

TOWN OF NEW WINDSOR

ORDINANCE NO. _____

WHEREAS, by virtue of the authority contained in the Land Use Article of the Annotated Code of Maryland and Chapter 35 of the Code of the Town of New Windsor, the Mayor and Council of the Town of New Windsor have the authority to create and from time to time amend regulations pertaining to the use of land within the Town; and

WHEREAS, the New Windsor Planning and Zoning Commission has reviewed and recommended these amendments for adoption; and

WHEREAS, these amendments were duly advertised and a public hearing on them was held on February _____, 2017;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Town of New Windsor:

ARTICLE 1: That Chapter 215 be amended as follows:

Section 1. That Section 215-53(A)(2) be amended to read as follows:

(2) Business, trade schools and [colleges] educational institutions;

Section 2. That Section 215-54(6) be added to read as follows:

(6) New dwellings used subordinate to and in support of the operation of an educational institution

Section 3. That Section 215-55(A) be amended to read as follows:

A. Dwellings (new) except as permitted by §215-54(6) and §215-56(E); any dwelling existing at the adoption of this chapter which is subsequently damaged or destroyed may be rebuilt for use as a dwelling, irrespective of the amount of the damage;

Section 4. That Section 215-56(E) be added to read as follows:

E. Dwellings existing at the time of this subsection used subordinate to and in support of the operation of an educational institution.

ARTICLE 3. Severability.

If any section, subsection, sentence, clause, phrase, or portion of this chapter is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion of this chapter, it being the intent of the Town that this chapter shall stand, notwithstanding the invalidity of any section, subsection, sentence, clause, phrase, or portion thereof.

ARTICLE 4. Section Headings, Chapter Headings, Titles.

Section headings, chapter headings, titles, etc., are for the purpose of description or ease of use and do not form a part of the text of this Ordinance or any Code or test adopted hereby.

ARTICLE 5. Existing Liabilities.

This Ordinance shall not discharge, impair or release any contract, obligation, duty, liability or penalty whatever existing on the date of its enactment. All suits and actions, both civil and criminal pending or which may hereafter be instituted for causes of action now existing or offenses already committed against any law or ordinance affected by the adoption of this Ordinance shall be instituted, proceeded with and prosecuted to final determination and judgment as if this Ordinance had not become effective.

This Ordinance shall take effect on the _____ day of _____, 2017.

Introduced this _____ day of _____, 2017.

Donna Alban, Town Clerk

Passed this _____ day of _____, 2017, by a vote of _____ members in favor and _____ Council members opposed.

Donna Alban, Town Clerk

ATTEST:

Donna Alban
Town Clerk

Neal C. Roop
Mayor

Effective this _____ day of _____, 2017.

Approved as to form and legal
sufficiency this _____ day of
_____, 2017.

By: _____
Michelle M. Ostrander

NOTE: Matter in [brackets] is proposed for deletion from existing law.
Matter underlined is new material proposed to be added to existing law.

Town of New Windsor, MD
Tuesday, November 29, 2016

Chapter 215. Zoning

Article X. EC Employment Campus District

§ 215-52. EC Purpose of district.

The primary purpose of this district is to provide an opportunity within the corporate boundaries of the Town for economic development in an attractive office park, industrial park or campus setting or a mixture thereof, which is compatible with the Town character. Select commercial and retail uses as are compatible with industrial business and office uses are appropriate in this district. Development in this district may provide a campus-like setting to maintain an attractive character while providing a pleasant work environment for its employees, while remaining compatible with land uses in adjoining districts. The Employment Campus District is also designated a principal permitted use on certain parcels of land bearing a Light Industrial zoning designation.

§ 215-53. EC Principal permitted uses.

A. Principal permitted industrial uses are:

- (1) Biomedical technology facilities;
- (2) Business, trade schools and ~~colleges~~; **Educational Institutions**;
- (3) Computer research and data processing services;
- (4) Engineering and scientific research or development facilities;
- (5) Hotels, motels and conference centers;
- (6) Professional and corporate offices;
- (7) Parking garages;
- (8) Government offices;
- (9) Fire protection;
- (10) Radio and television facilities and studios (no permanent antennas or towers);
- (11) Manufacture, assembly, service and/or equipment repair of a light nature, provided such operations are free from objectionable odors, fumes, dirt, noise or vibration detectable at the lot line. Such uses include, but are not limited to:
 - (a) Drugs and other pharmaceuticals;
 - (b) Office, computing, accounting machines;



- (c) Radio and television broadcasting and communications equipment;
 - (d) Communication equipment;
 - (e) Electronic components and accessories;
 - (f) Measuring and controlling instruments;
 - (g) Optical instruments and lenses;
 - (h) Photographic equipments and supplies;
 - (i) Cosmetics;
 - (j) Musical instruments;
 - (k) Prefabricated construction components;
 - (l) Novelties.
- (12) Warehousing/distribution center;
 - (13) Lumber yards, warehouses, farm implement sales and services and construction companies having outside storage of equipment;
 - (14) Automotive, motorcycle, implement sales, service and repair.
- B. Principal permitted commercial uses are:
- (1) Advertising agencies;
 - (2) Banks, savings and loans associations, investments companies, brokers and similar financial institutions;
 - (3) Blueprinting, printing and duplicating services;
 - (4) Business machines sales, rental and service establishments;
 - (5) Drug and cosmetic stores;
 - (6) Temporary help services;
 - (7) Laundry and dry-cleaning establishments without delivery services;
 - (8) Museums, art galleries and libraries;
 - (9) Newsstands;
 - (10) Personal service establishments such as barber and beauty shops, optical goods stores and photographers;
 - (11) Restaurants, delicatessens and beverage establishments;
 - (12) Security services;
 - (13) Commercial day-care centers;
 - (14) Real estate agencies, insurance agencies, messenger service, travel agencies and telegraph offices;
 - (15) Computer hardware and software stores and services;

- (16) Video stores;
 - (17) Convenience, gasoline and automotive merchandise sales;
 - (18) Grocery stores of less than 40,000 square feet of floor space.
- C. Any other use determined by the Zoning Administrator to be of a similar type as a permitted use above, subject to the provisions of Article XVII.

§ 215-54. EC Conditional uses (requiring Board authorization).

- A. In the Employment Campus District, the following uses require Board authorization as provided herein:
- (1) A use determined by the Zoning Administrator to be of similar type as a permitted use above; provided such use is in accord with this § 215-54 as to timing and intensity;
 - (2) Outdoor recreational uses such as golf driving ranges, baseball batting cages, miniature golf courses, etc.;
 - (3) Health, tennis and racquetball clubs;
 - (4) Any increase in the percentage of commercial use of the development site beyond the amount attributable to a principal permitted commercial use;
 - (5) Mini-storage.
 - (6) New dwellings used subordinate to and in support of the operation of an Educational Institution.
- B. The Board may authorize the above uses, provided the Board first finds:
- (1) There is at least one or more permitted uses existing in the district;
 - (2) The authorization of the conditional use at the location proposed will not serve to overwhelm or transform the district contrary to its stated purpose;
 - (3) The location of the use on the proposed site is determined to be appropriate in relation to existing uses in or adjoining the district.

§ 215-55. EC Prohibited uses.

The following uses are expressly prohibited within the Employment Campus District:

- A. Dwellings (new), ~~any dwelling~~ **except as permitted by §215-54(6) and §215-56E** existing at the adoption of this chapter which is subsequently damaged or destroyed may be rebuilt for use as a dwelling, irrespective of the extent of the damage;
- B. Department stores;
- C. Grocery stores or supermarkets (with greater than 40,000 square feet);
- D. Sale, display or storage of merchandise or goods, the performance of any commercial service or any sales or solicitation of sales on parking lots, parking areas, sidewalks, walkways or otherwise outside the confines of buildings or enclosures;
- E. Vending machines of any kind installed or operated out of doors or upon the exterior of any part of the premises, except telephone and postal facilities;

- F. Outdoor advertising promotions, including aerial balloons, public address systems or loudspeakers, except for signs authorized by this article.

§ 215-56. EC Accessory uses.

- A. Cafeterias, exercise or recreation facilities for use by employees.
- B. Day-care facilities for use by employees.
- C. Display rooms and retail sale pertaining to a use on the premises.
- D. Communication towers or other equipment directly associated with a principal permitted or authorized conditional use.
- E. Dwellings existing at the adoption of this amendment adding Section E and used subordinate to and in support of the operation of an Educational Institution.

§ 215-57. EC Density distribution.

- A. No more than 50% of a development site may be utilized by commercial principal permitted uses, unless authorized by the Board of Zoning Appeals pursuant to the provisions of Article XVII hereof.
- B. Industrial principal permitted uses, in any combination, are authorized up to 100% of the development site.
- C. Accessory uses are only allowed within buildings of principal permitted uses. They shall not occupy more than 5% of gross floor area of the building in which they are located.

§ 215-58. EC Building design and placement.

The following minimum requirements shall be observed:

- A. All tracts of land located within the Employment Campus District or Light Industrial District where applicable are considered suitable for employment campus development. The minimum net lot area shall be 20,000 square feet;
- B. The minimum lot width at the building line shall be 50 feet;
- C. No building may be located less than 100 feet from any residential units existing on the effective date of this chapter, or less than 50 feet from any adjoining Light Industrial or Employment Campus District;
- D. No building may be more than three stories or 50 feet in height;
- E. All utility service areas (i.e., transformer boxes) and on-site signage shall be in landscaped beds within one year after installation of said structure.