

MAYOR AND COMMISSIONERS OF THE TOWN OF PERRYVILLE
Ordinance 2016-21

Introduced By: Mayor Eberhardt

Date Introduced: December 6, 2016

Amendments Adopted: N/A

Date Adopted: January 3, 2017

Date Effective: January 23, 2017

AN ORDINANCE concerning

Zoning Ordinance Revisions

FOR the purpose of making technical, stylistic and substantive revisions to the Town of Perryville Zoning Ordinance; adding and modifying certain definitions; requiring certain uses to obtain zoning or special exception permits; prohibiting farm animals in residential districts; altering or establishing specific requirements for certain uses; altering regulations for certain types of fences and temporary signs; altering procedures for zoning applications and amendments; establishing and providing criteria for a Planned Infill and Redevelopment District; and generally relating to revisions to the Town of Perryville Zoning Ordinance.

BY repealing and reenacting, with amendments

Chapter 84 Zoning Ordinance
Article I PURPOSE AND AUTHORITY
Sections 2 and 3.1
Code of the Town of Perryville

BY repealing and reenacting, with amendments

Chapter 84 Zoning Ordinance
Article II BASIC DEFINITIONS AND INTERPRETATION
Section 9
Code of the Town of Perryville

BY repealing and reenacting, with amendments

Chapter 84 Zoning Ordinance
Article V APPEALS, VARIANCES, INTERPRETATIONS
Section 62.6
Code of the Town of Perryville

BY repealing and reenacting, with amendments

Chapter 84 Zoning Ordinance
Article VII ENFORCEMENT AND REVIEW
Section 78.4
Code of the Town of Perryville

BY repealing and reenacting, with amendments

Chapter 84 Zoning Ordinance
Article IX ZONING DISTRICTS
Section 116-7.2
Code of the Town of Perryville

BY repealing and reenacting, with amendments

Chapter 84 Zoning Ordinance
Article X PERMISSIBLE USES
Sections 154 and 160
Code of the Town of Perryville

BY repealing and reenacting, with amendments

Chapter 84 Zoning Ordinance
Article XI SUPPLEMENTARY USE REGULATIONS
Sections 162.1, 165, 167, 181, 187.10, 193, 195, 197, 205.4, 206, 208 and 216.1
Code of the Town of Perryville

BY repealing and reenacting, with amendments

Chapter 84 Zoning Ordinance
Article XII DENSITY AND DIMENSIONAL REGULATIONS
Sections 233.8.g(2)
Code of the Town of Perryville

BY repealing and reenacting, with amendments

Chapter 84 Zoning Ordinance
Article XV SIGNS
Sections 263.1
Code of the Town of Perryville

BY repealing and reenacting, with amendments

Chapter 84 Zoning Ordinance
Article XVIII AMENDMENTS
Sections 314, 315 and 316.2
Code of the Town of Perryville

BY adding

Chapter 84 Zoning Ordinance
Article IX ZONING DISTRICTS
Part IV-B
Sections 116-20 through 116-31
Code of the Town of Perryville

BY adding

Chapter 84 Zoning Ordinance
Article XI SUPPLEMENTARY USE REGULATIONS
Sections 207 and 223
Code of the Town of Perryville

EXPLANATION:

CAPITALS INDICATE MATTER ADDED TO EXISTING LAW
((Double Parenthesis)) indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-Out~~ indicates matter stricken from bill by amendment or deleted from the law by amendment

*** indicates omitted text that is not amended by this ordinance.

SECTION 1. BE IT ENACTED BY THE MAYOR AND COMMISSIONERS OF THE TOWN OF PERRYVILLE that Sections 2 and 3.1 of the Code of the Town of Perryville, Chapter 84, Zoning Ordinance, Article I, PURPOSE AND AUTHORITY, are repealed and reenacted, with amendments, to read as follows:

Chapter 84 – ZONING ORDINANCE

Article I, PURPOSE AND AUTHORITY

Section 2. Authority

This Chapter is enacted under the authority granted by the General Assembly of Maryland, as provided in ((Article 66B)) THE LAND USE ARTICLE of the Annotated Code of Maryland, as amended.

Section 3. Intent

1. This Chapter is intended to promote the orderly development of the Town of Perryville, Maryland in accordance with the Perryville Comprehensive Plan or any of the component parts thereof and in compliance with ((Article 66B)) THE LAND USE ARTICLE of the Annotated Code of Maryland, as amended. It is also the intent of this Chapter that the extent of its applicability shall be automatically changed in accordance with the provisions hereof or with any provision of State Law which may hereinafter affect the applicability of this Chapter.

SECTION 2. AND BE IT FURTHER ENACTED BY THE MAYOR AND COMMISSIONERS OF THE TOWN OF PERRYVILLE that Section 9 of the Code of the Town of Perryville, Chapter 84, Zoning Ordinance, Article II, BASIC DEFINITIONS AND INTERPRETATIONS, is repealed and reenacted, with amendments, to read as follows:

Chapter 84 – ZONING ORDINANCE

Article II, BASIC DEFINITIONS AND INTERPRETATIONS

Section 9. Definitions of Basic Terms

* * *

Clinic – ((An office building or group of offices for one or more physicians, surgeons or dentists, engaged in treatment of the sick or injured but not including rooms for overnight patients.)) A FREESTANDING HEALTH CARE FACILITY THAT IS NOT LICENSED AS A HOSPITAL, PART OF A HOSPITAL, OR NURSING HOME AND IS NOT ADMINISTRATIVELY PART OF A PHYSICIAN’S OR OSTEOPATH’S OFFICE, BUT WHICH HAS A SEPARATE STAFF FUNCTIONING UNDER THE DIRECTION OF A CLINIC ADMINISTRATOR OR HEALTH OFFICER AND IS ORGANIZED AND OPERATED TO PROVIDE AMBULATORY OR OUTPATIENT HEALTH SERVICES LICENSED UNDER HEALTH AND MENTAL HYGIENE.

CLINIC SERVICES – PREVENTATIVE, DIAGNOSTIC, THERAPEUTIC, REHABILITATIVE, OR PALLIATIVE ITEMS OR SERVICES FURNISHED BY OR UNDER THE DIRECTION OF A LICENSED PHYSICIAN IN A CLINIC.

* * *

Dwelling Unit – A dwelling unit is a single unit providing complete, independent living facilities for at least one person including permanent provisions for sanitation, cooking, eating, sleeping, and other activities routinely associated with daily life. Dwelling unit includes a living quarters for a domestic or other employee or tenant, an in-law or accessory apartment, a guest house, or caretaker residence. (((added as a condition of approval – CAC 7/6/05)))

* * *

((Dwelling Unit - A room or group of rooms occupied or intended to be occupied as separate living quarters by a single family or other group of persons living together as a household or by a person living alone.))

* * *

((Elderly:

- a. People who are 62 years of age or over.
- b. Families where either the husband or wife is 62 year of age or older.))

* * *

Family - One or more persons occupying a single housekeeping unit and using common cooking facilities, provided that unless all members are related by blood or marriage, no such family shall contain over 4 persons.

FARM MARKETS – A PUBLIC SPACE WHERE FRESH FARM PRODUCTS FROM THE LOCAL AREA ARE SOLD BY THE PRODUCERS WHO HAVE GROWN, GATHERED, RAISED OR CAUGHT THEM.

FARM PRODUCTS – FRUITS, VEGETABLES, MUSHROOMS, HERBS, NUTS, SHELL EGGS, HONEY OR OTHER BEE PRODUCTS, FLOWERS, NURSERY STOCK, LIVESTOCK FOOD PRODUCTS (INCLUDING MEAT, MILK, CHEESE, AND OTHER DAIRY PRODUCTS), AND FISH.

* * *

Garden Apartments - Multi-family housing units that may share a common outside access. Ownership is not a factor in this type of unit, which may be either rental or condominium.

GENERAL DEVELOPMENT PLAN - A TYPE OF PLAN THAT BECOMES PART OF THE ZONING OF A PROPERTY AS PROVIDED IN SECTION 34.2.C. OF THIS CHAPTER. THE PLAN DEPICTS SITE CHARACTERISTICS AND REDEVELOPMENT INFORMATION TO INCLUDE THE LOCATION OF BUILDINGS, USES, ROADS, EASEMENTS, PARKING, LANDSCAPE, ACCESS AND PROVIDES GUIDANCE FOR SITE PLANS.

Grandfathered - The term describes the status accorded certain properties and development activities that are of record prior to the date of adoption of this Chapter or provisions of this Chapter.

Grandfathered Parcel/Lot (Critical Area) - A parcel of land or lot that was subdivided into recorded, legally buildable lots where the subdivision received final approval before December 1, 1985.

GROCERY STORE/MARKET – A SMALL RETAIL STORE CONTAINING LESS THAN 2500 SQUARE FEET OF GROSS FLOOR AREA THAT IS DESIGNED AND STOCKED TO SELL PRIMARILY FOOD, BEVERAGES, HOUSEHOLD ITEMS, AND EXCLUDES ALCOHOLIC BEVERAGES. THIS TYPE OF RETAIL STORE DOES NOT PROVIDE FOR THE SALE OF GASOLINE OR OTHER FUEL.

Group Home -A facility providing housing facilities and/or rehabilitation in a single family dwelling for not more than ten (10) persons, including support personnel, for persons who need specialized housing, treatment and/or counseling service because of delinquency or criminal rehabilitation, such as a criminal half-way house, current addiction to or illegal use of a controlled substance, or a type of mental illness that involves behavior related to violent felony crime. Residents are provided service and supervision by licensed operators in accordance with federal, state and local laws, regulations and requirements. Treatment and counseling shall be limited to the residents of the dwelling. The residents of a group home shall not include any person who, during the term of residence at such facility, commits a violent act or causes substantial physical damage to the property of others, and any such person must be removed from such facility.

* * *

Mean High Water Line - The average level of high tides at a given location.

MEDICAL TREATMENT FACILITIES – INCLUDES THE FOLLOWING: CLINIC, CLINIC SERVICES, AND STATE LICENSED MEDICAL CLINIC. (SEE DEFINITIONS FOR EACH.)

* * *

Motel, Motor Court, Motor Hotel, Lodge, or Inn - same as "Hotel" except that the building or buildings are designed primarily to serve tourists traveling by automobile and that ingress and egress to rooms need not be through a lobby or offices.

MUNICIPAL INFRACTION –ANY VIOLATION OF THIS CODE, WHICH VIOLATION HAS BEEN SPECIFICALLY DECLARED TO BE AN INFRACTION. FOR PURPOSES OF THE CODE, AN INFRACTION IS A CIVIL OFFENSE.

* * *

Private Pier - A privately owned pier that is no more than 6 feet wide.

PRODUCER – PERSON OR ENTITY THAT RAISES OR PRODUCES FARM PRODUCTS ON LAND THAT THE PERSON OR ENTITY FARMS AND OWNS, RENTS, OR LEASES.

* * *

Species of Concern - Rare, threatened or endangered species or species in need of conservation.

STATE LICENSED MEDICAL CLINIC – INCLUDES:

- A. FREESTANDING AMBULATORY-CARE FACILITY LICENSED UNDER TITLE 19, SUBTITLE 3B, OF THE HEALTH-GENERAL ARTICLE OF THE ANNOTATED CODE OF MARYLAND;
- B. A DETOXIFICATION FACILITY CERTIFIED UNDER TITLE 8, SUBTITLE 4 OF THE HEALTH-GENERAL ARTICLE OF THE ANNOTATED CODE OF MARYLAND; OR
- C. AN ALCOHOL ABUSE AND DRUG ABUSE TREATMENT PROGRAM CERTIFIED UNDER TITLE 8, SUBTITLE 4 OF THE HEALTH-GENERAL ARTICLE OF THE ANNOTATED CODE OF MARYLAND.

* * *

SECTION 3. AND BE IT FURTHER ENACTED BY THE MAYOR AND COMMISSIONERS OF THE TOWN OF PERRYVILLE that Section 62-6 of the Code of the Town of Perryville, Chapter 84, Zoning Ordinance, Article V, APPEALS, VARIANCES, INTERPRETATIONS, is repealed and reenacted, with amendments, to read as follows:

Chapter 84 – ZONING ORDINANCE

Article V, APPEALS, VARIANCES, INTERPRETATIONS

Section 62. Appeals

- 6. An appeal from any final order or decision of the Planning Commission or Board of Appeals shall be taken to the Circuit Court in the manner provided by law of Maryland and particularly ((Article 66B,)) TITLES 4 & 5 OF THE LAND USE ARTICLE of the Annotated Code of Maryland. The appeal must be filed within 30 days after the date of the decision or order appealed.

SECTION 4. AND BE IT FURTHER ENACTED BY THE MAYOR AND COMMISSIONERS OF THE TOWN OF PERRYVILLE that Section 78.4 of the Code of the Town of Perryville, Chapter 84, Zoning Ordinance, Article VII, ENFORCEMENT AND REVIEW, is repealed and reenacted, with amendments, to read as follows:

Chapter 84 – ZONING ORDINANCE

Article VII, ENFORCEMENT AND REVIEW

Section 78. Penalties and Remedies for Violations

4. The authority for municipal infractions is as provided in ((Article 23A§3)) TITLE 6 OF THE LOCAL GOVERNMENT ARTICLE of the Annotated Code of Maryland and enforcement shall be as provided therein. In addition and/or in lieu of pursuing a municipal infraction, the Town may seek injunction relief as a means of enforcing the provisions of this Chapter.

SECTION 5. AND BE IT FURTHER ENACTED BY THE MAYOR AND COMMISSIONERS OF THE TOWN OF PERRYVILLE that Section 116-7.2 of the Code of the Town of Perryville, Chapter 84, Zoning Ordinance, Article IX, ZONING DISTRICTS, is repealed and reenacted, with amendments, to read as follows:

Chapter 84 – ZONING ORDINANCE

Article IX, ZONING DISTRICTS

Section 116-7. Administrative Procedures.

2. Step 2. Preliminary Site Plan.

* * *

- (6) Preliminary site design standards in a format approved by Town Staff. The site design standards shall include:

- A. Design standards that define the intended design character of the site’s architecture, signage lighting and thematic site landscape elements.
- B. Requirements for building setbacks, lot sizes, lot dimensions, lot coverage, and yard and buffer and landscaping.
- C. A preliminary Master Sign Plan defining how signs within the proposed development will be managed and controlled as defined in Section ((272)) 271 of this Chapter.

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SECTION 6. AND BE IT FURTHER ENACTED BY THE MAYOR AND COMMISSIONERS OF THE TOWN OF PERRYVILLE that Sections 154 and 160 of the Code of the Town of Perryville, Chapter 84, Zoning Ordinance, Article X, PERMISSIBLE USES, are repealed and reenacted, with amendments, to read as follows:

Chapter 84 – ZONING ORDINANCE

Article X, PERMISSIBLE USES

Section 154. Use of the Designations P, PC, SE and SC in the Table of Permissible Uses

When used in connection with a particular use in the Table of Permissible Uses, the letter "P" means that the use is permissible in the indicated zone with a zoning permit issued by the ((Planning Commission)) ZONING ADMINISTRATOR. When used in connection with a particular use in the Table of Permissible Uses, the letter "PC" means that the use is permissible in the indicated zone with a zoning permit issued by the ((Planning Commission)) ZONING ADMINISTRATOR provided the conditions stipulated in Article XI are met. The letters "SC" mean the conditions of approval stipulated in Article XII for the proposed use must be met and a special exception permit must be obtained from the Board of Appeals. The letters "SE" mean a special exception permit must be obtained from the Board of Appeals.

Section 160. Permissible Uses Not Requiring Permits

Notwithstanding any other provisions of this Chapter, no zoning or special-exception permit is necessary for the following uses:

1. Streets.
2. ((Access driveways to an individual detached single-family dwelling.
3. Electric power, telephone, telegraph, cable television, gas, water, and sewer lines, wires or pipes, together with supporting poles or structures, located within a public right-of-way.
- 4.)) Neighborhood utility facilities located within a public right-of-way with the permission of the owner (state or town) of the right-of-way.

SECTION 7. AND BE IT FURTHER ENACTED BY THE MAYOR AND COMMISSIONERS OF THE TOWN OF PERRYVILLE that Sections 162.1, 165, 167, 181, 187.10, 193, 195, 197, 205.4, 206, 208 and 215.1 of the Code of the Town of Perryville, Chapter 84, Zoning Ordinance, Article XI, SUPPLEMENTARY USE REGULATIONS, are repealed and reenacted, with amendments, to read as follows:

Chapter 84 – ZONING ORDINANCE

Article XI, SUPPLEMENTARY USE REGULATIONS

Section 162. Accessory Uses

1. Accessory uses shall be permitted in the R-1, R-2, R-3, PUD, TC, and NB districts as follows:

* * *

- c. The keeping of small animals, insects, reptiles, fish or birds (not poultry), but only for personal enjoyment or household use and not as a business. FARM TYPE ANIMALS SUCH AS HORSES, GOATS, SHEEP, PIGS, CHICKENS, ROOSTERS AND SIMILAR TYPE OF ANIMALS ARE NOT PERMITTED IN ANY RESIDENTIAL DISTRICT.

* * *

Section 165. Antenna or Tower Greater Than 50 Feet in Height and Associated Substation

An antenna or tower greater than 50 feet in height and associated substations (radio, television, microwave broadcasting, etc.) may be permitted as a special exception by the Board of Appeals in any district provided:

1. All structures shall be located at least 200 feet from an existing dwelling.
2. A minimum 10-foot landscape strip shall be required and maintained around all property lines exterior to any fence or wall.
3. Any proposed broadcasting tower shall have a setback of one foot from all property lines for every foot of height of the tower, provided that any broadcasting tower lawfully existing prior to the effective date of this Chapter shall be exempt from the setback limitations imposed by this subsection and may be continued, structurally altered, reconstructed, or enlarged provided that no structural change, repair, addition, alteration, or reconstruction shall result in increasing the height of such tower above the then existing structurally designed height.
4. THE APPLICANT SHALL DEMONSTRATE THAT A DILIGENT EFFORT HAS BEEN MADE TO LOCATE THE PROPOSED COMMUNICATION FACILITY ON AN EXISTING STRUCTURE OR IN A NON-RESIDENTIAL ZONING DISTRICT, AND THAT DUE TO VALID CONSIDERATIONS, INCLUDING PHYSICAL CONSTRAINTS AND ECONOMIC OR TECHNICAL FEASIBILITY, NO OTHER APPROPRIATE LOCATION IS AVAILABLE. AN ALTERNATIVE ANALYSIS PREPARED BY THE APPLICANT SHALL ADDRESS THE FOLLOWING:
 - A. ALL REASONABLY FEASIBLE ALTERNATIVE LOCATIONS OR FACILITIES THAT WOULD PROVIDE THE PROPOSED COMMUNICATION SERVICE;
 - B. AN ANALYSIS INDICATING WHETHER AN EXISTING FACILITY CAN BE STRUCTURALLY MODIFIED TO ACCOMMODATE THE APPLICANT'S PROPOSED USE AND COVERAGE;

- C. THE POTENTIAL FOR CO-LOCATION AT AN EXISTING OR A NEW SITE AND THE POTENTIAL TO LOCATE FACILITIES AS CLOSE AS POSSIBLE TO THE INTENDED SERVICE AREA;
- D. THE RATIONALE FOR THE SELECTION OF THE PROPOSED SITE IN VIEW OF RELATIVE MERITS OF ANY FEASIBLE ALTERNATIVES;
- E. A SYSTEM DESIGN PLAN THAT SHALL INCLUDE:
 - I. RADIO FREQUENCY PARAMETERS;
 - II. TOWER HEIGHT;
 - III. NUMBER OF ANTENNAS THAT THE PROPOSED TOWER CAN ACCOMMODATE AT CAPACITY;
 - IV. RADIO FREQUENCY OUTPUT; AND
 - V. EFFECTIVE RADIATED POWER AND AZIMUTH ANTENNA TYPE.
- F. DEMONSTRATION OF A GOOD FAITH EFFORT TO CO-LOCATE WITH OTHER CARRIERS INCLUDING A SURVEY OF ALL EXISTING STRUCTURES THAT MAY BE REASONABLE FOR CO-LOCATION AND CONTACTS WITH OTHER SERVICE PROVIDERS IN THE COUNTY.

Section 167. Art or Cultural Centers

((A non-commercial)) AN art or cultural center ((may be allowed as a special exception by the Board of Appeals in TC Districts and)) shall be permitted WITH CONDITIONS in the TC, RM, CEMUD AND C-2 ((District)) DISTRICTS upon a finding that the proposed use will not constitute a nuisance because of traffic, noise, number of persons, or physical activity ((and that the proposed use is operated by a non-profit organization not organized or operated for the purpose of carrying on a trade or business, no part of the net earnings of which insures to the benefit of any member of such organization or individual)). Such use may consist of one or more buildings or structures ((which the Board or Planning Commission shall find will)) TO be devoted entirely to the furtherance of the arts or culture, including, but not limited to, a theater, museum, classrooms, or any combination thereof, and may provide for a restaurant or snack bar designed solely for service of food or refreshments to people using the facilities of the proposed center. ((The lot, parcel, or tract of land upon which the proposed center is to be located shall have a minimum area of two acres.))

Section 181. Drive-in Banks

Drive-in/ banks may be permitted as a special exception by the Board of Appeals in the TC and NB districts and shall be permitted in the CEMUD, C-2, L-1 and L-2 Districts provided:

* * *

Section 187. Festivals, Events of Public Interest or Special Events, Occasional, Outdoor

Occasional outdoor festivals or special events, including, but not limited to horse shows, carnivals, dog shows, arts and crafts shows, music festivals, etc., and seasonal business use may be permitted in any district by the ((Mayor and Commissioners)) ZONING ADMINISTRATOR provided that fees are paid and licenses obtained as required by the Town of Perryville and further provided:

10. In cases where it is deemed necessary, the ((Mayor and Commissioners may require)) the applicant MAY BE REQUIRED to post a bond to ensure compliance with the conditions of the conditional-use permit.

Section 193. Hospitals, Clinics and Other Medical Treatment Facilities

1. Medical clinics of less than 10,000 square feet of gross floor area may be permitted by the Board of Appeals in the TC and NB district and shall be permitted C-2 district subject to the following:
 - a. Site requirements:

* * *

- (5) Location of access on business district street, arterial, or major highways.
- (6) LOCATED AT LEAST 1,000 FEET FROM ANY STRUCTURE USED AS A HOUSE OF WORSHIP OR SCHOOL.
- (7) LOCATED AT LEAST 1,000 FEET FROM ANY RESIDENTIAL DISTRICT.
- (8) A NARRATIVE SHALL BE PROVIDED THAT DESCRIBES THE METHOD AND TYPE OF TREATMENT TO BE ADMINISTERED AS WELL AS THE CLIENTELE PROPOSED TO USE THE FACILITY. THE NARRATIVE WILL NEED TO PROVIDE A DESCRIPTION OF THE HOURS OF OPERATION, NUMBER OF CLIENTS, DRUGS TO BE USED AND THE SYMPTOMS, ADDICTION, DEPENDENCY, AND/OR ILLNESS TARGETED FOR TREATMENT, THE DEMONSTRATION OF EFFECTIVENESS IN MANAGING OTHER CLINICS, AND PLANS FOR ADDRESSING MEDICAL OR OTHER EMERGENCIES THAT MAY ARISE.
- (9) ALL STATE PERMITS AND LICENSES REQUIRED TO OPERATE THE CLINIC SHALL BE OBTAINED AND COPIES SUBMITTED PRIOR TO USE AND OCCUPANCY APPROVAL.

* * *

2. Hospitals, clinics ((in excess)) of 10,000 square feet OR MORE, and other medical treatment facilities may permitted as a special exception by the Board of Appeals in the C-2 District subject to the following:
 - a. A lot or parcel or tract of land to be used for a hospital or sanitarium building may be allowed, upon a finding by the Board that such use will not constitute a nuisance because of noise, traffic, or number of people being cared for; that such use will not affect adversely the present character or future development of the surrounding residential community; and, if the lot, parcel, or tract of land on which the buildings to be used by such institution are located, conforms to the following minimum area, frontage, and setback requirements, off-street parking, green area requirements, and building height limit:

* * *

- (9) The applicant shall locate amenities such as lighting, seating, shelter, and landscaping into attractive groupings that provide for safe and unobstructed pedestrian movement.
- (10) LOCATED AT LEAST 1,000 FEET FROM ANY STRUCTURE USED AS A HOUSE OF WORSHIP OR SCHOOL.
- (11) LOCATED AT LEAST 1,000 FEET FROM ANY RESIDENTIAL DISTRICT.
- (12) A NARRATIVE SHALL BE PROVIDED THAT DESCRIBES THE METHOD AND TYPE OF TREATMENT TO BE ADMINISTERED AS WELL AS THE CLIENTELE PROPOSED TO USE THE FACILITY. THE NARRATIVE WILL NEED TO PROVIDE A DESCRIPTION OF THE HOURS OF OPERATION, NUMBER OF CLIENTS, DRUGS TO BE USED AND THE SYMPTOMS, ADDICTION, DEPENDENCY, AND/OR ILLNESS TARGETED FOR TREATMENT, THE DEMONSTRATION OF EFFECTIVENESS IN MANAGING OTHER CLINICS, AND PLANS FOR ADDRESSING MEDICAL OR OTHER EMERGENCIES THAT MAY ARISE.
- (13) ALL STATE PERMITS AND LICENSES REQUIRED TO OPERATE THE CLINIC SHALL BE OBTAINED AND COPIES SUBMITTED PRIOR TO USE AND OCCUPANCY APPROVAL.

Section 195. Housing for the Elderly or Handicapped

Housing for the elderly and handicapped may be permitted as a special exception by the Board of Appeals in the C-2 and in a Planned Unit Development subject to the following:

1. The proposed facilities meet all applicable requirements of County, State and/or federal LAW AND regulations, INCLUDING AGE-BASED OCCUPANCY RESTRICTIONS AND LIMITATIONS UNDER FEDERAL OR STATE LAW THAT WOULD QUALIFY THE HOUSING TO BE EXEMPT FROM PROHIBITIONS AGAINST DISCRIMINATING AGAINST FAMILIES WITH CHILDREN.

((2. For the purposes of occupancy, elderly and handicapped shall include only:

a. People who are 62 or more years of age.

b. Families where either the husband or wife is 62 or more years of age.

c. Handicapped people under 62 if determined to have physical impairments that:

(1) Are expected to be of long-continued and indefinite duration;

(2) Substantially impede the ability to live independently; and

(3) Are of such a nature that the ability to live independently could be improved by more suitable housing conditions.))

* * *

Section 197. Spas and Health Clubs

((The Board of Appeals may permit as a special exception in the C-2 district spas or health clubs, including massage services by a licensed practitioner.)) A PLACE OF BUSINESS WITH EQUIPMENT AND FACILITIES FOR EXERCISING AND IMPROVING PHYSICAL FITNESS AND SIMILAR USES SHALL BE PERMITTED IN TC, CEMUD AND C-2 DISTRICTS.

Section 205. Residential Structures - Single-Family Attached and Multiple Units

4. Commercial apartments may be permitted in a commercial structure in the NB, TC, and C-2 Districts provided:

a. No apartment is situated at the street level IN THE NB AND TC DISTRICTS.

b. All apartment units meet applicable building and livability codes.

Section 206. Restaurants, Standard ((and Carry-out/Delivery))

Standard Restaurants shall be permitted in the TC, RM, CM, NB and C-2 districts provided:

* * *

4. ((Carry-out/delivery)) STANDARD restaurants ((shall only be)) ARE permitted in the RM AND CM districts ((, if the restaurant ((is)) ONLY AS an accessory use in a marina.
- ((5. In the TC district approval shall be conditioned on meeting the special design standards applicable to this district.))

Section 208. Taverns, Bar, ((Drinking)) Places SERVING ALCOHOLIC BEVERAGES

((Drinking places)) SERVICE OF ALCOHOLIC BEVERAGES shall be permitted in the CEMUD AND C-2 district and may be permitted as a special exception in the TC, RM, CM and NB districts provided:

1. No such establishment is located nearer than 1,000 feet to any principal structure used as a hospital, church, or school.
2. ((In the CM district it shall be accessory to a standard restaurant located in the CM district and must be located outside of the Critical Area Buffer.)) IN ALL DISTRICTS THE SERVICE OF ALCOHOLIC BEVERAGES IN A RESTAURANT IS PERMITTED ONLY AS AN ACCESSORY USE TO A STANDARD RESTAURANT PROVIDED ALL REQUIRED APPROVALS AND LICENSES ARE OBTAINED FOR THE SERVICE OF ALCOHOLIC BEVERAGES FROM CECIL COUNTY BOARD OF LIQUOR LICENSE COMMISSIONERS.
3. In the TC district approval shall be conditioned on meeting the special design standards applicable to this district.
4. AN ESTABLISHMENT THAT POSSESSES A STATE OF MARYLAND CLASS 6 PUB-BREWERY LICENSE OR A CLASS 7 MICRO-BREWERY LICENSE IS PERMITTED AS AN ACCESSORY USE TO A STANDARD RESTAURANT IN ALL DISTRICTS.

Section 216. Special Development Standards in the C-2 Commercial District

1. Amusement places and theaters, ((except)) INCLUDING open-air drive-in theaters shall be permitted.

SECTION 8. AND BE IT FURTHER ENACTED BY THE MAYOR AND COMMISSIONERS OF THE TOWN OF PERRYVILLE that Section 233.8.g(2) of the Code of the Town of Perryville, Chapter 84, Zoning Ordinance, Article XII, DENSITY AND DIMENSIONAL REGULATIONS, is repealed and reenacted, with amendments, to read as follows:

Chapter 84 – ZONING ORDINANCE

Article XII, DENSITY AND DIMENSIONAL REGULATIONS

Section 233. Building Requirements

8. Walls and Fences.

g. Materials and Composition

* * *

(2) The following fences and fencing materials are specifically prohibited:

(a) Barbed wire.

(b) Pointed fences less than three (3) feet in height.

(c) Canvas fences.

(d) Cloth fences.

(e) Electrically charged fences.

(f) ((Poultry fences)) WIRE FENCING.

(g) ((Turkey wire.

(g))) Temporary fences such as snow fences.

((i))((H) Expandable fences and collapsible fences, except during construction of a building.

SECTION 9. AND BE IT FURTHER ENACTED BY THE MAYOR AND COMMISSIONERS OF THE TOWN OF PERRYVILLE that Section 263.1 of the Code of the Town of Perryville, Chapter 84, Zoning Ordinance, Article XV, SIGNS, is repealed and reenacted, with amendments, to read as follows:

Chapter 84 – ZONING ORDINANCE

Article XV, SIGNS

Section 263. Certain Temporary Signs: Permit Exemptions and Additional Regulations

1. The following temporary signs are permitted without a zoning, special-use, or sign permit. However, such signs shall conform to the requirements set forth below as well as all other applicable requirement of this Chapter.

* * *

- e. Signs erected in connection with elections or political campaigns. Such signs shall be removed within fifteen (15) days following the election or conclusion of the campaign. No such sign may exceed 16 square feet in surface area.
- F. TEMPORARY SIGNS TO ADVERTISE EVENTS. SIGNS SHALL MEASURE NO LARGER THAN EIGHTEEN (18) INCHES BY TWENTY-FOUR (24) INCHES AND MUST BE REMOVED WITHIN FIFTEEN (15) DAYS AFTER THE EVENT.

SECTION 10. AND BE IT FURTHER ENACTED BY THE MAYOR AND COMMISSIONERS OF THE TOWN OF PERRYVILLE that Section 314, 315 and 316.2 of the Code of the Town of Perryville, Chapter 84, Zoning Ordinance, Article XVIII, AMENDMENTS, are repealed and reenacted, with amendments, to read as follows:

Chapter 84 – ZONING ORDINANCE

Article XVIII, AMENDMENTS

Section 314. Planning Commission Consideration of Proposed Amendments

1. The Planning Commission shall consider the application ((and shall conduct a public hearing regarding the application. The public hearing shall be conducted)) as follows:
 - a. The applicant shall be given ample time to present his case to the Planning Commission. In so doing the applicant may call on expert witnesses to support his request.
 - b. The Zoning Administrator and/or Town Administrator may present a staff report representing a review of the application by the Town staff. The staff report shall include, without limitation, the following matters: population change, availability of public facilities, present and future transportation patterns, compatibility with existing and proposed development for the area, the relationship of such proposed amendment to the Town of Perryville Comprehensive Plan, and a recommendation for approval or denial of the proposed amendment.
 - c. The Planning Commission shall ask such questions of either the applicant, any witnesses, or the staff as may be necessary in deciding its RECOMMENDATION FOR approval or denial of the application.
 - ((d. The Public shall be given an opportunity to testify or ask questions of the applicant, his witnesses, or the planning staff. The Planning Commission may in turn question those testifying and may place a reasonable time limit for such testimony.))
2. Within sixty (60) days from the Planning Commission's ((final hearing)) MEETING on the application, the Planning Commission shall transmit the application to the Town Commissioners together with its recommendations for approval or disapproval. The Planning Commission shall concurrently transmit this information to the applicant.
3. After the Planning Commission makes its formal recommendation on the application, the Town Commissioners shall hold a public hearing on the application.

Section 315. Hearing Required; Notice

((All public)) PUBLIC hearings shall be conducted in accordance with the provision of ((Article 66B Section 4.04)) THE LAND USE ARTICLE of the Annotated Code of Maryland.

Section 316. Mayor and Town Commissioners Action on Amendments

- 2. The Town Commissioners shall hold a public hearing, as set forth in Section ((4)) 4-203 OF THE LAND USE ARTICLE, within sixty (60) days after receipt of the Planning Commission's recommendation.

SECTION 11. AND BE IT FURTHER ENACTED BY THE MAYOR AND COMMISSIONERS OF THE TOWN OF PERRYVILLE that Sections 116-20 through 116-31, inclusive, are added to the Code of the Town of Perryville, Chapter 84, Zoning Ordinance, Article IX, ZONING DISTRICTS, to be under the new Part IV-B, Planned Infill and Redevelopment District (PIRD), to follow immediately after Sections 116-19 of Part IV-A, and to read as follows:

Chapter 84 – ZONING ORDINANCE

Article IX, ZONING DISTRICTS

PART IV-B. PLANNED INFILL AND REDEVELOPMENT DISTRICT (PIRD)

SECTION 116-20. ESTABLISHMENT.

THE PLANNED INFILL AND REDEVELOPMENT DISTRICT OR "PIRD" IS A FLOATING ZONE THAT MAY BE APPLIED TO LAND THROUGH A ZONING MAP AMENDMENT ADOPTED BY THE MAYOR AND COMMISSIONERS IN ACCORDANCE WITH THE PROVISIONS OF THIS SECTION FOR PROJECTS THAT INVOLVE COMPATIBLE NEW USES CREATED THROUGH REDEVELOPMENT, ADAPTIVE RE-USE, DEMOLITION, RECONSTRUCTION AND INFILL.

SECTION 116-21. PURPOSE.

THE PURPOSE OF THE PLANNED INFILL AND REDEVELOPMENT DISTRICT ("PIRD") IS TO:

- 1. STIMULATE RE-INVESTMENT AND DEVELOPMENT IN ORDER TO STRENGTHEN THE LOCAL ECONOMY AND TO STABILIZE AND IMPROVE PROPERTY VALUES OF SUCH SITES AND STRUCTURES.
- 2. FACILITATE INFILL AND REDEVELOPMENT OF PROPERTIES THROUGH ADAPTIVE RE-USE, DEMOLITION, OR RECONSTRUCTION OF VACANT OR UNDERUTILIZED PROPERTIES.
- 3. ENCOURAGE DEVELOPMENT WHICH PRESENTS AN ATTRACTIVE

APPEARANCE AND IS COMPATIBLE WITH USES IN THE SURROUNDING AREA BY MEANS OF APPROPRIATE ARCHITECTURE, SITING OF BUILDINGS, SERVICE AREAS AND LANDSCAPE TREATMENT.

4. PROVIDE DEVELOPERS AND PROPERTY OWNERS FLEXIBILITY THAT ACHIEVES HIGH QUALITY DESIGN AND RESULTS IN INFILL AND REDEVELOPMENT PROJECTS.
5. LOCATE DEVELOPMENT ON LAND THAT IS OR CAN BE SERVED WITH PUBLIC WATER AND SEWER FACILITIES AND ON SITES THAT ARE CLEARLY SUITABLE FOR THE PHYSICAL CHARACTERISTICS OF DEVELOPMENT FOR SUCH USES.
6. PROVIDE A MORE FLEXIBLE APPROACH TO THE COMPREHENSIVE DEVELOPMENT OF LARGE TRACTS OF LAND IN TERMS OF LAND USE, INTENSITY AND DESIGN.
7. IMPLEMENT THE COMPREHENSIVE PLAN, SUSTAINABLE COMMUNITIES ACTION PLAN AND OTHER POLICIES IN A MANNER CLOSELY COMPATIBLE WITH SAID PLANS AND POLICIES.
8. ASSURE COMPATIBILITY OF LAND USES PROPOSED IN SUCH A DEVELOPMENT WITH USES IN THE SURROUNDING AREA OF THE SITE BY INCORPORATING HIGHER STANDARDS OF LAND PLANNING AND SITE DESIGN.

SECTION 116-22. PLANNED REDEVELOPMENT AND INFILL DISTRICT REQUIREMENTS.

A PLANNED INFILL AND REDEVELOPMENT DISTRICT SHALL MEET THE FOLLOWING REQUIREMENTS:

1. OWNERSHIP. THE ENTIRE AREA PROPOSED FOR A PIRD SHALL BE OWNED BY THE APPLICANT. IF THE ENTIRE AREA IS NOT WHOLLY OWNED BY ONE INDIVIDUAL OR ENTITY, ALL OWNERS SHALL JOIN IN THE APPLICATION AND SHALL BE BOUND, JOINTLY AND SEVERALLY, BY ANY CONDITIONS, AMENDMENTS, MODIFICATIONS, OR CHANGES TO THE UNDERLYING BASE OR OVERLAY ZONE, THE PIRD, AND THE APPROVED GENERAL DEVELOPMENT PLAN.
2. ZONING DISTRICTS. THE PIRD IS A FLOATING ZONE THAT MAY BE ESTABLISHED IN ANY BASE ZONE OR WITH OTHER OVERLAY ZONES PROVIDED THE REQUIREMENTS OF THIS SECTION ARE MET.
3. GENERAL DEVELOPMENT PLAN. A PIRD SHALL INCLUDE A GENERAL DEVELOPMENT PLAN APPROVED BY THE MAYOR AND COMMISSIONERS

AS PART OF THE REZONING. THE GENERAL DEVELOPMENT PLAN SHALL INCLUDE A SCHEDULE OR TIMETABLE FOR ALL DEVELOPMENT AND CONSTRUCTION THAT INCLUDES BEGINNING, DURATION, AND COMPLETION DATES.

4. USES. THE USES PERMITTED FOR A PARTICULAR PIRD SHALL BE THE USES PERMITTED IN THE APPROVED GENERAL DEVELOPMENT PLAN, AND, EXCEPT AS MODIFIED BY THE APPROVED GENERAL DEVELOPMENT PLAN, USES PERMITTED IN THE BASE ZONING DISTRICT.
5. BULK REQUIREMENTS. THE BULK REQUIREMENTS FOR A PARTICULAR PIRD SHALL BE THE BULK REQUIREMENTS IN THE APPROVED GENERAL DEVELOPMENT PLAN.
6. DENSITY. THE MAXIMUM PERMITTED RESIDENTIAL AND NON-RESIDENTIAL DENSITIES FOR A PARTICULAR PIRD SHALL BE THE MAXIMUM PERMITTED DENSITIES SET FORTH IN THE APPROVED GENERAL DEVELOPMENT PLAN.
7. ARCHITECTURAL REQUIREMENTS. THE ARCHITECTURAL REQUIREMENTS FOR A PARTICULAR PIRD SHALL BE THE ARCHITECTURAL REQUIREMENTS SET FORTH IN THE APPROVED GENERAL DEVELOPMENT PLAN.
8. PARKING. OFF-STREET PARKING SHALL BE PROVIDED IN ACCORDANCE WITH SECTION 274 OF THIS CHAPTER OR AS SET FORTH IN THE APPROVED GENERAL DEVELOPMENT PLAN.
9. LANDSCAPING. LANDSCAPING SHALL BE PROVIDED IN ACCORDANCE WITH ARTICLE XVII OF THIS CHAPTER OR AS SET FORTH IN THE APPROVED GENERAL DEVELOPMENT PLAN.
10. SIGNS. SIGNAGE SHALL BE PROVIDED IN ACCORDANCE WITH THE PROVISIONS OF ARTICLE XV OF THIS CHAPTER.
11. TRANSPORTATION FACILITIES. ADEQUATE TRANSPORTATION FACILITIES CAPABLE OF SERVING THE PROPOSED REDEVELOPMENT MUST EXIST OR BE PROVIDED IN CONJUNCTION WITH THE PIRD.
12. WATER AND WASTEWATER TREATMENT. ADEQUATE WATER AND WASTEWATER FACILITIES CAPABLE OF SERVING THE PROPOSED REDEVELOPMENT MUST EXIST OR BE PROVIDED IN CONJUNCTION WITH THE PIRD.

SECTION 116-23. STANDARDS FOR APPROVAL.

A PROPOSED PLANNED INFILL AND REDEVELOPMENT DISTRICT AND GENERAL

DEVELOPMENT PLAN MAY BE APPROVED ONLY IF THE MAYOR AND COMMISSIONERS FINDS THAT:

1. IT IS CONSISTENT WITH THE PERRYVILLE COMPREHENSIVE PLAN;
2. IT WILL PROMOTE THE GENERAL WELFARE OF THE PUBLIC;
3. THE SIZE AND LOCATION OF A PIRD IS APPROPRIATE TO THE SURROUNDING NEIGHBORHOOD;
4. THE IMPROVEMENTS AND REUSE OR NEW USES IN THE GENERAL DEVELOPMENT PLAN ARE APPROPRIATE TO THE SURROUNDING NEIGHBORHOOD;
5. THE PROPOSED BUILDING DESIGNS, USES, INTENSITY, SCALE, BULK, AND LOCATION OF STRUCTURES AND USES ARE APPROPRIATE TO THE SURROUNDING NEIGHBORHOOD. THE APPLICANT SHALL DEMONSTRATE HOW THIS STANDARD WILL BE ACHIEVED BY PROVIDING:
 - A. IMAGES SUFFICIENT TO CONVEY THE INTENDED SITE AND ARCHITECTURAL CHARACTER OF THE DEVELOPMENT INCLUDING BUT NOT LIMITED TO PROTOTYPICAL BUILDING ELEVATIONS, SKETCHES, OR PHOTOGRAPHIC IMAGES OF COMPARABLE SITES AND BUILDINGS.
 - B. A NON-BINDING ILLUSTRATIVE PLAN OF THE PROPOSED DEVELOPMENT.
 - C. A PRELIMINARY LIST OF THE LAND USES TO BE PERMITTED IN THE DEVELOPMENT.
6. IT INCLUDES ALL OR SOME COMBINATION OF THE FOLLOWING REDEVELOPMENT TOOLS TO SUBSTANTIALLY IMPROVE EXISTING DEVELOPMENT IN THE PROPOSED PIRD: ENHANCED SITE DESIGN AND LAYOUT; IMPROVED PUBLIC AND PRIVATE INFRASTRUCTURE AND AMENITIES, WHICH MAY INCLUDE COMPATIBLE NEW USES; AND ADAPTIVE RE-USE, INFILL, DEMOLITION, RECONSTRUCTION, EXPANSION, RELOCATION, OR REPLACEMENT OF LEGAL NONCONFORMING STRUCTURES AND/OR LEGAL NONCONFORMING USES IN ACCORDANCE WITH THE REQUIREMENTS OF THIS SECTION;
7. IT PRESERVES APPROPRIATE EXISTING DEVELOPMENT, MANAGE REDEVELOPMENT, AND ALLOW FOR NEW DEVELOPMENT CONSISTENT WITH THE STANDARDS AND REQUIREMENTS OF THIS SECTION;
8. IT WILL PROMOTE, AND WILL NOT INTERFERE WITH, THE ADEQUATE AND

ORDERLY PROVISION OF PUBLIC FACILITIES; AND

9. ALL REQUIREMENTS OF THIS SECTION HAVE BEEN MET.

SECTION 116-24. APPLICATIONS FOR PLANNED INFILL AND REDEVELOPMENT DISTRICTS.

APPLICATIONS FOR A PIRD SHALL BE FILED WITH THE DIRECTOR OF PLANNING AND ZONING (THE DIRECTOR) ON SUCH FORMS AS MAY BE REQUIRED BY THE TOWN AND SHALL INCLUDE THE FOLLOWING:

1. A NARRATIVE DESCRIBING THE EXISTING CONDITIONS ON THE SITE AND WITHIN ONE HUNDRED (100') OF ALL BOUNDARIES OF THE SITE.
2. A PROPERLY PREPARED PLAT, SIGNED AND SEALED BY A MARYLAND-REGISTERED PROFESSIONAL PROPERTY SURVEYOR AND AN ADEQUATE LEGAL DESCRIPTION OF THE PROPERTY TO BE INCLUDED IN THE PIRD.
3. INCLUDE A PROPOSED GENERAL DEVELOPMENT PLAN THAT INCLUDES ALL INFORMATION REQUIRED PURSUANT TO SECTION 34 AND THIS SECTION IN SUFFICIENT DETAIL TO PERMIT THOROUGH REVIEW OF THE APPLICATION.
4. INCLUDE ALL INFORMATION REQUIRED TO DEMONSTRATE THAT THE APPLICATION MEETS THE STANDARDS FOR APPROVAL OF THE PIRD AND GENERAL DEVELOPMENT PLAN.
5. INCLUDE ALL ADDITIONAL OR SUPPLEMENTAL INFORMATION AS THE DIRECTOR MAY REQUIRE FROM TIME TO TIME TO PROPERLY EVALUATE THE APPLICATION UNDER THE STANDARDS AND REQUIREMENTS OF THIS SECTION.

SECTION 116-25. PROCEDURE FOR APPROVAL.

1. A PRE-APPLICATION MEETING WITH THE DIRECTOR IS REQUIRED PRIOR TO SUBMISSION OF AN APPLICATION FOR A PIRD.
2. A PIRD SHALL BE ESTABLISHED BY A ZONING MAP AMENDMENT ADOPTED PURSUANT TO SECTION 317.

SECTION 116-26. MAYOR AND COMMISSIONERS AUTHORITY

1. REVIEW AUTHORITY. AS A CONDITION FOR APPROVAL OF AN APPLICATION, THE MAYOR AND COMMISSIONERS MAY:
 - A. MODIFY, AMEND, OR RECONFIGURE THE BOUNDARIES OF A PROPOSED

PIRD;

- B. IMPOSE MODIFIED, AMENDED, OR DIFFERENT CONDITIONS, REQUIREMENTS, OR LIMITATIONS TO INCLUDE HEIGHT, BULK, LOCATION OF STRUCTURES AND EXISTING AND NEW USES, ARCHITECTURAL APPEARANCE, OPEN SPACE, REQUIRED PUBLIC FACILITIES, LANDSCAPING, PARKING, TIMING AND PHASING OF THE DEVELOPMENT, USE AND OTHER PROVISIONS (COLLECTIVELY REFERRED TO AS "AMENDMENTS") OF A PROPOSED GENERAL DEVELOPMENT PLAN;
 - C. APPROVE A GENERAL DEVELOPMENT PLAN THAT AMENDS OR CHANGES EXISTING STANDARDS OF THE UNDERLYING ZONE;
 - D. APPROVE A GENERAL DEVELOPMENT PLAN FOR A PARTICULAR PIRD THAT DIFFERS FROM GENERAL DEVELOPMENT PLANS IN OTHER PIRDS; AND
 - E. IMPOSE ADDITIONAL REQUIREMENTS, CONDITIONS, AND SAFEGUARDS AS REASONABLY REQUIRED TO ACHIEVE THE PUBLIC PURPOSES FOR THE PIRD OR TO PROMOTE PUBLIC HEALTH, SAFETY, OR WELFARE.
2. APPLICANT CONSENT. AMENDMENTS TO A PROPOSED PIRD OR TO A PROPOSED GENERAL DEVELOPMENT PLAN SHALL NOT BE EFFECTIVE WITHOUT THE WRITTEN CONSENT OF THE APPLICANT, WHICH SHALL BE FILED IN AND MADE PART OF THE RECORD OF THE PROCEEDINGS.
3. APPROVAL AUTHORITY.
- A. THE MAYOR AND COMMISSIONERS MAY ESTABLISH A PIRD AND APPROVE A PROPOSED GENERAL DEVELOPMENT PLAN ONLY IF THE MAYOR AND COMMISSIONERS DETERMINES THAT THE STANDARDS AND REQUIREMENTS IN THIS SECTION HAVE BEEN MET. THE MAYOR AND COMMISSIONERS' DECISION SHALL INCLUDE WRITTEN FINDINGS OF FACT AND CONCLUSIONS OF LAW.
 - B. THERE IS NO PRESUMPTION THAT A PROPOSED PIRD OR GENERAL DEVELOPMENT PLAN MEETS THE STANDARDS IN THIS SECTION, OR THAT GRANTING ANY APPLICATION WILL BE CONSISTENT WITH THE COMPREHENSIVE PLAN. COMPLIANCE WITH ALL STANDARDS AND REQUIREMENTS OF THIS SECTION PERMITS, BUT DOES NOT REQUIRE, THE MAYOR AND COMMISSIONERS TO ESTABLISH A PIRD OR APPROVE A PROPOSED GENERAL DEVELOPMENT PLAN.

SECTION 116-27. SITE PLAN APPROVAL.

AFTER APPROVAL OF A PIRD AND GENERAL DEVELOPMENT PLAN, THE APPLICANT SHALL APPLY TO THE PLANNING OFFICE FOR SITE PLAN APPROVAL IN ACCORDANCE WITH SECTION 34 TO IMPLEMENT THE GENERAL DEVELOPMENT PLAN. THE SITE PLAN APPROVAL SHALL BE BASED UPON, CONSISTENT WITH, AND SHALL IMPLEMENT THE APPROVED GENERAL DEVELOPMENT PLAN.

SECTION 116-28. IMPLEMENTATION OF APPROVED GENERAL DEVELOPMENT PLAN.

CONSTRUCTION OF IMPROVEMENTS OR IMPLEMENTATION OF USES AUTHORIZED BY A FINAL GENERAL DEVELOPMENT PLAN SHALL COMMENCE WITHIN TWO (2) YEARS OF SITE PLAN APPROVAL. IF CONSTRUCTION OR IMPLEMENTATION DOES NOT COMMENCE WITHIN TWO (2) YEARS FOLLOWING FINAL SITE PLAN APPROVAL, THE PIRD SHALL LAPSE AND THE ZONING OF THE PROPERTY SHALL REVERT TO THE FORMER BASE ZONING UNLESS THE APPLICANT REQUESTS A TIME EXTENSION FOR GOOD CAUSE SHOWN AND THE MAYOR AND COMMISSIONERS GRANT THE REQUEST.

SECTION 116-29. AMENDMENTS.

AN APPROVED GENERAL DEVELOPMENT PLAN AND AN APPROVED SITE PLAN IN A PIRD MAY BE AMENDED AS SET FORTH IN THIS SECTION. PROPOSED AMENDMENTS SHALL BE SUBMITTED TO THE DIRECTOR IN WRITING IN THE SAME MANNER AND SUBJECT TO THE SAME CONDITIONS AS AN ORIGINAL APPLICATION. APPLICATIONS FOR AMENDMENTS UNDER THIS PARAGRAPH SHALL BE SIGNED BY ALL PROPERTY OWNERS IN THE PIRD.

1. CONSIDERATION OF PROPOSED AMENDMENTS TO THE BOUNDARIES OF AN APPROVED PIRD SHALL FOLLOW THE SAME PROCESS SET FORTH IN THIS SECTION TO ESTABLISH NEW PIRDS.
3. PROPOSED AMENDMENTS TO AN APPROVED GENERAL DEVELOPMENT PLAN SHALL BE SUBMITTED TO THE MAYOR AND COMMISSIONERS FOR DECISION, EXCEPT THAT MINOR AMENDMENTS MAY BE APPROVED BY THE DIRECTOR AS SET FORTH BELOW.
4. ALL REQUESTS SHALL BE SUBMITTED TO THE DIRECTOR WITH ALL INFORMATION, PLATS, AND SUBMITTALS NECESSARY TO EVALUATE THE PROPOSED AMENDMENT. THE DIRECTOR SHALL REVIEW THE PROPOSED AMENDMENT TO DETERMINE IF IT CONSTITUTES A MINOR CHANGE TO THE APPROVED GENERAL DEVELOPMENT PLAN. THE PLANNING OFFICER MAY APPROVE ONLY MINOR AMENDMENTS TO FINAL GENERAL DEVELOPMENT PLANS. MINOR AMENDMENTS MAY NOT:

- A. INCREASE THE INTENSITY OF THE DEVELOPMENT (E.G. FLOOR AREA);
 - B. INCREASE RESIDENTIAL DENSITY;
 - C. INCREASE THE LOT COVERAGE BY MORE THAN 1,000 SQUARE FEET;
 - D. INCREASE AREA OF ANY BUILDING BY MORE THAN 1,000 SQUARE FEET OR 10 PERCENT OF THE GROSS FLOOR AREA, WHICHEVER IS LESS;
 - E. ADVERSELY IMPACT SURROUNDING PROPERTIES OR AFFECT SETBACKS, LANDSCAPING OR BUFFERING ALONG THE PERIMETER OF THE PIRD;
4. THE DIRECTOR, FOR JUST CAUSE, MAY REQUEST MAYOR AND COMMISSIONERS REVIEW AND APPROVAL OF MINOR AMENDMENTS.
 5. OTHER THAN MINOR AMENDMENTS, ALL OTHER PROPOSED AMENDMENTS TO AN APPROVED GENERAL DEVELOPMENT PLAN MUST BE APPROVED BY THE MAYOR AND COMMISSIONERS IN ACCORDANCE WITH THE PROCESS SET FORTH IN THIS SECTION FOR APPROVAL OF GENERAL DEVELOPMENT PLANS.
 6. CONSIDERATION OF PROPOSED AMENDMENTS TO AN APPROVED SITE PLAN IN A PIRD SHALL FOLLOW THE SAME PROCESSES SET FORTH IN THIS CHAPTER TO OBTAIN SITE PLAN APPROVAL.

SECTION 116-30. CONSTRUCTION.

EXCEPT AS MODIFIED BY THIS SECTION AND AN APPROVED GENERAL DEVELOPMENT PLAN, THE PROVISIONS OF THIS CHAPTER REMAIN IN EFFECT IN AN APPROVED PIRD. THIS SECTION SHALL NOT BE CONSTRUED OR APPLIED TO MODIFY, LIMIT, SUPERSEDE, OR REPEAL ANY OTHER CHAPTER OF THE TOWN CODE.

SECTION 116-31. APPEALS.

1. ANY PERSON WITH STANDING AGGRIEVED BY THE FLOATING ZONE RECLASSIFICATION OR APPROVAL OF A GENERAL DEVELOPMENT PLAN BY THE MAYOR AND COUNCIL MAY SEEK JUDICIAL REVIEW OF THE SAME BY THE CIRCUIT COURT FOR CECIL COUNTY, MARYLAND.
2. THE TIME FOR APPEAL SHALL BE GOVERNED BY THE MARYLAND RULES OF PROCEDURE.

SECTION 12. AND BE IT FURTHER ENACTED BY THE MAYOR AND COMMISSIONERS OF THE TOWN OF PERRYVILLE that new Sections 207 and 223 are added to the Code of the Town of Perryville, Chapter 84, Zoning Ordinance, Article XI, SUPPLEMENTARY USE REGULATIONS, to follow immediately after Sections 206 and 222, respectively, and to read as follows:

Chapter 84 – ZONING ORDINANCE

Article XI, SUPPLEMENTARY USE REGULATIONS

SECTION 207. RESTAURANT ACCESSORY USES

RESTAURANTS AS PERMITTED IN SECTION 206 MAY APPLY FOR APPROVAL AND RENEWAL OF A PERMIT FOR THE FOLLOWING ACCESSORY USES EACH YEAR:

1. SIDEWALK CAFÉ – AN OUTDOOR FOOD SERVICE AREA SITUATED ON A PUBLIC SIDEWALK, OPERATED ADJACENT TO AND IN CONJUNCTION WITH A RESTAURANT, WHERE FOOD AND BEVERAGES SOLD BY THE RESTAURANT ARE SERVED FOR PUBLIC CONSUMPTION.
 - A. AN APPLICATION FOR A SIDEWALK CAFÉ MUST INCLUDE A SCALED DRAWING DEPICTING THE SIDEWALK ABUTTING THE BUSINESS, LOCATIONS OF PROPOSED TABLES AND CHAIRS, AND UNOBSTRUCTED ACCESSIBLE PASSAGEWAYS FOR PEDESTRIANS.
 - B. A SIDEWALK CAFÉ APPROVAL SHALL SPECIFY THE AUTHORIZED LOCATION OF TABLES AND CHAIRS AND WHETHER THEY MUST BE REMOVED AT THE CLOSE OF BUSINESS EACH DAY, AND APPROVED UNOBSTRUCTED ACCESSIBLE PASSAGEWAYS FOR PEDESTRIANS.
 - C. A SIDEWALK CAFÉ SHALL BE OPERATED IN ACCORDANCE WITH ITS APPROVAL AND OTHER PROVISIONS OF THIS SECTION.
 - D. A SIDEWALK CAFÉ MAY NOT ENCROACH UPON ANY PART OF THE SIDEWALK FRONTAGE OF ADJACENT PROPERTIES, OR OF A RIGHT-OF-WAY OR ALLEY.
 - E. EACH SIDEWALK CAFÉ SHALL COMPLY WITH ALL BUILDING, HEALTH, SAFETY, FIRE, ZONING AND ENVIRONMENTAL STANDARDS AS APPLICABLE TO SUCH USES.

RESTAURANT AND A HEARING, FOR A VIOLATION OF THE PERMIT OR FOR A VIOLATION OF ANY FEDERAL OR STATE LAW OR REGULATION, AND/OR LOCAL ORDINANCE OR REGULATION, RELATED TO THE OPERATION OF THE SIDEWALK CAFÉ AND THE SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES.

M. THE ISSUANCE OF A SIDEWALK CAFÉ PERMIT AND THE INITIATION OF A SIDEWALK CAFÉ USE DOES NOT GRANT ANY VESTED RIGHT TO THE CONTINUATION OF SUCH USE IF THE TOWN ELIMINATES AUTHORIZATION FOR THE OPERATION OF SIDEWALK CAFES.

SECTION 223. TATTOO SERVICES

TATTOO SERVICES AS A BUSINESS ESTABLISHMENT IN WHICH TATTOOING IS CARRIED OUT PROFESSIONALLY AS PERMITTED IN CEMUD AND C-2 DISTRICTS, PROVIDED:

1. NO TATTOO SERVICES SHALL BE LOCATED NEARER THAN 1,000 FEET TO ANOTHER ENTITY PROVIDING SIMILAR SERVICE.
2. BUSINESS ENTITY MUST BE REGISTERED WITH THE STATE OF MARYLAND AND PROVIDE PROOF OF GOOD STANDING FOR TOWN FILE.
3. ALL PERSONNEL MUST ADHERE TO RULES SET BY THE OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA) AND CENTERS FOR DISEASE CONTROL & PREVENTION (CDC).
4. OPERATIONS SHALL BE IN COMPLIANCE WITH ALL APPLICABLE LAWS, REGULATIONS, AND ORDINANCES OF LOCAL AND COUNTY GOVERNMENTS AND THE STATE OF MARYLAND.
5. ROUTINE INSPECTIONS FOR COMPLIANCE TO HYGIENE AND SAFETY STANDARDS SHALL BE COMPLETED AS REQUIRED BY THE LOCAL HEALTH DEPARTMENT AND COPY OF REPORTS PROVIDED TO THE TOWN.

SECTION 13. AND BE IT FURTHER ENACTED BY THE MAYOR AND COMMISSIONERS OF THE TOWN OF PERRYVILLE that this Ordinance shall become effective at the expiration of twenty (20) days following approval by the Mayor and Commissioners.

ADOPTED this 3rd day of January, 2017.

SEAL:

**MAYOR AND COMMISSIONERS OF
THE TOWN OF PERRYVILLE**

By: James L. Eberhardt
James L. Eberhardt, Mayor

ATTEST:

Jackie Sample
Jackie Sample, Town Clerk

Date: January 4, 2017

**Zoning Ordinance
Chapter 84 of the Code of Perryville**

	A	B	C	D	E	F	G	H	I	J	K	L	M
1	Section 161. Table of Permitted Uses NOTE: Supplementary use information.												
2	Legend: P = Permitted, PC = Permitted with Conditions, SE = Special Exception, SC = Special Exception with Conditions												
3	USES DESCRIPTION	R-1	R-2	R-3	TC	RM	CEMUD	CM-1	CM-2	NB	C-2	L-1	L-2
4	RESIDENTIAL												
5	1.100 Single-Family Residences												
6	1.110 Single-family detached	P	P	P	P	P	P						
7	1.111 Site-built and modular residential structures	P	P	P	P	P	PC						
8	1.112 Manufactured Home, Double-wide (see Article IX, Part III)										SC	SC	SC
9	1.113 Manufactured Home, Single-wide (see Article IX, Part III)											SC	SC
10	1.200 Two-Family Residence, Duplex		P	P	SC		P						
11	1.300 Multi-Family Residences						P						
12	1.310 Multi-family townhouses			PC	SC	SC	PC						
13	1.320 Multi-family apartments		SC	PC	SC	PC	PC						
14	1.330 Commercial apartments				SC	SC	PC			PC	((PC))P		
15	1.400 Homes emphasizing special services, treatment, or supervision												
16	1.410 Assisted Living, Group homes, Halfway House private:												
17	1.411 not more than 10 people (Section 168)	SC	SC	SC	SC								
18	1.412 with between 11 and 16 people										SC		
19	1.420 Child and elderly center												
20	1.421 Day care home (having fewer than 7 clients)	PC	PC	PC	PC					PC	PC		
21	1.422 Day care center, day nursery (having between 7 and 16 clients)										SC	PC	
22	1.423 Day care center, day nursery (having between 16 and 30 clients)										SC	PC	
23	1.430 Housing for the elderly or handicapped (Section 195)						PC				SC		
24	1.440 Homeless Shelter										SC		
25	1.500 Miscellaneous rooms for rent situations												

**Zoning Ordinance
Chapter 84 of the Code of Perryville**

	A	B	C	D	E	F	G	H	I	J	K	L	M
3	USES DESCRIPTION	R-1	R-2	R-3	TC	RM	CEMUD	CM-1	CM-2	NB	C-2	L-1	L-2
26	1.510 Bed and breakfast and country inns (Section 174)		SC	SC	SC	SC							
27	1.520 Hotels, motels, convention centers, and similar businesses or institutions providing overnight accommodations (Section 194)				SC			SC	SC		PC		
28	1.600 Home-Based Business (Section 192)												
29	1.610 Type 1 Home-Based Business	P	P	P	P	P	PC			P			
30	1.611 Type 2 Home-Based Business	SC	SC	SC	P	SC				P			
31	2.000 COMMERCIAL, OFFICE AND SERVICE												
32	2.100 No storage or display of goods outside fully enclosed building												
33	2.101 Food stores						P			PC	P		
34	2.102 Professional Offices				PC		P			PC	P	P	P
35	2.103 Bakeries (Section 216)				PC		P			PC	P		
36	2.104 Dry-cleaning and pressing pickup stations or shops						P			PC	P		
37	2.110 Retail sale						P						
38	2.111 High-volume traffic generation										P		
39	2.111.1 Automobile parts, supplies, and tire stores; drug stores, and food and beverage, super market						P				P		
40	2.111.2 Convenience stores,						P			SC	P		
41	2.111.3 Department stores						P				P		
42	2.111.4 Shopping center (Section 212)						P				((SE)) P		
43	2.112 Low-volume traffic generation (appliance stores, book store, furniture store, gift shops, hardware stores, jewelry shops, wearing apparel, photographic art supply stores, florists, grocery)				PC	SC	P						
44	2.112.1 Antique Shops (Section 166)				PC	SC	P			PC	P		
45	2.112.2 Pet Shops (Section 202)				SC		P			PC	P		
46	2.113 Highway Corridor Unified Development (Section 222)										SE		
47	2.120 Business services, including computer repair, copying, and postal services				P	SC	P			PC	PC	PC	PC

**Zoning Ordinance
Chapter 84 of the Code of Perryville**

	A	B	C	D	E	F	G	H	I	J	K	L	M
3	USES DESCRIPTION	R-1	R-2	R-3	TC	RM	CEMUD	CM-1	CM-2	NB	C-2	L-1	L-2
48	2.130 Retail Establishments in a Group of Multiple-family Dwellings (Section 209)			SC			P			PC	PC		
49	2.140 Retail Establishments in an Office Building (Section 210)				PC		P				PC		
50	2.200 Storage and display of goods outside fully enclosed building						PC				PC		
51	2.210 High-volume traffic generation (building material and supply, boat sales, farm implements storage and sales, feed and grain storage and sales, heavy equipment sales and service)												
52	2.200 Low-volume traffic generation										PC		
53	2.230 Wholesale sales										P	PC	PC
54	2.300 All operations conducted entirely within fully enclosed building										PC		
55	2.310 Operations designed to attract and serve customers or clients on the premises										PC		
56	2.311 The offices of attorneys, architects, engineers, other similar professions, insurance and stock brokers, travel agents, government office buildings, etc	PC	PC	PC	PC		P				P	PC	PC
57	2.312 Banks and financial institutions, barber and beauty shops, dry cleaning/laundry, laundromats, personal services				PC		P			PC	P		
58	2.313 Drive-in banks (Section 181)				SC		PC			PC	PC	PC	PC
59	2.314 Shops for the sale, service or repair of home appliances, office machines, electrical equipment and television and radio equipment				PC		P			PC	P		
60	2.315 Tattoo Services (Section 236)						PC				PC		
61	2.320 Operations designed to attract little or no customer or client traffic other than employees of the entity operating the principal use.										P		
62	2.330 Office or clinics of physicians or dentists with not more than 10,000 square feet of gross floor area				PC					PC	PC		
63	2.340 Operations conducted within and/or outside fully enclosed building												
64	2.341 Operations designed to attract and serve customers or clients on the premises (plumbing, mechanical contractors)										PC	PC	PC

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	USES DESCRIPTION	R-1	R-2	R-3	TC	RM	CEMUD	CM-1	CM-2	NB	C-2	L-1	L-2
3													
65	2.241.1 Car washes and automobile laundries (Section 176)										SC		
66	2.342 Operations designed to attract little or no customer or client traffic other than the employees of the entity operating the principal use (furniture repair shops, sign painting)				PC					PC			
67	2.350 Wholesale sales												
68	2.351 Wholesale sales, with no outside storage										P	P	PC
69	2.352 Wholesale sales, with outside storage										P	P	PC
70	2.400 Animal Services												
71	2.410 Animal Boarding Places, Veterinary Hospitals, Veterinary office/clinic (Section 164)						PC				SC	PC	PC
72	2.500 Automotive Services												
73	2.510 Motor vehicle sales or rental										PC		
74	2.511 Automobile, trailer and truck sales, service and repair, and emission testing, not including body work (Section 173)										SC	SC	SC
75	2.520 Motor vehicle fuel sales - Automobile Filling Station (Section 169)						PC				((SC))P	((SC))P	((SC))P
76	2.530 Neighborhood Motor Vehicle Service Station or Garage (Section 200)						PC				SC	SC	SC
77	2.540 Automobile Painting and Body Work (Section 171)										SC	SC	SC
78	2.550 Car washes and Automobile Laundries (Section 176)						P				SC		
79	2.600 Restaurants and Other Establishments												
80	2.610 Restaurant, standard (Section 206)				PC	((SC))PC	P	P	P	PC	P		
81	2.620 Restaurant, fast food, drive-in, drive thru (Section 182)						PC				((SC))P		
82	2.630 ((Drinking Places)) Service of Alcoholic Beverages, e.g., Pubs, Bars, dance halls, nightclubs, cocktail lounges (Section 208)				SC	SC	PC	SC	SC	SC	PC		
83	2.700 Health Club, spa (Section 197)				P		P				((SC))P		
84	2.800 Funeral Parlors, Undertaking Establishments, and Mortuaries												
85	2.810 Funeral Parlors, Undertaking Establishments, and Mortuaries (Section 2.820 Cemetery)	SE	SE	SE							PC		
86											SC		

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		R-1	R-2	R-3	TC	RM	CEMUD	CM-1	CM-2	NB	C-2	L-1	L-2	
87	2.821 Cemeteries, crematorium										P		PC	
88	2.900 Open Air Markets						P							
89	2.910 Open-air markets (farm and craft markets, flea markets, produce markets non-municipal)						P				P			
90	2.920 Greenhouses and horticultural sales with outdoor display (Sec 189)									SC	PC	PC	PC	
91	2.930 Roadside stand for products raised on the premises										P			
92	4.000 EDUCATIONAL, CULTURAL, RELIGIOUS, PHILANTHROPIC, SOCIAL, FRATERNAL USES													
93	4.100 Schools													
94	4.110 Elementary and secondary (including pre-school, kindergarten, associated grounds and athletic and other facilities)													
95	4.111 Public	SC	SC	SC	SC					P	P			
96	4.112 Private (Section 185)	SC	SC	SC	SC					P	P			
97	4.120 Trade or vocational schools	SE	SE	SE	SC					P	P	PC	PC	
98	4.130 Colleges, universities, community colleges (including associated facilities such as dormitories, office buildings, athletic fields, etc.)	SE	SE	SE							P			
99	4.200 Churches, synagogues, and temples (including associated residential structures for religious personnel and associated buildings but not including elementary or secondary school buildings)	SE	SE	SE	SE	SE	P			SE	SE			
100	4.300 Social, Fraternal Clubs and Lodges, Philanthropic Institutions				SE		P			SE	SE			
101	4.400 Nursery Schools; Day Care Centers with More than 30 Children (180)				PC		P			SC	P			
102	4.500 Libraries, museums, art galleries, art centers, and similar uses (including associated educational and instructional activities)		SE	SE	SE	SE	P			SC	SE			
103	4.600 Art or cultural center (Section 167)				((SE))P	((SE))PC	P				((SE))P			
104	5.000 RECREATIONS, AMUSEMENT, ENTERTAINMENT													
105	5.100 Activity conducted entirely within building or substantial structure													

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3	USES DESCRIPTION	R-1	R-2	R-3	TC	RM	CEMUD	CM-1	CM-2	NB	C-2	L-1	L-2
106	5.110 Bowling alleys, skating rinks, indoor tennis and squash courts, billiard and pool halls, rifle and pistol ranges, indoor athletic and exercise facilities and similar uses						P				P		
107	5.120 Movie theaters						P				P		
108	5.121 Open-air drive-in theaters (Section 216)						P				P		
109	5.122 Gaming Establishments (Section 188.1)						PC						
110	5.200 Activity conducted primarily outside enclosed buildings or structures						PC						
111	5.210 Privately owned outdoor recreational facilities such as golf and country clubs, swimming or tennis clubs, etc., not constructed pursuant to a permit authorizing the construction of some residential development (Section 190)	SC	SC	SC	SC								
112	5.220 Publicly owned and operated outdoor recreational facilities such as athletic fields, golf courses, tennis courts, swimming pools, parks, etc., not constructed pursuant to a permit authorizing the construction of another use such as a school										SC		
113	5.230 Golf Driving Range (Section 191)						PC				SC		
114	5.300 Swimming Pool, Community	SC	SC	SC	SC	SC					SC		
115	5.400 Swimming Pool, Commercial						P				SC		
116	5.500 Campgrounds and Recreational Vehicle Parks (Section 175)										SC		
117	6.000 INSTITUTIONAL RESIDENCE OR CARE OR CONFINEMENT FACILITIES												
118	6.100 Hospitals, clinics, other medical (including mental health) treatment facilities in excess of 10,000 square feet of floor area				SC					SC	PC		
119	6.200 Nursing care home, institutions, intermediate care institutions, handicapped or infirm institutions, child care institutions										SC		
120	6.300 Animal Hospital, veterinary clinic						PC				SC	PC	PC
121	6.400 Institutions (other than halfway houses)										SE		
122	6.410 Halfway houses, other than criminal offenders										SE		

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	USES DESCRIPTION	R-1	R-2	R-3	TC	RM	CEMUD	CM-1	CM-2	NB	C-2	L-1	L-2
3													
123	6.420 Halfway houses, including criminal offenders										SE		
124	7.000 EMERGENCY SERVICES												
125	7.100 Police Stations	P	P	P	P	P		P	P	P	P	P	P
126	7.200 Fire Stations	P	P	P	P	P		P	P	P	P	P	P
127	7.300 Rescue squad, ambulance service	P	P	P	P	P		P	P	P	P	P	P
128	7.400 Civil defense operation	P	P	P	P	P		P	P	P	P	P	P
129	8.000 MISCELLANEOUS PUBLIC AND SEMI-PUBLIC FACILITIES												
130	8.100 Post office, local				PC	PC		PC	PC	PC	PC	PC	
131	8.200 Recycling Centers					P		P	P	P	P	PC	PC
132	8.300 Rail Station				P	P		P	P	P			
133	8.400 Bus terminals										SC		
134	8.500 Heliports and helistops											SC	SC
135	9.000 MARINA, INCLUDING BOAT SALES AND REPAIR AND BOAT RENTAL												
136	9.100 Marina, Yacht Club (Section 196)					SC		SC	SC				
137	9.200 Docks, piers, bulkheads and other over water structures, except private over-water piers and boathouses accessory to a dwelling					SE		P	P				
138	9.210 High and Dry Storage, Dry-Stack Storage					SC		SC	SE				
139	9.300 Manufactur-ing of Marine-related Products							SE	SE				
140	9.400 Private piers and over-water boat houses accessory to a dwelling												
141	9.410 Private piers, less than six (6) feet in width	P	P	P	P	P		P	P				
142	9.420 Private piers, greater than six (6) feet in width and over-water boat houses	SE	SE	SE	SE	SE		SE	SE				
143	9.500 Marina related service and repair							P	P				
144	9.600 Boat sales and storage, but not including high and dry or dry-stack storage							P	P		P		

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	USES DESCRIPTION	R-1	R-2	R-3	TC	RM	CEMUD	CM-1	CM-2	NB	C-2	L-1	L-2
145	9.700 Fuel Sales					P		P	P				
146	10.000 UTILITY FACILITIES, TOWERS AND RELATED												
147	10.100 Public Utilities	P	P	P	P	P		P	P	P	P	P	P
148	10.110 Neighborhood Service	P	P	P	P	P		P	P	P	P	P	P
149	10.120 Water or sewerage treatment facilities				P	P		P	P	P	P	P	P
150	10.130 Public utility buildings and structures (Section 203)	PC	PC	PC	PC	PC		PC	PC	PC	PC	PC	PC
151	10.200 Towers and Related Structures											P	P
152	10.210 Television antennas 50 feet tall or less	P	P	P	P	P		P	P	P	P	P	P
153	10.220 Towers and antennas more than 50 ft tall and associated sub-stations	SC	SC	SC	SC	SC		SC	SC	SC	SC	SC	SC
154	10.230 Satellite dishes or receive-only earth station (Section 211)											PC	PC
155	10.231 Diameter eighteen (18) inches or less	PC	PC	PC	PC	PC		PC	PC	PC	PC	PC	PC
156	10.231 Diameter greater than eighteen (18) inches	SC	SC	SC	SC	SC		PC	PC	SC	SC	PC	PC
157	11.000 MISCELLANEOUS USES												
158	11.100 Temporary structures used in connection with the construction of a permanent building and real estate sales office (time limit and with permit) - construction trailers, temporary storage trailers and temporary sale office	SC	SC	SC	SC	SC		SC	SC	SC	SC	SC	SC
159	11.200 Festivals, events of public interest of special events	PC	PC	PC	PC	PC		PC	PC		PC		
160	11.300 Christmas tree sales				PC						P		
161	11.400 Nurseries (Section 189)	SC	SC	SC							P	PC	PC
162	11.500 Dwellings for resident watchmen and caretakers employed on the premises					SE		P	P			PC	PC
163	11.600 Accessory Use, Utility Buildings	PC	PC	PC	PC	PC						PC	PC
164	11.700 Excavation, Borrow Pits, Extraction, Removal of Sand, Gravel or Stone, Stripping of Topsoil (Section 186)												SC
165	12.00 STORAGE AND PARKING												

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	USES DESCRIPTION	R-1	R-2	R-3	TC	RM	CEMUD	CM-1	CM-2	NB	C-2	L-1	L-2
166	12.100 Automobile parking garages or parking lots not located on a lot on which there is another principal use to which parking is related						P				P	P	P
167	12.200 Storage of goods not related to sale or use of those goods on the same lot where they are stored						P						
168	12.210 All storage within completely enclosed structure										P	P	P
169	12.220 Storage inside or outside completely enclosed structures											P	P
170	12.300 Mini-warehouses (Section 199)										SC		SC
171	12.400 Parking of vehicles or storage of equipment outside enclosed structures where: (a) vehicles or equipment are owned and used by person making use of the lot, and (b) parking or storage is more than a minor and incidental part of the overall use made of the lot. Parking or storage of waste removal vehicles and equipment is not included											P	P
172	12.500 Automobile and Light Truck Storage Lots										PC		PC
173	12.600 Cargo Trailers and Closed-Body Trucks Used As Storage Structures, Temporary										SC	PC	PC
174	13.00 INDUSTRIAL												
175	13.100 General light manufacturing or fabricating including processing, cleaning testing and distribution of materials, food stuffs and products, related uses, and uses with similar impacts including, but not necessarily limited to, the following:											PC	PC
176	13.101 Auditorium or lecture hall and recreation facilities primarily for employees in the district											PC	PC
177	13.102 Beverage blending or bottling, bakery products, candy manufacture, dairy products and ice cream, fruit and vegetable processing and canning, packing and processing of fish, meat and poultry products, but not distilling of beverages or slaughtering of poultry or animals, or processing or bulk storage of grain or feeds for animals or poultry.											PC	PC
178	13.103 Compounding of cosmetics, toiletries, drugs and pharmaceutical products											PC	PC
179	13.104 Contractor's shop and storage											PC	PC

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		R-1	R-2	R-3	TC	RM	CEMUD	CM-1	CM-2	NB	C-2	L-1	L-2
3	USES DESCRIPTION												
180	13.105 Laboratories, research, experimental or testing, but not testing combustion engines or explosives											SC	
181	13.106 Manufacture or assembly of boats, bolts, nuts, screws and rivets, ornamental iron products, firearms, electrical appliances, tools, dies, machinery and hardwood products, sheet-metal products and vitreous enameled metal products.											PC	PC
182	13.107 Manufacture or assembly of medical and dental equipment, drafting, optical and musical instruments, watches, clocks, toys, games and electrical or electronic apparatus.											PC	PC
183	13.108 Manufacture of rugs, mattresses, pillows, quilts, millinery, hosiery, clothing and fabrics, printing and finishing of textiles and fibers into fabric goods.											PC	PC
184	13.109 Manufacture of boxes, furniture, cabinets, baskets and other wood products of similar nature.											PC	PC
185	13.110 Motion-picture studios											PC	PC
186	13.111 Oil storage depot											PC	PC
187	13.112 Photographic processing or blueprinting											PC	PC
188	13.113 Printing and publishing											PC	PC
189	13.114 Railroad spur tracks.											PC	PC
190	13.115 Wholesale merchandising or storage warehouses, with floor area devoted to warehousing and handling of merchandise											PC	PC

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	USES DESCRIPTION	R-1	R-2	R-3	TC	RM	CEMUD	CM-1	CM-2	NB	C-2	L-1	L-2
191	13.200 General light industrial, warehousing and storage uses, including certain open or enclosed storage of products, materials and vehicles and any similar uses which are not likely to create any more offensive noise, vibration, dust, heat, smoke, odor, glare or other objectionable influences than the minimum amount normally resulting from other uses listed, such listed uses being generally wholesale establishments, service industries and light industries that manufacture, process, store and distribute goods and materials and are, in general, dependent on raw materials refined elsewhere, and manufacture, compounding, processing, packaging or treat-ment, as specified, of the following products or similar products:											PC	PC
192	13.201 Aircraft and aircraft parts												PC
193	13.202 Aluminum extrusion, rolling, fabrication and forming												PC
194	13.203 Animal pounds												PC
195	13.204 Assembly of trailers and truck bodies												PC
196	13.205 Bedding (mattress, pillow and quilt)												PC
197	13.206 Beverage blending or bottling, but not distilling, bakery products, candy manufacture, dairy products and ice cream, fruit and vegetable processing and canning, packing and processing of fish, meat and poultry products, but not distilling of beverages or slaughtering of poultry or animals, or processing or bulk storage of grain or feeds for animals or poultry.												
198	13.207 Blacksmith shops, including gas- and steam-fitting shops												PC
199	13.208 Boat manufacture and repair, boat sales, service, storage or rentals							P	P			PC	PC
200	13.209 Button manufacture												PC
201	13.210 Carbon paper and inked-ribbon manufacture												PC
202	13.211 Carpets, rugs and mats, including cleaning												PC
203	13.212 Cigar and cigarette manufacture												PC
204	13.213 Coal and coke storage and sales												PC
205	13.214 Commercial animal, poultry and bird raising												PC

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	USES DESCRIPTION	R-1	R-2	R-3	TC	RM	CEMUD	CM-1	CM-2	NB	C-2	L-1	L-2
206	13.215 Reserved												PC
207	13.216 Cosmetics, toiletries and perfumes (compounding only)												PC
208	13.217 Dairy operations and dairy products, ice cream and cheese												PC
209	13.218 Electrolytic process plating												PC
210	13.219 Equipment rental												PC
211	13.220 Experimental research laboratories, but not including combustion engine testing												PC
212	13.221 Exterminating establishments												PC
213	13.222 Fertilizer storage in bags or bulk storage of liquid or dry fertilizer in tanks or in a completely enclosed building, but not manufacture or processing												PC
214	13.223 Fireplace logs												PC
215	13.224 Food products manufacture, processing and packaging of such products as candy, chewing gum, cocoa products, coffee, tea and spices, macaroni and noodles												PC
216	13.225 Foundry products manufacture (electrical only)												PC
217	13.226 Fruit and vegetable processing, including canning, preserv-ing, drying and freezing												PC
218	13.227 Freight truck and transfer terminals												PC
219	13.228 Furniture (wood, reed, rattan, metal and plastic)												PC
220	13.229 Grain blending and packaging, but not milling												PC
221	13.230 Heating, ventilating, cooking and refrigeration supplies and appliances												PC
222	13.231 Ice manufacture, including dry ice												PC
223	13.232 Industrial vocational training schools, including internal--combustion engines												PC
224	13.233 Ink manufacturing (mixing only)												PC

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3	USES DESCRIPTION	R-1	R-2	R-3	TC	RM	CEMUD	CM-1	CM-2	NB	C-2	L-1	L-2
225	13.234 Insecticides, fungicides, disinfectants and related industrial and household chemical elements (blending only)												PC
226	13.235 Kennels, boarding or otherwise												PC
227	13.236 Knitting, weaving, printing, finishing of textiles and fibers into fabric goods or clothing, hats or hosiery												PC
228	13.237 Livery stables and riding academies												PC
229	13.238 Machinery manufacture; machine shops												PC
230	13.239 Manufacture of wood products, including baskets, boxes, crates, barrels and vendeers												PC
231	13.240 Manufacture or assembly of electrical appliances or electronic apparatus, medical, optical or drafting equip-ment, toys, games and musical instruments												PC
232	13.241 Manufacture, sale or storage of plumbing												PC
233	13.242 Manufacture, sale, storage or repair of agricultural or farm implements												PC
234	13.243 Meat products, packing and processing (not slaughtering)												PC
235	13.244 Metal products manufacture, such products as bolts, nails, staples, needles, pins, metal containers, ornamental iron fabrication, silverware and plated wire												PC
236	13.245 Oleomargarine (compounding and packing only)												PC
237	13.246 Open or enclosed building materials (cement, lime in bags or containers, sand, gravel, stone, lumber, structural or reinforcing steel, steel fabricating, pipe and the like) storage and sales, but not manufacture of steel or junk storage												PC
238	13.247 Pharmaceutical products; drugs												PC
239	13.248 Planing and millwork; lumberyards												PC
240	13.249 Poultry packing and slaughtering (wholesale)												PC

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3	USES DESCRIPTION	R-1	R-2	R-3	TC	RM	CEMUD	CM-1	CM-2	NB	C-2	L-1	L-2
241	13.250 Printing, publishing and engraving, photographic processing or blueprinting												PC
242	13.251 Processing and canning of condensed and evaporated milk												PC
243	13.252 Processing, packing or storing, except fish curing or smoking, of fish, shrimp, crabs, clams, oysters and other seafood												PC
244	13.253 Pulp goods, pressed or molded, including paper mache products												PC
245	13.254 Radiator repair, cleaning and flushing												PC
246	13.255 Radio or television broadcasting stations, studios, offices and towers												PC
247	13.256 Railroad switching yards, primarily for railroad service in the district, team tracks and spur tracks												PC
248	13.257 Repair and assembly of automobiles, trucks, buses, truck trailers, motorcycles and bicycles and transmission repair service												PC
249	13.258 Research centers											SC	PC
250	13.259 Rubber- and synthetic-treated fabrics, excluding all rubber and synthetic processing												PC
251	13.260 Sheet-metal products, duct work and containers												PC
252	13.261 Shipping containers (corrugated board, fiber or wire-bound)												PC
253	13.262 Sign fabrication and painting shops												PC
254	13.263 Soap, washing or cleaning, powder or soda (compounding only)												PC
255	13.264 Tire retreading, recapping and vulcanizing shop												PC
256	13.265 Tools, dies and hardware products; firearms												PC
257	13.266 Vitreous enameled products												PC
258	13.267 Warehouses, wholesale houses and distributors, wholesale market												PC
259	13.268 Wholesale bakery products (manufacturing permitted)												PC
260	13.269 Welding or soldering shops												PC
261	13.270 Welding or soldering shops												PC