

SECTION 127.2: - CE (Corridor Employment) District**A. Purpose**

The CE District is intended to encourage the development and redevelopment of employment land near U.S. Route 1. Development in the CE District should provide for new office, flex, and light industrial uses, while reducing the spread of strip commercial development and encouraging consolidation of fragmented parcels. The requirements of this district, in conjunction with the Route 1 Manual and required vehicular and pedestrian improvements, will result in development that improves the appearance of the Route 1 streetscape, enhances traffic safety and better accommodates public transit and pedestrian travel.

Many parcels in the CE District were developed before this district was created. It is not the intent of these requirements to disallow the continued use of sites developed prior to the CE District. The intent of this district will be achieved by bringing sites into compliance with these requirements and the standards of the Route 1 Manual as uses are redeveloped or expanded.

B. Uses Permitted as a Matter Of Right

1. Ambulatory health care facilities.
2. Animal hospitals, completely enclosed.
3. Athletic facilities, commercial.
4. Banks, savings and loan associations, investment companies, credit unions, brokers and similar financial institutions without drive-through lanes.
5. Biomedical laboratories.
6. Blueprinting, printing, duplicating or engraving services.
7. Breweries that manufacture 22,500 barrels or less of fermented malt beverages per year.
8. Carnivals and fairs sponsored by and operated on a nonprofit basis for the benefit of charitable, social, civic or educational organizations, subject to the requirements of Section 128.0.D.
9. Catering establishments and banquet facilities.
10. Child day care centers and nursery schools.
11. Commercial communication antennas.
12. Commercial communication towers with a height of less than 200 feet measured from ground level, subject to the requirements of Section 128.0.E.2 and 128.0.E.3.
13. Conservation areas, including wildlife and forest preserves, environmental management areas, reforestation areas, and similar uses.
14. Data processing and telecommunication centers.
15. Day treatment or care facility.
16. Flex space.

17. Food and drink production, processing, packaging and distribution for dairy products, food products, bakery products, nonalcoholic beverages, spices, ice and meats, excluding slaughtering.
18. Furniture, appliance and business machine repair, furniture upholstery and similar services.
19. Government structures, facilities and uses, including public schools and colleges.
20. Hotels, motels, conference centers, and country inns.
21. Housing Commission Housing Developments, subject to the requirements of Section 128.0.J
22. Laundry or dry cleaning establishments.
23. Light industrial uses.
24. Nonprofit clubs, lodges, community halls.
25. Offices, professional and business.
26. Parking facilities that serve adjacent off-site uses in accordance with Section 133.0.B.4.
27. Pet grooming establishments and day care, completely enclosed.
28. Photographic processing plants.
29. Printing, lithography, bookbinding or publishing.
30. Recreation facilities, commercial.
31. Religious facilities, structures and land used primarily for religious activities.
32. Repair of electronic equipment, radios, televisions, computers, clocks, watches, jewelry, and similar items.
33. Research and development establishments.
34. Restaurants, carryout.
35. Restaurants, standard, and beverage establishments, including those serving beer, wine and liquor for consumption on premises only.
36. Schools, commercial
37. Schools, private academic, including colleges and universities.
38. Seasonal sales of Christmas trees or other decorative plant materials, subject to the requirements of Section 128.0.D.
39. Service agencies.
40. Sign-making shops
41. Transitional Mobile Home Parks which meet the requirements of Section 127.2.
42. Underground pipelines; electric transmission and distribution lines; telephone, telegraph and CATV lines; mobile transformer units; telephone equipment boxes; and other similar public utility uses not requiring a Conditional Use.
43. Volunteer fire departments.

C. Commercial Uses Permitted in Multistory Buildings

1. All uses listed in B. above.
2. Banks, savings and loan associations, investments companies, credit unions, brokers and similar financial institutions with a single drive-through lane, provided the drive-through service shall be permitted for one establishment in the project and the drive-through service area is not visible from Route 1.
3. Personal Services.
4. Restaurants, fast food with or without a single drive-through lane, provided the drive-through service shall be permitted for one establishment in the project and the drive-through service area is not visible from Route 1.

D. Accessory Uses

1. Any use normally and customarily incidental to any use permitted as a matter of right in this district.
2. Communication towers and antennas which are accessory to a principal use on the lot and which exclusively serve that use. Towers are subject to the requirements of Sections 128.0.E.2 and 128.0.E.3.
3. Private parks, swimming pools, athletic fields, exercise facilities, tennis courts, basketball courts and similar private, non-commercial recreation facilities.
4. Small Wind Energy System, building mounted, subject to the requirements of Section 128.0.L.
5. Accessory Solar Collectors.

E. Bulk Regulations

(Also see Section 128.0.A, Supplementary Bulk Regulations.)

1. Maximum Height Limitation
 - a. Structure with minimum setback from a public street right-of-way 60 feet
 - b. Structure with an additional 1 foot of setback from a public street right-of-way for the portion of the structure over 60 feet for every 2 feet of additional height 100 feet
2. Minimum setback requirements for sites complying fully with the use provisions of the CE District and the Route 1 Manual standards

The following minimum setback requirements apply to sites that comply fully with the CE zoning regulations and the Route 1 Manual's requirements:

- a. From Route 1 Right-of-Way:
 - (1) All structures and uses, except those listed in (2), (3) and (4) 10 feet
 - (2) Parking 40 feet
 Except if a greater maximum structure setback for industrial or flex buildings is approved under section 127.2.E.3 10 feet
 - (3)

Loading docks, outdoor storage areas, dumpsters and fencing used to enclose or screen these uses 60 feet

(4) Amenity Areas 0 feet

b. From Internal Public Street Right-of-Way:

(1) All structures and uses, except those listed in (2), (3) and (4) 10 feet

(2) Parking, except truck parking 20 feet

(3) Truck parking, loading docks, outdoor storage areas, dumpsters, and fencing used to enclose or screen these uses 40 feet

(4) Amenity Areas 0 feet

c. From Residential Districts

(1) For manufacturing, processing and assembly uses, communication towers, and any other uses that have truck parking areas, loading docks or outdoor storage areas:
All structures and uses 100 feet

(2) For all other uses:

(a) Structures and uses 30 feet

(b) Except parking, driveways, dumpsters and fencing used to enclose or screen these uses 50 feet

(3) If a residential district is separated from the CE District by a public street right-of-way, only the setbacks from a public street right-of-way shall apply.

3. Maximum Structure Setback

As provided in the Route 1 Manual, for lots abutting U.S. Route 1, the building facade closest to Route 1 shall be located no more than 50 feet from the public right-of-way unless the presence of rear loaded truck docks for industrial or flex buildings uses requires a greater building setback to allow for a separate auto parking area along the Route 1 frontage. In this case, the 50 foot setback may be increased to a maximum of 80 feet without a variance in accordance with the Route 1 Manual.

4. Minimum Setback Requirements for Sites Not Complying with the Use Provisions of the CE District and the Route 1 Manual standards.

The following minimum setback requirements apply to sites developed prior to the creation of the CE District that do not comply or only partially comply with the Howard County landscape manual and the Route 1 Manual:

a. From Route 1 right-of-way

(1) Structures and uses 30 feet

(2) Parking uses and fences adjoining parking uses 30 feet

b. From other public street right-of-way

- (1) Structures and uses 50 feet
- (2) Except for parking uses and fences adjoining parking uses 30 feet
- c. From any residential district:
All structures and uses 100 feet
- d. If a residential district is separated from the CE District by a public street right-of-way, only the setbacks from a public street right-of-way shall apply.
- 5. Minimum requirements for Transitional Mobile Home Parks:
The following minimum provisions apply to mobile home parks which existed as of April 30, 2008 and which may be developed and operated as described below, on land within the CE District and within 50 feet of existing nonconforming mobile home parks.
 - a. Area of Park 5 Acres
Minimum
 - b. Density 15
Mobile Home Units per Acre
 - c. Setbacks—Mobile Homes:
 - (1) From external public street right-of-way 50 feet
 - (2) From a different zoning district other than R-MH 50 feet
 - (3) From a R-MH District 10 feet
 - (4) Between structures 10 feet
Including steps, decks, and open porches.
 - (5) Across an internal private drive between structures 30 feet

F. Amenity Area

CE developments of 3 acres or more with any uses other than manufacturing shall include an amenity area. The amenity area, or areas, shall be a minimum of 5% of the net acreage. The amenity area shall include seating and trees proportional to the size of the amenity area. Amenity areas shall have pedestrian and bicycle improvements that link with existing and future connections to surrounding developments.

G. Outdoor Storage Areas

The cumulative square footage of outdoor storage areas associated with permitted uses shall not exceed 5% of the site, must be screened in accordance with the Route 1 Manual, and may not be located between a building and the Route 1 right-of-way.

H. Compliance With Route 1 Manual

1. New Development

New development in the CE District shall comply with the standards of the Route 1 Manual.

2. Alterations to Existing Uses Requiring Compliance with the Route 1 Manual
 - a. The following minor alterations or enlargements are exempt from complying:
 - (1) Expansion of a building by 10% or less of the floor area of the building on April 13, 2004, up to a maximum of 5,000 square feet of floor area.
 - (2) Building repairs, repaving or restriping parking areas, and other maintenance or repair that does not enlarge a building or use.
 - (3) Removal of parking areas, driveways or other paved areas.
 - (4) A change in the use of an existing building to a use permitted in this district, if the Department of Planning and Zoning determines, in accordance with the Subdivision and Land Development Regulations, that no changes to site improvements are required.
 - (5) Other minor alterations to a developed site that do not require a Site Development Plan or a revision to an approved Site Development Plan. This includes alterations approved through a waiver of the Site Development Plan requirement or a red-line revision to an existing Site Development Plan.
 - b. Other than the above exceptions, any alteration or enlargement of an existing use must comply with the Route 1 Manual. The following standards determine the extent to which improvements must be brought into compliance. Additional guidance is provided in the Manual.
 - (1) Expansion of Existing Improvements

If buildings and/or site improvements are expanded, the site shall be brought into compliance with the Route 1 Manual in equal proportion to the percentage of the site impacted by the expansion. (For example, if the expansion impacts 20% of the site, 20% of the existing improved area shall be brought into compliance with the manual.) The area impacted by the expansion includes the square foot area of building additions and additional parking, loading, driveways, infrastructure, and land cleared or graded.
 - (2) Site Improvements That Do Not Alter Buildings

If alterations or enlargements are limited to site improvements that do not involve buildings, buildings are not required to be brought into compliance with the Route 1 Manual.
 - (3) Building Expansions

Expanded buildings shall be brought into compliance with the Route 1 Manual to the extent possible, including design and location of the addition. Relocation or reconstruction of existing buildings is not required.
 - (4) Route 1 Right-of-way Improvements

All alterations, both major and minor, comply with the streetscape standards of the Route 1 Manual in proportion to the proposed alterations.

- c. A site that does not fully comply with the Route 1 Manual is subject to the bulk requirements in Subsection E.4 above.

H. Conditional Uses

Conditional Uses in the CE district are subject to the detailed requirements for Conditional Uses given in Section 131.0. For the list of permitted Conditional Uses, refer to the chart in Section 131.0.

SECTION 127.3: - CLI (Continuing Light Industrial) Overlay District

A. Purpose

The Continuing Light Industrial (CLI) Overlay District is established to allow continuing use of existing warehousing and light industrial buildings in the Corridor Employment (CE) District and the Corridor Activity Center District (CAC) that were developed for these uses prior to creation of these districts. By allowing these uses to continue, the CLI District protects and promotes owner investment in the existing buildings and site improvements.

B. Criteria

The CLI Overlay District shall be utilized at a particular location if the following requirements are met:

1. The property is in the Corridor Employment (CE) or the Corridor Activity Center (CAC) Districts.
2. The property is developed with single or multiple tenant warehousing or light industrial buildings and site improvements. The buildings and site improvements must either exist or be shown on a Site Development Plan that was technically complete prior to April 13, 2004.
3. Use of the property for warehousing or light industrial operations has not ceased for a period exceeding two years since April 13, 2004.

C. Uses Permitted as a Matter Of Right

The following uses are permitted as a matter of right in the CLI Overlay District:

1. Warehouse, manufacturing, assembly or processing uses permitted in the M-1 District and accessory uses thereto.
2. Uses allowed in the underlying district.
3. Furniture stores.
4. Retail, limited accessory:

For any manufacturing or warehouse use permitted in the M-1 District, accessory retail sales may be permitted, provided that:

- a. The products sold are either manufactured or distributed on the site;

- b. Not more than 30% of the floor space of the first floor of the main structure may be devoted to the retail sales of articles made or distributed on the premises; and
- c. Any service facilities are limited to the repair and/or service of products manufactured or distributed by the owner or lessee of the site.

Nothing herein shall be construed to permit the operation of general retail sales businesses.

5. Material recovery facilities—source separated.
6. Recycling collection facilities.

D. Other Requirements

1. The requirements of the underlying CE district for accessory uses, bulk requirements, and compliance with the Route 1 Manual shall apply to improvements to properties utilizing the CLI Overlay District provisions.
2. Building and site improvement expansions of up to 50% of the square foot area existing or approved on April 13, 2004 are permitted for warehouse and industrial uses. Greater expansions may be authorized under the nonconforming use provision of Section 129.0. Expansions for uses permitted in the CE District are not restricted, but shall conform to the CE District regulations.
3. Outdoor storage areas shall not exceed 5% of the site and all outdoor storage must be screened in accordance with the Route 1 Manual.

E. Procedures for Documenting Pre-Existing Warehouse or Industrial Use

If there is no Site Development Plan approved by Howard County for a warehouse or industrial building constructed prior to April 13, 2004, or the approved Site Development Plan does not accurately reflect site improvements existing on that date, additional documentation shall be submitted to the Department of Planning and Zoning. Such documentation may include photographs of the structure and site improvements, aerial photography, or other materials that provide clear evidence of the scope of warehouse or industrial development on the property prior to April 13, 2004. This provision, however, does not apply to any property which is the subject of a zoning enforcement case. Such properties may only be confirmed as nonconforming uses if they are processed in accordance with Section 129.0.D.2 of these Regulations.

F. Provisionally permitted Uses—Expansions

Other existing uses which do not conform with the uses permitted as a matter of right in the underlying district may become permitted uses and be approved for building or site improvement expansions beyond the square foot area existing or approved on April 13, 2004, subject to the approval of a permit as provided in Section 128.0.D.