

THE TOWN OF SYKESVILLE

ORDINANCE NO. 288

AN ORDINANCE TO AMEND, REPEAL AND ADOPT AND ENACT SECTIONS OF THE TOWN OF SYKESVILLE'S TOWN CODE AS FOLLOWS: (1) AMEND SECTION 180-3, SECTION 180-16, SECTION 180-17, SECTION 180-88, SECTION 180-89, SECTION 108-94 AND SECTION 180-95; (2) REPEAL ARTICLE XXI AND SECTIONS 180-124 THROUGH 180-133 THEREOF; AND (3) ADOPT AND ENACT A NEW ARTICLE XXII AND SECTIONS 180-134 THROUGH 180-145 ESTABLISHING THE LAND USE DESIGNATION OF A PLANNED EMPLOYMENT CENTER DISTRICT AND RELATED PROVISIONS FOR THE PURPOSE OF ADOPTING AND INCLUDING A MIXED USE ZONE TO BE KNOWN AS A PLANNED EMPLOYMENT CENTER DISTRICT IN SUBSTITUTION AND REPLACEMENT OF THE ZONING DISTRICT KNOWN AS THE EMPLOYMENT CAMPUS DISTRICT.

WHEREAS, The Town of Sykesville (the "Town") is a municipal corporation of the State of Maryland, organized and existing under the Charter adopted in 1965 contained in the Public Local Laws of Carroll County, 1976 Edition, as amended; and

WHEREAS, pursuant to Article 23A of the Annotated Code of Maryland, the Land Use Article of the Annotated Code of Maryland, and the Charter of The Town of Sykesville, the Town is empowered to provide and adopt zoning regulations affecting property within the incorporated boundaries of the Town; and

WHEREAS, the Planning Commission has recommended to the Mayor and Town Council that amendments be made to Chapter 180 of Town Code, "Zoning", for the purpose of adopting and including a mixed use zone to be known as a Planned Employment Center District in substitution and replacement of the zoning district known as the Employment Campus District; and

WHEREAS, at a public hearing held by the Mayor and Town Council on the 8th day of December 2014, testimony was heard and information was received concerning the proposed ordinance.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF SYKESVILLE:

SECTION 1.

Chapter 180, Article III, "Districts Established; District Maps; District Boundaries", Section 180-3, Subsection A is hereby amended in its entirety to read as follows:

- A. For the purpose of these regulations, the Town of Sykesville is hereby divided into districts as follows:

C	Conservation District
R-20,000	Residence District
R-10,000	Suburban Residence District
R-7,500	Urban Residence District
B-L	Local Business District
B-G	General Business District
I-R	Restricted Industrial District
PEC	Planned Employment Center District
H	Historic District

SECTION 2.

Chapter 180, Article IV, “General Provisions”, Section 180-16 is hereby amended by adding the following at the end of the first and only sentence after “except as provided in Section 180-23”:

[...] or as may be approved by the Commission in a Planned Employment Center District.

SECTION 3.

Chapter 180, Article IV, “General Provisions”, Section 180-17 is hereby amended by inserting the following at the beginning of the first sentence:

Except as may otherwise be approved by the Commission in a Planned Employment Center District, [...]

SECTION 4.

Chapter 180, Article XIV, “Special Provisions”, Section 180-88.A(2) shall be amended by revising “All B and/or I-R District uses” appearing in the first sentence thereof to read as follows:

All, B, I-R and Planned Employment Center District uses [...]

SECTION 5.

Chapter 180, Article XIV, “Special Provisions”, Section 180-88.A(4) shall be amended in its entirety to read as follows:

Notwithstanding Subsection A(2) above, the Commission may, upon application in B-L and Planned Employment Center Districts only, authorize modification, reduction or waiver should the Commission find

that adequate parking is existing or planned in the applicable B-L or Planned Employment Center District.

SECTION 6.

Chapter 180, Article XIV, "Special Provisions", Section 180-88.A(5) shall be amended by revising the reference to "Section 180-1101" appearing in the first sentence to read: "Section 180-110".

SECTION 7.

Chapter 180, Article XIV, "Special Provisions", Section 180-89.D shall be amended by revising "except the C, H, R and B-L Districts" appearing in the first sentence thereof to read as follows:

[...] except the C, H, R, B-L and Planned Employment Center Districts [...]

SECTION 8.

Chapter 180, Article XIV, "Special Provisions", Section 180-94 shall be amended by adding a Subsection C to read as follows:

C. The provisions of Section 180-94, Subsections A and B shall also apply to the subdivision of land for residential purposes in Planned Employment Center Districts.

SECTION 9.

Chapter 180, Article XIV, "Special Provisions", Section 180-95, Subsections A(9) and A(10) are hereby amended in their entirety to read as follows:

(9) All principal permitted uses in the B-L, B-G and Planned Employment Center Districts (Articles X, XI, and XXII respectively, of this Chapter), where a building permit and zoning certificate are required for improvements involving building renovation, parking or new construction.

(10) Planned Employment Center District (Article XXII of this Chapter).

SECTION 10.

Chapter 180, Article XXI, "Employment Campus District" and Sections 180-124 through 180-133 are hereby repealed in the entirety.

SECTION 11.

A new Chapter 180, Article XXII, "Planned Employment Center District" and the following Sections 180-134 through 180-145 as set forth below are hereby adopted and enacted:

Article XXII. Planned Employment Center District

§180-134. Purpose.

The purpose of the PEC – Planned Employment Center District is to provide for logical locations where high quality mixed use developments can occur in harmony with surrounding land uses (including site layouts and architecture that is aesthetically pleasing and consistent with applicable guidelines) and in support of Sykesville's goals for growing the employment base, providing housing for existing and future residents, and offering retail services that complement the existing businesses within the Town. The following objectives will help fulfill this purpose:

- A. To encourage orderly, staged development of comprehensively designed mixed use centers.
- B. To create a mixture of office, retail, recreational, hotel, institutional, light industrial and residential uses within a single structure or within multiple structures where all related structures, parking, and open spaces are designed to function as a cohesive and integrated site, while protecting the residential character of surrounding neighborhoods.
- C. To provide for an enriched and enhanced natural environment by the preservation of trees and the incorporation of stormwater management techniques which maintain the hydrologic regime of the site.
- D. To assure compatibility of the proposed land uses with the internal and surrounding uses by incorporating innovative standards of land planning and site design.
- E. Encourage harmonious and coordinated development of sites, considering the existing natural features, bicycle, pedestrian and vehicular circulation and compatibility with surrounding uses.
- F. Encourage development that is of excellent design and architecture with a mix of uses that will create a synergy of uses,

efficiency of design, and contribute to a reduction of vehicle miles traveled.

§180-135. Applicability.

PEC – Planned Employment Centers are limited to properties that are in excess of 20 acres and are within 1,320 feet from Maryland Route 32. Any portion of a proposed development application must be within 1,320 feet from Route 32; the entire development parcel does not have to meet this requirement. The following regulations and applicable regulations contained in other articles shall apply in the PEC – Planned Employment Center District.

§180-136. Principal permitted uses.

The principal permitted uses in this district shall be as follows:

A. Non Residential Uses including:

- (1) Local retail business or service uses, including:
 - (a) Alcoholic beverage sales
 - (b) Antique shops
 - (c) Arcades
 - (d) Art galleries
 - (e) Art and craft shops
 - (f) Artisans' and craft work
 - (g) Automobile parts and supply stores
 - (h) Bakery or donut shops
 - (i) Banks
 - (j) Barbershops
 - (k) Bicycle, motor scooter, moped sales and service
 - (l) Billiard and pool halls
 - (m) Bookstores, except adult bookstores
 - (n) Candy stores
 - (o) Cigar stores
 - (p) Clock shops for sale or repair
 - (q) Clothing stores
 - (r) Computer, TV, phone, and electronic equipment sales and service
 - (s) Consignment shops, except pawn shops
 - (t) Construction or sales trailers, temporary, in an approved development actively under construction
 - (u) Convenience stores, gift shops, and newsstands
 - (v) Delicatessens and snack bars

- (w) Department stores
- (x) Dry cleaning retail outlets
- (y) Flooring stores
- (z) Florist shops
- (aa) Furniture stores
- (bb) Grocery stores
- (cc) Hair and nail salons
- (dd) Hardware stores
- (ee) Hobby shops
- (ff) Ice cream shops
- (gg) Interior decorating establishments
- (hh) Jewelry stores
- (ii) Linens, bath, and curtain stores
- (jj) Locksmiths
- (kk) Luggage or leather goods stores
- (ll) Mailing and shipping services
- (mm) Office supply stores and business service establishments including signage and copying
- (nn) Opticians or optometrical establishments
- (oo) Parks, private
- (pp) Pharmacies
- (qq) Photographic stores and studios
- (rr) Picture framing establishments
- (ss) Pubs, taverns, microbreweries, and wine bars
- (tt) Rental establishments (with no on-site/outside storage)
- (uu) Restaurants
- (vv) Sporting goods stores
- (ww) Stationery stores
- (xx) Swimming pools (private) and recreational facilities (private) associated with a residential development, if located at least 50 feet from each lot line and dwelling unit
- (yy) Tanning salons
- (zz) Tattoo parlors and body piercing salons
- (aaa) Telecommuting Centers
- (bbb) Toy shops
- (ccc) Travel agencies
- (ddd) Upholstering shops, including sail making shops
- (eee) Video sales and rental establishments, excluding adult video sales and rental
- (fff) Wallpaper and paint stores

- (2) Office, research, institutional, and light industrial uses including:
 - (a) Advertising agencies
 - (b) Business, professional, and medical offices and clinics
 - (c) Computer and data processing facilities
 - (d) Engineering and scientific research or development facilities
 - (e) Government offices
 - (f) Television stations, radio broadcasting stations, and recording studios

B. Residential Uses including:

- (1) Single family
- (2) Two-family
- (3) Multifamily residential

C. Any other retail business, service establishment, office, research, institutional, light industrial, and residential use which is determined by the Board to be the same general character as the above permitted uses (Note: This determination is a ministerial act and is made by the Board meeting in public session, but does not require a public hearing or notice thereof.)

§180-137. Conditional uses.

The conditional uses requiring Board authorization in this district shall include:

A. Non Residential Uses including:

- (1) Local retail business or service uses, including:
 - (a) Appliance sales and service facilities
 - (b) Automobile gasoline and service stations
 - (c) Carwashes accessory to automobile gasoline stations
 - (d) Public and Commercial recreational facilities, including miniature golf; driving ranges; tennis, racquet, and handball barns or courts; artificial ski slopes; indoor soccer; bowling alleys; BMX bike, skateboard or roller blade parks; go-carting; skating rinks, and swimming pools.

- (e) Communication towers – except that freestanding telecommunication towers are prohibited.
 - (f) Dog grooming and dog day care facilities, without outside runs or pens
 - (g) Entertainment complexes and theatres, including multi-screen complexes but excluding adult movies/videos.
 - (h) Health clubs, spas, and gymnasiums
 - (i) Home centers and building supply stores
 - (j) Meat, seafood, and poultry markets
 - (k) Nightclubs and comedy clubs
 - (l) Pet shops
 - (m) Produce markets
- (2) Office, research, institutional, and light industrial uses including:
- (a) Adult day care centers
 - (b) Assisted living facilities
 - (c) Auditoriums
 - (d) Banquet halls
 - (e) Catering establishments
 - (f) Child care centers
 - (g) Civic facilities, community centers, libraries, museums
 - (h) Community meeting halls
 - (i) Country clubs, private clubs, service, nonprofit, and charitable or philanthropic organizations, social clubs, and fraternal organizations
 - (j) Funeral establishments
 - (k) Golf courses
 - (l) Hospice facilities
 - (m) Hospitals
 - (n) Hotels and motels
 - (o) Nursing homes and congregate care facilities
 - (p) Religious facilities
 - (q) Schools, public charter, and schools, private: academic, arts, business, technical, or trade, public or private colleges and universities
 - (r) Staging areas for County capital projects
 - (s) Veterinary clinics, if over-night stays are limited to those necessary for medical treatment, without outside runs or pens

B. Any other retail business, service establishment, office, research, institutional, and light industrial use which is determined by the Board to be the same general character as the above conditional uses. Any conditional use proposed must be reviewed by the Planning Commission before submission to the Board. The Planning Commission will make a recommendation to the Board. In deciding such matters, the Board shall give consideration, among other things, to the following:

- (1) The number of people residing or working in the immediate area concerned.
- (2) The orderly growth of Sykesville.
- (3) Traffic conditions and facilities.
- (4) The effect of such use upon the peaceful enjoyment of people in their homes.
- (5) The conservation of property values.
- (6) The effect of odors, dust, gas, smoke, fumes, vibrations, glare and noise upon the use of surrounding properties.
- (7) The most appropriate use of land and structure.
- (8) Decisions of the courts.
- (9) The purpose of these regulations as set forth herein.
- (10) Type and kind of structures in the vicinity where public gatherings may be held, such as schools, churches, and the like.

§180-138. Accessory uses.

The accessory uses allowed in this district shall be those uses and structures customarily accessory and incidental to any permitted principal use or authorized conditional use. Accessory uses shall be screened from public view by walls, fencing, landscaping, or a combination of the three.

§180-139. Required percentage of land uses.

A. The following percentages of land uses shall be provided in a PEC – Planned Employment Center development proposal:

Office/research/institutional/hotel/light industrial: 20 – 55%
Retail/services: 10 – 20%
Residential: 10 – 35%
Open Space: no less than 25%

B. Building square footages shall be used to determine the land use percentages within mixed use buildings. For example, if a mixed

use building is on a two acre parcel within the development and 25% of the building is devoted to non-residential uses and 75% is devoted to residential uses, then 25% of the parcel area (1/2 acre) shall be considered non-residential and 75% (1 and 1/2 acre) shall be considered residential.

- (1) For the purposes of this calculation, the percentage for each land use shall be based on the total (or gross) development parcel size.
 - (2) Any land that was previously part of the original development parcel that was subdivided and dedicated to the Town of Sykesville can be included in the total development parcel size for determining both percentage of land use and Open Space requirements (i.e., Warfield Park Parcel, and internal public roads).
- C. Recreational space shall be provided within, or adjacent to, any proposed residential development. Twenty percent (20%) of the required open space shall be devoted to recreational space. Recreational space is defined as good buildable land with no wetlands, floodplains, forest conservation, slopes in excess of five percent (5%) grade (once graded), or any other environmental or physical encumbrances. Physical improvements within the required recreational space (such as a community center, play equipment, etc.) can reduce the total required area below twenty percent (20%) at the Commission's discretion.

§180-140. Densities, and floor area ratios.

- A. The maximum non-residential floor area ratio shall be 0.15 based on the total development parcel. Floor area ratio shall be measured in square footage. The maximum residential density shall be two homes per acre based on the total development parcel. Residential density shall be measured in units per acre. For mixed use buildings (i.e. residential over retail) the non-residential shall be considered square feet and deducted from the total permissible non-residential square feet and the residential shall be dwelling units and deducted from the total permissible residential density.
- B. No density bonuses from any other section of the Sykesville Zoning Code shall be permitted in the PEC – Planned Employment Center.

§180-141. Maximum height.

The maximum building height shall be 6 stories.

§180-142. Bulk regulations (lot area, lot width, and yard requirements).

The bulk regulations for a PEC – Planned Employment Center shall follow traditional neighborhood design principles where buildings are close to streets and necessary services such as parking areas, trash containers, alleys, loading areas, etc. are hidden, in as much as possible, from public view. During the Concept Plan phase of the development approval process, the applicant shall provide the Commission with a list of building setback requirements from public streets, other structures within the development, and the property boundaries. Once approved by the Commission, these bulk requirements shall be included in the Pattern Book and govern development of the PEC – Planned Employment Center.

§180-143. Pattern Book.

- A. As part of the Preliminary Plan phase of the development approval process, the applicant shall provide the Commission with a Pattern Book that will address site planning, architectural, landscape architectural, and signage requirements for the proposed development. Once approved by the Commission, the Pattern Book shall govern development of the PEC – Planned Employment Center. If guidelines exist for the proposed development, such as the “Warfield Commercial Center: Design Guidelines and Standards for Signs and Energy Efficiency”, then the applicant will follow them, or propose changes to account for changes in the land use, technology, or design approach. The Pattern Book shall be prepared by a licensed professional Landscape Architect, Architect, or Engineer.
- B. The Pattern Book shall include, at a minimum, the following sections:
 - (1) Introduction.
 - (a) Description of the overall development.
 - (b) Market analysis for the proposed uses.
 - (c) Relationship between the proposed development and the existing Town.

- (2) Site Planning Principles.
 - (a) Relationship of uses within the development.
 - (b) Focal points of the development and how they have been maximized.
 - (c) Vehicular and pedestrian connectivity within the development and to the Town.
 - (d) Proposed recreational areas within and adjacent to residential areas. Including proposed improvements to recreational areas to serve the intended residential population.
 - (e) Building and parking setbacks.
 - (f) Parking ratios per use shall be in accordance with §180-88
 - (g) Proposed service and loading spaces.

- (3) Architectural Design.
 - (a) Architectural style and overall design principles.
 - (b) Graphic examples of selected style.
 - (c) Design details and materials.

- (4) Landscape Architectural Design.
 - (a) Public spaces and art within the development.
 - (b) Hardscape and softscape design details and materials.
 - (c) Streetscape design.
 - (d) Site furnishing details and products.
 - (e) Landscape screening (perimeter buffers, parking lots, service and loading areas).
 - (f) Lighting details and materials.

- (5) Signage Plan.
 - (a) A signage plan for the Planned Employment Center shall be included in the Pattern Book. The signage plan shall outline:
 - [1] Size, type, and location of all signs at the entrance to the development.
 - [2] Size and type of the stationary direction sign.
 - [3] Size and type of all flat wall signs.

- [4] Size and type of service entrance signs.
- (b) Exterior signage in the Planned Employment Center shall be for identification only and may not be treated as an advertising device. Signage text is limited to company name and/or logo.
- (c) Sign locations shall be permitted as follows:
 - [1] For each single tenant building, one freestanding sign at a point near the project entrance and one building-mounted sign.
 - [2] For each multi-tenant building, one freestanding sign with only the building name at a point near the project entrance and a building-mounted tenant identification system for each tenant.
- (d) Sign types shall be permitted as follows:
 - [1] Freestanding signs.
 - i. Maximum size shall not exceed 24 square feet on a two-sided sign.
 - ii. Maximum height shall not exceed six feet above grade except for the sign identifying the Planned Employment Center.
 - iii. The sign shall be constructed of durable materials consistent with and/or complementary to the materials used in buildings within the Planned Employment Center.
 - iv. The sign shall be mounted on a sturdy base.
 - v. Illumination by unobtrusive ground lighting is permissible.
 - [2] Building-mounted signs.
 - i. Sign location on the building shall be compatible with the architectural design of the building.
 - ii. No signs may extend above the roof or parapet line of the building.

- iii. Illumination may be internal through a translucent letter face or opaque letters project slightly off the wall and back-lit from a source concealed within the letter.
- (e) In multi-tenant buildings, the developer or owner is responsible for submitting a tenant identification system for approval.
 - [1] The system shall include a standardized design format to ensure matching of size, materials, color, finish, and typeface.
 - [2] The system shall be of a scale to identify individual tenants from parking areas rather than to provide major tenant visibility from surrounding roads.
 - [3] Tenant signage shall be building mounted. The placement shall relate architecturally to door and window openings or other elements of the building.
 - [4] Each tenant shall be assigned a designated sign panel.
- (f) Sign color shall be limited to one color for the lettering and one color for the background. The background color shall be darker than the message and graphics. Where an additional color is desired because it is part of the owner's or tenant's logo, the Commission may modify this requirement.
- (g) Each lot is limited to one temporary sign, which may be double-sided and shall be removed within one year.
 - [1] Maximum sign area shall not exceed 32 square feet.
 - [2] Signs shall be mounted on two four-inch-by-four-inch wood posts with top of sign a maximum of eight feet.
 - [3] Actual mounting height permitted shall be determined by sign proportions and location.
- (h) The following are prohibited:

- [1] Flashing or moving signs.
- [2] Exposed neon or other exposed light source signs.
- [3] Applied wood letters.

(i) The guidelines established above shall supersede §180-89. In addition, the Planning Commission can modify these guidelines based on a superior signage plan and program.

(6) Management and Maintenance Program.

- (a) For privately owned property.
- (b) For common areas.

(7) Phasing of the Development

- (a) The anticipated time to complete the entire development.
- (b) When various uses of the development are anticipated to be developed. Consider balancing the development of various uses to maximize the fiscal benefit to the development and Town.

C. The Pattern Book shall be evaluated based on the Purpose and Objectives of the PEC – Planned Employment Center District as outlined in §180-134.

§180-144. Approval Process.

A. A PEC – Planned Employment Center shall follow a three step approval process, including:

Concept Plan,
Preliminary Plan, and
Final Plan/subdivision.

B. Any amendment of the plan must go through the same three step process. If, however, the Town’s Zoning Administrator believes the amendment is not substantive, then the Concept and Preliminary approval steps can be combined into one Preliminary Plan approval.

C. An applicant shall submit all Concept, Preliminary and Final plans to the Planning Commission for consideration. The purpose is to provide the Commission with sufficient information to determine

the practicality and suitability of the proposed development. All plans shall be prepared by a licensed architect, registered civil engineer, professional landscape architect or other qualified land planner. All plans shall be to scale and contain the appropriate information for the submission (i.e., Concept Plans are more general than Preliminary or Final Plans).

D. The Planning Commission shall hold a public hearing when considering the Preliminary Plan (including the Pattern Book). The following Notice shall be given:

- (1) At least 15 days' notice of the time and place of such hearing shall be published in a newspaper of general circulation in the Town.
- (2) Property upon which a Planned Employment Center development is proposed shall be posted conspicuously by a notice at least 22 inches by 28 inches in size, at least 15 days before the date of the hearing.
- (3) Notice of the hearing shall be sent by first-class mail to the person making application to the Commission no less than 15 days prior to the first scheduled hearing.
- (4) At least 15 days prior to the first scheduled hearing, notice of the hearing shall be sent by first-class mail to those persons identified by the applicant as persons owning property contiguous to the property which is the subject of the proceeding. Notice shall be sufficient if given to the person shown as the owner on the tax rolls and sent to the address where tax bills are sent.

The Commission may approve or disapprove the Preliminary Plan (including the Pattern Book) after a public hearing.

E. Should the Planning Commission determine additional assistance to review an application is required, the Town may hire licensed professionals (such as a Landscape Architect, Architect, and/or Engineer) to assist in the review of the application. The cost of any outside professionals shall be paid for by the applicant. The Town shall make every effort to minimize all costs associated with any outside professional assistance.

§180-145. Other applicable regulations.

The regulations provided herein are not meant to supersede other applicable Town/County/ or State Regulations such as historic district and Maryland

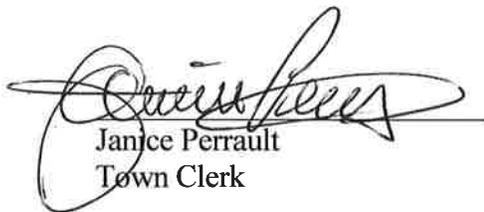
Historic Trust requirements, storm water management, parking regulation, forest conservation act requirements, and/or sediment and erosion control provisions. These, and other regulations, shall remain in full effect and govern the design.

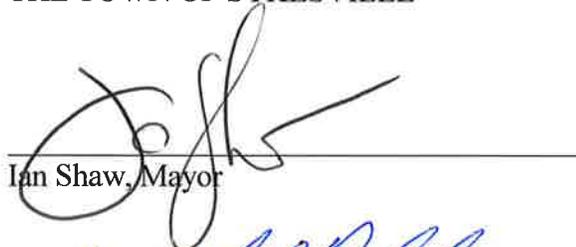
SECTION 12. If any one or more provisions of this Ordinance shall for any reason be held to be invalid or unconstitutional, in whole or in part, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining provisions.

SECTION 13. This Ordinance was introduced at the Town Meeting held on the 24th day of November 2014 and approved for passage by the Council the 8th day of December 2014 and to become effective twenty-one (21) days from the date of passage.

ATTEST:

THE TOWN OF SYKESVILLE


Janice Perrault
Town Clerk


Ian Shaw, Mayor


Frank Robert, Jr., Council Member
and Council President


Leo Keenan III, Council Member


Julia Betz, Council Member


Al Grasley, Council Member


Stacy Link, Council Member


Anna Carter, Council Member