zoning Administrator or any subordinate or representative shall not be liable for costs in an action, suit or proceeding that is instituted in pursuance of the provisions of this Chapter; and any officer of the City, acting in good faith and without malice, shall be free from liability for acts performed under any of its provisions or by reason of any act or omission in the performance of official duties in connection herewith.

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Appendix 1 to Article 1: Amendments to the Land Management Code.

The following chart summarizes the effective dates, affected sections, and a description of all amendments made to the Land Management Code. It is for reference and research purposes only and shall be administratively updated by the Planning and Code Administration Department each time the Mayor and Council adopts an amendment to the Code. When provisions of this chart conflict with the adopted text of a code amendment, the adopted text shall prevail.

File Number and Effective Date	Description of Amendment(s)
ZT-2008-01 (v.1.1) October 23, 2008	Parking space requirements for shopping centers. Create definition of “gross leasable area.”
ZT-2008-03 (v.1.2) May 28, 2009	Expanded authority of the Board of Zoning Appeals to hear variances for lot area and lot area per dwelling unit requirements, but not solely for increasing unit yield.
ZT-2008-02 (v.1.3) June 26, 2009	Add definitions of “mixed-use building,” “mansion apartment house,” “stacked apartment units,” and “master planned project”; and amend definition of “courtyard apartment.” Create N-MU, I-MU and D-MU Districts. Repeal the C-3 District.
ZT-2009-01 (v.1.4) September 26, 2009	Create definition of “dormitory.” Comprehensive revision to commercial district regulations. Move site plan standards to Article 5.
ZT-2009-03 (v.1.5) January 14, 2010	Create a Local Conversion District Overlay Zoning District. Renumber Subsection 3 (historic districts) to 4 in the section on overlays.
ZT-2009-02 (v.1.6) February 25, 2010	Create definition of “home workstation.” Remove provision for special exception for home occupations, and allow them as accessory uses with performance standards.
ZT-2009-04 (v.1.7) July 22, 2010	Create three definitions for residential care facilities. Enumerate the uses found in these definitions as permitted and special exception uses in the various districts.
ZT-2010-01 (v.1.8) March 24, 2011	Add four definitions relating to wind and solar regulations. Create regulations pertaining to the installation of solar and wind energy collection systems.
ZT-2011-01 (v.1.9) April 26, 2012	Add definitions of “light manufacturing” and “artist live-work space.” Add kennels as permitted uses in the C2 and C4 districts and create performance standards. Add day boarding to kennels in the industrial districts and create performance standards. Add new permitted uses to Conversion District, make several changes to development standards, and set minimum area for district.
ZT-2012-01 and ZT-2012-02 (v.2.0) October 25, 2012	Comprehensive amendments to all articles of the Land Management Code.
ZT-2012-03 (v.2.1) April 25, 2013	Amend definition of “minor subdivision.”
ZT-2013-01 (v.2.2) October 23, 2013	Correction amendments resulting from the adoption of ZT-2012-02. Re-adoption of chapter as a two-page document, setting up the Land Management Code as a subordinate document by reference. Create parking regulations for drive-up restaurants. Adjust regulations for development of car sales facilities. Enumerate recycling operations and banquet facilities as a permitted use. Permit up to two dwelling units in a Local Conversion District. Add permitted uses to the Conversion District. Enact new sign regulations. Exempt two-family dwellings constructed as such from nonconforming provisions. Address inoperable motor vehicles at repair facilities. Address “cell on wheels” (COWS). Add a special exception for general retail in the IR zoning district. Adjust the Forest Conservation Ordinance for consistency with state law. Other minor structural and cross-referencing corrections resulting from the ZT-2012-02 amendments.

File Number and Effective Date	Description of Amendment(s)
<p>ZT-2014-01 and ZT-2015-01 (v. 2.3) October 30, 2015</p>	<p>Permit two voting members of the HDC to be non-city residents. Revise definitions of "artist live work space," "building," "graphic," "livestock," "manufacturing, light" and add definition of "bakery, retail," "brewery," "brewpub," "confectionery, retail," "contributing resource," "correctional institution," "distillery," "graphic, temporary," "graphic, window," "hookah lounge," "indoor plant cultivation and processing facility," "major economic development opportunity," "professional and workmanlike manner," "priority funding area," "storefront space," "stream restoration project," "theater marquee," and "vapor lounge." Remove definition of "graphic, street."</p> <p>Add provision for measuring distances between uses. Amend design provisions in mixed use districts addressing pedestrian orientation. Remove locational limitations on pawn shops and renumber subsequent subsections. Create residential development bulk regulations in the CL Zoning District. Comprehensive revision of Article 4, Section I (Street Graphics). Specify when a proposed PUD expires if not developed. Amend height limitations for fences in residential districts when adjacent to commercial or industrial districts or commercial areas of mixed-use districts. Revise subsection on use of semi-trailers and remove subsection dealing with "pods." Require work to be done in a professional and workmanlike manner. Prohibit use of tarps as a building material. Require dumpster enclosures for all new trash dumpster installations. Differentiate the expansion of a nonconforming use regarding building vs. land area. Prohibiting changing a nonconforming use to nine specific uses. Remove recreational vehicle parking requirement from apartment parking requirement in the CC-MU District. Adjust plan review process for wireless communications facilities and add maximum tower height requirements for the POM, I-MU and N-MU Districts.</p> <p>Expand HDC authority to include all window graphics. Permit applicant to proceed directly to "certificate of hardship" for demolition with the approval of the zoning administrator. Creates provision for approving demolition of "B level" historic resources for the purpose of accommodating important economic development projects. Permit buildings to be demolished if ordered by the Chief Code Official if the building is an imminent threat to public safety, and renumber subsequent subsections. Multiple changes to the use chart in Section Z. Require the rear yard of interior townhouse units to abut an alley or open space area. Require a photometric plan for all site plans. Adjust parking lot lighting standards. Require site plans to include sidewalks to be installed along all public street frontages, with exceptions.</p> <p>Remove "parking lot design standards" from Article 5, Subsection I.5 (redundant to other provisions), and renumber subsequent sections. Correct residential district references in commercial development and multi-family design standards for open space and improvement amenities in multi-family developments. Require new multi-occupant buildings in the CC-MU to contain storefronts. Require minimum open space for multi-family developments, regardless if they are developed by subdivision or site plan. Correct residential district references for sketch plan standards and amenities for multi-family developments and shopping centers. Provide for exemptions to forest conservation article for stream restoration projects and redevelopment of previously impervious development.</p>

File Number and Effective Date	Description of Amendment(s)
ZT-2016-01 (v.3.0) November 24, 2016	<p>Repeal obsolete provision referring to the Adequate Public Facilities Ordinance. Clarification of the rate a forest conservation fee-in-lieu is paid when remitted. Expand and clarify the process by which the zoning administrator may confirm a nonconforming use. Create requirement for a signature block for subdivision plats that refer to where homeowners’ association documents can be found in the land records. Define “flea market,” identify districts in which they can be located and performance standards for creating them. Amend residential accessory structure provision to limit them to 900 square feet total. Define “satellite simulcast betting facilities” and identify districts in which they may be located. Create standards that discourage the use of front yards of homes for large parking pads. Create buffer and setback requirements for outdoor storage of merchandise and business supplies. Create new side setback for apartment buildings in the section on residential districts. Create an enforcement prohibition for violations of the Chapter when the violation was created in accordance with a zoning or building permit issued in error, under certain conditions. Create setbacks for retaining walls over two feet in height. Amend the provisions for “home day care” to be more in line with State standards. Exempt gasoline price signage from the maximum sign area requirements, up to the minimum required to be posted by State law.</p> <p>Clarify the use of “bare bulbs” in signage regulations for artistic use. Permit automobile sales in the CL (Commercial Local) Zoning District, indoors only. Amend provision for “residential facilities with in-house professional care” to permit one such use per lot. Implement the following non-content adjustments: Restructure the subsection on uses in the AT District to be consistent with the Residential and Commercial districts; correct errors in the Graphics section that limited the regulations to certain districts; clarify that the zoning administrator may approve adjustments to recorded plats; minor phrasing and reference corrections to Article 5, Subsections C.19, I.1.c., I.4.b, I.4.h.4, F.2.b and F.2.c, to the definitions of “accessory building or use” and “essential utility equipment” in Article 3, and to Subsections (as identified in the previously effective version of this Ordinance) K.9, M.11.c, O.1.b(2), and to the use “dwelling, multi-family, constructed for that purpose prior to October 1, 1956” found in Section Z (use chart). Change all references to the “Planning and Code Administration Division” to the “Planning and Code Administration Department”. Add a cross reference to the prohibition on signs in the subsection on “home work stations” in Article 4 to the section on “graphics.” Adjust the wording of Article 5, Subsection I.9.b to clarify intent. List gasoline and diesel fuel sale to the public as a separate line item in Article 4, Section Z, without content change. Correct missing reference to limitations on tanning and depilatory salons in the POM District. Cross reference the amortization of temporary signs and use of semi-trailers to Article 4, Section M. Permit the Zoning Administrator to halt review of site plans that have been submitted as a means of gaining compliance with the Land Management Code for violations on the subject property. Correct cross referencing disconnects when the implementation of these amendments create such disconnects. Repeal and replace entire Land Management Code with this version 3.0, removing the footnoting and reference table in Article 8 that was required in version 2.3 to implement the Mayor and Council’s permission given to staff with the adoption of that version to administratively correct cross referencing, punctuation and spelling errors.</p>

File Number and Effective Date	Description of Amendment(s)
ZT-2017-03 (v.3.1) August 15, 2017	Amend Article 6 (Floodplain Management Ordinance) to insert date of newly adopted FEMA floodplain maps, implement sixteen additional minor adjustments required by FEMA and Maryland Department of the Environment, including capping variances for accessory buildings in floodplains at a footprint of no more than 600 square feet, and amend Article 3 (Definitions) to make seven minor adjustments to definitions impacted by the same above process and add a definition of “mixed use structure” in Article 6.
ZT-2017-01 and ZT-2017-02 (v. 3.2) October 26, 2017	Amend Article 4 (Zoning) to permit auto repair in the I-MU Zoning District, under certain conditions, and amend Article 5 (Subdivision and Land Development), Section A.3.d to permit lands subdivided to accommodate nonconforming or noncomplying townhouse units via simplified plat, to be re-recorded to legal conditions prior to the creation of the simplified plat, under certain conditions.
ZT-2017-04 (v. 3.3) January 18, 2018	Amend Article 4 (Zoning), to institute comprehensive revisions to the cluster development provisions for clustered residential development of land in the residential zoning districts.
ZT-2018-01 (v.3.4) January 10, 2019	Add “hair, nail and skin care stores” as a permitted use in the IR District.
ZT-2018-01 (v.3.5) June 14, 2019	<p>Amend Articles 1, 2, 4 and 8 to create a process by which the Zoning Administrator may revoke a zoning certificate. Make consistent throughout the entire code the difference between a sketch plan and a concept plan. Amend Article 3 to define “campground,” “rooming house,” “group home, halfway house and alternative living unit,” “distillery pub,” “wine pub,” “assisted living facility,” “rehabilitation center,” “outpatient substance abuse center,” “continuing care retirement community,” “concept plan” and “street – private.” Delete references to “residential facilities with in-house professional care for up to three residents with mental and/or physical disabilities.” Amend definitions of “brew pub,” “earth tone,” “dwelling, triplex,” “dwelling, quadraplex,” “master planned project,” “sketch plan,” and add theaters to the definition of “adult entertainment business” Change all use of “graphic” to “sign”.</p> <p>Amend Article 4 to set standards for the use of residential front yard parking pads, to adjust the minimum standards for “mansion house apartments,” to create a new dwelling types known as “mansion house over-under flats” and “boarding house,” set minimum standards for them and list districts in which they can be located, to create a special exception provision by which a nonconforming mixed use building may have a first floor storefront converted to a dwelling unit, to delete references to “residential facilities with in-house professional care...”, to add references to the use chart setting the districts in which “campgrounds,” “group homes,” “halfway houses” and “alternative living unit” are permitted, to permit photographers and artist studios in industrial districts, to list districts in the use chart where distillery pubs and wine pubs are be permitted, to amend the method of measuring distances between similar uses, to modify the performance standards required in the POM Zoning District, to change the minimum date by which a building had to be constructed to qualify for a Conversion district or a Local Conversion District to 1977, to include the term “wedding chapel” in the use chart, to set standards by which a PUD is “vested,” to adjust the period for which a site plan is approved to three years, add “multi-purpose arenas for sporting events, entertainment, and other assembly events” to the use chart and delete, “promoters of performing arts, sports or similar events...”, to clarify “Variance Exception for Public Improvements,” to make a minor adjustment to the description of</p>

File Number and Effective Date	Description of Amendment(s)
<p><i>(ZT-2018-01 Continued)</i></p>	<p>“mansion house apartment and stacked apartment” in the use chart, to clarify that a nonconforming use may not be expanded onto adjacent property, to prohibit accessory buildings in the front yards of residential properties, to set height limitations on stealth facilities, to amend the use chart descriptions of several forms of residential buildings to limit them to one per lot, to set a minimum square foot requirement for all new dwelling units in the City based on the number of bedrooms they will contain, to create a new Institutional (INST) District, setting all requirements for that district, to adjust requirements for assisted living facilities, social and medical services, rehabilitation centers, adult day care and similar uses, add “continuing care retirement community” to the use chart, to require that the zoning map shall be filed with the City Clerk, amend all pronoun references to the Zoning Administrator to read “he or she,” etc., to change all references to “graphic” to “sign.” correct minor use chart errors, to clarify the use chart to include car rental with car sales and include them with their design standards, restructure the subsection on fences to be more “reader friendly” and permit vinyl materials for use in front yard fences, and update the name of State enabling legislation.</p> <p>Amend Article 5 to require a pedestrian sidewalk from front doors of buildings to public sidewalks, to add crime prevention through environmental design (CPTED) design standards to Section I (Site Design Standards), to set design standards for residential parking in new subdivisions, to create criteria by which the Planning Commission may entertain requests for waivers, to require most commercial and institutional driveways and parking areas to be paved with asphalt, concrete or a similar surface, to make a minor correction to when landscaping is required of a minor subdivision, to clarify the intent of the use of the term “earth tone,” to clarify that the zoning ordinance’s limitation of one dwelling per lot does not preclude the creation of condominiums when applicable, to change remaining references to “preliminary development plan” to “development plan,” to adopt signature block templates for sketch plan approvals, development plan approvals and site plan approvals, to require PDFs of plans be provided after approval, to correct minor references in the landscaping provisions, to cross reference requirements for improvements between subdivision and site plan standards, and to provide guidance on how to apply landscaped buffer requirements on municipal boundaries.</p> <p>Amend Article 6 to clarify the intent of the term “subdivision access road” and to increase performance standards for construction of roads, streets and driveways in floodplains. Amend Article 7 to correct references to “preliminary development plan” and “preliminary site plan,” to increase the noncompliance penalty from 30 cents per square foot to 50 cents per square foot, to correct oversight that omitted “medium density residential areas” from the threshold ration charts, to require use of land within City jurisdiction for meeting the requirements of another jurisdiction’s forest conservation ordinance requirements to be approved by the Planning Commission.</p>
<p>ZT-2019-01 (v.3.6) May 7, 2020</p>	<p>Amend Article 2 to permit the zoning administrator to consider “reasonable accommodation”, Amend Article 3 to add definitions of: “mixture of dwelling types”, “rooming unit”, “tent”, “substantially change or substantial change”, “stealth technology” and “(small) wireless communication facility”, remove the definition of “boarding or rooming house”, amend the definition of “nonconforming use” to address</p>

File Number and Effective Date	Description of Amendment(s)
<p><i>(ZT-2019-01 Continued)</i></p>	<p>intent, and amend the definitions of “wireless communication facility” and “wireless communication support structure”,</p> <p>Amend Article 4 to make adjustments to materials issues on fences in residential districts, correct an error in the permitted special exception height limitation in the POM District, prohibit setback variances in cluster subdivisions, permit mixed use residential/commercial development in the CG and CR Districts (subject to performance standards), limit the use of tents for permanent and semi-permanent uses, require certain plan approval and operating standards for the use of trucks and trailers for an ongoing vending operation at a single location, increase the minimum square foot requirements for dwelling units based on bedroom count, limit the exception for prior use regarding landscaping for car sales facilities to 5 years, permit larger accessory structures on properties over 20,000 square feet in residential districts, remove language that prohibits the use of sea containers as a building material for dwellings, make zoning certificates non-transferrable and establish parking standards for barber shops and hair salons. Amend Article 4 to implement comprehensive updates to the section on wireless communications facilities, add several new permitted uses to the I-MU and CG zoning districts, expand permitted uses in the Local Conversion Overlay District, adopt comprehensive revisions to the requirements for a PUD, adopt comprehensive revisions to the regulation of signs, permit wineries where breweries and distilleries are permitted, permit electric vehicle charging stations as a principal permitted use in six districts and a special exception use in one district, and permit civic and social organizations and community centers in the IR Zoning District.</p> <p>Move the Mixed Use District Design Standards from Article 4 to Article 5. Amend Article 5 to require a note on plans regarding the State Roadside Tree Permit requirement, require a note on plans regarding prohibition of setback variances in cluster subdivisions, establish design standards for permitted mixed use developments in the CG and CR District and for PUD Overlay Districts.</p> <p>Amend Article 7 to reflect recent changes in the State Forest Conservation Law.</p>
<p>ZT-2020-01 and ZT-2021-01 (v3.7) June 24, 2021</p>	<p>Amend Article 3 to define small scale breweries, distilleries and wineries.</p> <p>Amend Article 4 to correct outline format for use chart and table of contents, re-insert parking requirements for drive-up restaurants, make consistent all references to adult entertainment businesses, address small scale breweries, etc. as a principal use and establish parking requirements for them, add certain permitted uses to the CG, CC-MU, CR and IR Districts, relax current parking requirements for warehousing and manufacturing plants, eliminate front yard fence standards for through lots backing to a municipal boundary or a minor collector road and redefine “open fence”, refine standards for use and development of lots in residential districts that have no public street frontage, refine standards for construction of larger accessory buildings on large lots in the residential districts, provide the zoning administrator flexibility is applying minimum requirements for new dwelling units in buildings being retrofitted for new dwelling units (apartments), move all remaining regulation of buffers to Article 5 and clarify administrative history of dates of nonconformity.</p>

File Number and Effective Date	Description of Amendment(s)
<i>(ZT-2020-01 and 2021-01 Continued)</i>	Amend Article 5 to refine language required on the approval of final plats and set paving depth standards for parking and driveway areas, and amend Article 7 to rephrase language about off-site forest conservation easements to make it easier to understand.
ZT-2021-02 November 26, 2021	Patch amendment to amend the definition of small-scale breweries, distilleries and wineries and make minor textual amendments to the use chart related to these uses.
ZT-2021-03 (v3.8) April 21, 2022	<p>Amend Article 3 to define “crisis care facility”, “homeless shelter”, “emergency transient housing” and “ell”.</p> <p>Implement ten amendments to Articles 4 and 5 to clarify traditional subdivision design is the priority form of subdivision and adjust the ordinances to make development of properties on alleys or fronting on open space more achievable.</p> <p>Amend Article 4 to permit crisis care facilities in certain districts, permit self-storage mini-warehousing in the POM District subject to certain conditions and establish those conditions, expand permitted additions and outside uses in Conversion Districts, require group homes and halfway houses to meet current parking requirements, clarify townhouse addition requirement, clarify how long damaged or destroyed nonconformities can engage in construction before the nonconformity expires, modify the requirement for buildings to be a minimum of two-stories in the CC-MU District and add accessory structure height limitations in that district, cap the exemption on providing required parking for building additions when that addition is 20,000 square feet or larger, permit expired nonconforming townhouse units to be reestablished, including those previously modified to combine units. Amend the sign regulations to permit roof mounted signs, animated signs in commercial districts, and several minor additional amendments regarding sign regulations.</p> <p>Amend Article 5 to provide explanation of requirements for cemetery research, modify the standard signature plate for surveyors, remove references to requiring the City Unique ID number on plans, clarify the role of the Planning Commission in reviewing and approving subdivision sketch plans, require additional landscaping along street frontages when a building is 750 feet wide or greater.</p>
ZT-2022-01 (v.3.9) May 1, 2023	<p>Amend Article 3 to add “bees” and “honey” to the definition of “livestock”.</p> <p>Amend Article 4 to permit ground -mounted solar collection systems (solar farms) as a use permitted by right in the POM, IR and IG Districts on properties subject to EPA/MDE remediation plans; to permit visitor welcome centers in the INST, CG and CR Districts; and to permit child day care services, country clubs, golf courses and summer camps, municipal parking lots and decks, broadcasting with and without transmission points, telecommunications, internet service providers, web search portals and data processing services, produce stands, private, commercial and municipal parking lots and garages, transit and ground transportation services, adult day care with vocational centers and vocational rehabilitation services in the INST District; increase the maximum sign area permitted on wall and roof-mounted signs; permit sports wagering facilities in the CC-MU and CR Districts; amend existing language to make provision for public notice of amendments to the zoning ordinance and map; to change warehouse/flex from a special exception use to a permitted use in the POM District</p>

File Number and Effective Date	Description of Amendment(s)
<i>(ZT-2022-01 Continued)</i>	subject to performance standards; clarify setback requirements for the distance an accessory building must be from a principal building so that it is not considered part of the principal building; to correct conflicting provisions in the Conversion District requirements removing references to buildings must be at least two stories; to move the Industrial Performance Standards from the industrial district section to the supplementary section, thereby making them apply to all new industrial uses; to set minimum requirements for multi-family and townhouse development in new N-MU developments over five acres in area; and to strengthen regulations regarding the introduction of new residential driveways.
ZT-2023-01 (v.3.10) June 22, 2023	<p>Amend Article 3 to add definitions of “Cannabis Dispensary and Sales Facility” and “Small Indoor Plant Cultivation and Retail Facility” and amend the definitions of “Hookah Lounge” and “Vapor Lounge.”</p> <p>Amend Article 4 to amend provisions of the section on Local Conversion Districts to remove reference to additions being in the least visible location and clarifying that if the overlay is approved by the Mayor and Council showing an addition within otherwise required setbacks, a variance is not required. Amend the use chart (Section Z) to create permit “small indoor plant cultivation” up to 5,000 square feet in area in the CC-MU District, removing provisions to permit larger Indoor Plant Cultivation and Processing Facilities in the CC-MU District, and add cannabis dispensaries and sales facilities to the existing use description of tobacco stores and vapor and hookah lounges.</p> <p>Amend Article 5, removing certain requirements for Planning Commission involvement in the simplified plat process, and add text to the Certifications appendix that states that the certification blocks may be amended as necessary as directed by the Zoning Administrator depending on unique situations affecting individual developments, and authorizing the Zoning Administrator to update and revise the contents of the appendix as needed without an act of the Mayor and City Council to amend Article 5 to implement it.</p>
ZT-2023-02 (v.3.11) December 21, 2023	<p>Amend Article 4 to update requirements to the mix of housing types in the N-MU District. Amend nonconforming use provision to clarify exemption of expiration for two-family dwellings and certain townhouses applying only to original construction and not those retrofitted. Amend provision for performance standards for vehicle sales and rental facilities to require review when use is expanded or new uses are added to site. Amend use chart to prohibit installation of vending and ATM machines on residential and institutional properties in the mixed-use districts and permit CL district uses in storefronts in the RO District by special exception. Amend use chart to require certain assembly uses to provide parking when introduced to existing buildings. Adopt parking requirement for child day care centers. Create provision for pre-approval of slates of future street names. Amend nonconforming use and BZA sections to revise and clarify standards for reviewing NCU applications, appeals and other applications and update public notice requirements. Amend to clarify temporary sign exemption.</p> <p>Amend Article 5 to require new development in the CC-MU and N-MU Districts to be compatible with surrounding land uses at the edge of the new development, and to update open space requirements for residential developments in the N-MU and residential zoning districts.</p>

File Number and Effective Date	Description of Amendment(s)
ZT-2024-01 (amendment to v.3.11) July 18, 2024	Amend Article 4 to change the following provisions in the section pertaining to industrial districts: building height, building setbacks, limiting the larger building setbacks when adjoining residential only to buildings that are industrial or warehouse uses. Amend the parking requirements in Article 4 to create a parking requirement for custom-built facilities that are or have components that are fully automated and non-manned.
ZT-2024-02 (v.3.12) April 24, 2025	<p>Amend Article 3 to make minor adjustment to definition of “child day-care,” create a definition of “large projecting sign”, amend the definition of “projecting sign”</p> <p>Amend Article 4 to require parking lots and their striping to be maintained, create a special exception for larger freestanding signs in the CC-MU District, create standards for the installation of “large projecting signs” in the CC-MU District, provide more flexibility for theater marquees in the CC-MU District, to create new standards to regulate the parking and storage of campers, recreational vehicles, boats and similar vehicles in residential districts, to require certain performance standards for automotive repair and maintenance businesses, boat and recreational vehicle sales and rental facilities and for towing facilities, to adopt parking requirements for restaurants where outdoor seating exceeds that of the indoor seating, and to clarify when parking is required for changes of use of a property, to amend the conditions on mixed use buildings to loosen standards and encourage their development and reuse of buildings, to permit Warehouse/Flex businesses in the CR District, subject to performance standards, to remove triplexes and quadraplexes as a permitted use in the RMED District, to remove the term “substance abuse” from the line regarding hospitals in the use chart, to amend the use chart to regulate the number of alternate living units, small group homes and small halfway houses in buildings with multiple residential units and to remove from the requirements for a Conversion Overlay that additions are required to be in space least visible to the general public.</p> <p>Amend Article 5 to place restrictions on the design of cul-de-sacs and encourage roundabouts over stop signs, adopt amendments to the requirements for vehicle storage, to amend design standards for mixed use buildings,</p>
ZT-2024-03 and 04 (amendments to v.3.12) June 26, 2025	<p>Amend Article 3 to create definitions of “cannabis incubator,” “CBD and Hemp Stores” and “Fitness and Recreational Sports Centers.”</p> <p>Amend Article 4 to address State law recently adopted so that cannabis is treated similar to alcohol stores and create locations where cannabis incubators can be located. Differentiate between recreational sports centers with and without outdoor facilities. Remove POM District performance standards for several uses from Section F. Remove performance standards from the use chart (Section Z.2) for uses in the POM District.</p>

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