

ORDINANCE NO. ORD-2024-~~33~~

AN ORDINANCE TO AMEND CERTAIN PROVISIONS OF THE
ZONING ORDINANCE FOR WASHINGTON COUNTY, MARYLAND
(RZ-23-001)

RECITALS

The Board of County Commissioners of Washington County, Maryland (the "Board") adopted the Zoning Ordinance for Washington County, Maryland (the "Ordinance") on January 23, 1973, and it became effective on April 2, 1973.

Planning and Zoning Staff filed an application requesting that amendments be made to the text of the Ordinance. The amendments proposed would amend certain Articles of the Ordinance to change the definition of a convenience store (also referred to as a "C-store"), to provide districts in which said use shall be permitted and provide options for tractor trailer/heavy duty truck parking facilities at these types of locations.

The Washington County Planning Commission (the "Planning Commission") held a public meeting for the purpose of taking comments on the proposed amendments, pursuant to public notice duly given.

The Board held a public hearing for the purpose of taking testimony on the proposed amendments on April 9, 2024, pursuant to notice duly given. At the conclusion of the public hearing, the Board reached a consensus to review the Ordinance once again following the implementation of suggested edits. On May 21, 2024, the Board voted by motion (4-1) to adopt these new edits.

The Board has considered the recommendations of the Planning Commission and the Planning Department staff, and the testimony and materials received at the public hearing. The Board conducted this review in a public session.

The Board believes it to be in the best interests of the citizens of Washington County for the amendments to be enacted.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, that certain provisions of the Zoning Ordinance, as amended, be further amended and restated as follows:

**ARTICLE 3. DISTRICTS ESTABLISHED; ZONING MAPS, DISTRICT BOUNDARIES;
LAND USE REGULATIONS (RURAL AREA USES)**

Section 3.3 - Table No. 3.3 - TABLE OF LAND USE REGULATIONS (RURAL AREA USES)

Land Uses	A(R)	EC	P	RV	RB	IM	Intensity of Use
P. Retail and Wholesale Trade							
Convenience Stores, as defined and conditioned in Article 28A. High-flow diesel fueling stations are permitted as part of the use but shall be limited to a maximum of three (3) fueling islands consisting of one fueling pump per island (double sided) for a maximum of six (6) individual fueling stations.	N	N	N	N	P	N	Moderate

ARTICLE 7 "RT" RESIDENTIAL, RURAL DISTRICT

Section 7A.7 Parking Requirements

Parking shall be provided or prohibited according to the requirements of Article 22, Division I, and where applicable, in compliance with Washington County's adopted Road and Street Design Standards.

~~The parking of tractor trailers, either separately or in tandem, shall be prohibited on public or private streets in this District.~~

ARTICLE 8 "RS" RESIDENTIAL, SUBURBAN DISTRICT

Section 8.7 Parking Requirements

Parking shall be provided or prohibited according to the requirements of Article 22, Division I, and where applicable, in compliance with Washington County's adopted Road and Street Design Standards.

~~The parking of tractor trailers, either separately or in tandem, shall be prohibited on public or private streets in this District.~~

ARTICLE 9 "RU" RESIDENTIAL, URBAN DISTRICT

Section 9.7 Parking Requirements

Parking shall be provided or prohibited according to the requirements of Article 22, Division I, and where applicable, in compliance with Washington County's adopted Road and Street Design Standards.

~~The parking of tractor trailers, either separately or in tandem, shall be prohibited on public or private streets in this District.~~

ARTICLE 10 "RM" RESIDENTIAL, MULTI-FAMILY DISTRICT

Section 10.7 Design Standards

(h) Parking requirements Parking shall be provided or prohibited according to the requirements of Article 22, Division I, and where applicable in compliance with Washington County's adopted Road and Street Design Standards.

~~The parking of tractor trailers, either separately or in tandem, shall be prohibited on public or private streets in this District.~~

ARTICLE 11 "BL" BUSINESS, LOCAL DISTRICT

Section 11.1 Principal Permitted Uses

(a) Local retail goods and service shops, including:

Clothing stores

Convenience Stores, as defined and conditioned in Article 28A. High-flow diesel fueling stations are permitted as part of the use but shall be limited to a maximum of three (3) fueling islands consisting of one fueling pump per island (double sided) for a maximum of six (6) individual fueling stations.

Dairy Products Stores

ARTICLE 12 "BG" BUSINESS, GENERAL DISTRICT

Section 12.1 Principal Permitted Uses

(a) Retail trades, businesses and services, including but not limited to the following and any use permitted in the BL District, subject to the use regulations specified in that district.

Conference Centers

Convenience Stores, as defined and conditioned in Article 28A. High-flow diesel fueling stations are permitted as part of the use but shall be limited to a maximum of three (3) fueling islands consisting of one fueling pump per island (double sided) for a maximum of six (6) individual fueling stations.

Department Stores

ARTICLE 19 "HI" HIGHWAY INTERCHANGE DISTRICT

Section 19.2. Principal Permitted Uses

(a) All Principal Permitted Uses allowed in the BL, BG, PB, and ORT Districts. Also permitted are all Principal Permitted Uses in the IR District except heliports and Commercial Communications Towers.

(b) Agriculture, as defined in Article 28A, including animal husbandry facilities, as defined in Article 28A, which shall be subject to the requirements set forth in Article 22, Division IX.

(c) Convenience stores, as defined and conditioned in Article 28A. Automobile fueling areas (not to include high-flow diesel fueling stations) shall not exceed a maximum of eight (8) fueling islands consisting of up to two (2) pumps per island equaling a maximum of 16 fueling pumps (double sided) or thirty-two (32) individual fueling stations. Truck fueling areas providing high-flow diesel shall not exceed a maximum of five (5) fueling islands consisting of one (1) fuel pump per island equaling a maximum of five (5) fuel pumps (double sided) or ten (10) individual fueling stations.

ARTICLE 22 SPECIAL PROVISIONS

DIVISION I OFF-STREET PARKING AND LOADING AREA REQUIREMENTS

Section 22.15 Truck Parking Requirements

- (a) Parking of tractor-trailers, either separately or in tandem, shall be prohibited on publicly owned County streets unless expressly approved as an on-street parking space for trucks.
- (b) Truck parking is permitted in association with a convenience store in accordance with the following:
 - 1. The maximum allowable number of truck parking spaces cannot exceed 3.5 spaces per 500 sq. ft. of the gross leasable area of the convenience store. Truck parking in the BL and BG districts shall be limited to a maximum of 10 parking spaces. Truck parking in the RB district shall be limited to a maximum of 5 parking spaces.
 - 2. Truck parking facilities shall maintain an independent internal circulation pattern on the site apart from normal automobile traffic. This provision does not pertain to immediate access to the property which may be shared by both truck and automobile traffic.

3. Long-term parking of trucks is prohibited in the BL, BG, and RB districts. For the purposes of this section, long-term parking shall be defined as a stay not to exceed 4 hours in a 24-hour period.

(c) Truck parking facilities that are located adjacent to any lands zoned for or containing dwellings, hospitals, nursing homes, schools, or other institutions for human care shall provide screening in accordance with Section 22.11.2(b).

ARTICLE 28A - DEFINITIONS

Convenience Store (aka C-Store): Any retail establishment offering for sale: prepackaged or pre-processed food products, household items, and other goods commonly associated with the same. Convenience stores may also include self-service auto-fuel (including gasoline, auto-diesel, flex-fuel, and other petroleum products), electric vehicle charging stations, car washes and restaurants that provide indoor and/or outdoor seating. High-flow diesel fueling stations are permitted and conditioned as part of the use as delineated in its respective zoning district. Additional amenities delineated in the definition of a truck stop installed on a property shall be deemed a truck stop and not a convenience store (see definition of Truck Stop). Convenience stores are generally characterized by a rapid turnover of customers, unlimited hours of operations and high-traffic generation and shall be limited to a maximum of 7,000 gross square feet in size.

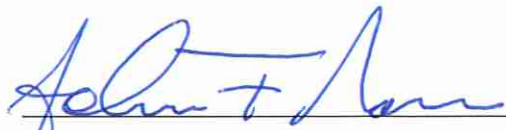
Adopted and effective this 21st day of May, 2024.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF WASHINGTON COUNTY, MARYLAND




Dawn L. Marcus, Clerk



John F. Barr, President

Approved as to legal
sufficiency:



Zachary J. Kieffer
County Attorney

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