

## **Article IX Business District**

### **Section 1 - Statement of Intent**

The general intent of this district is to provide for and promote the development of a variety of business, commercial, and service activities. Such districts are intended for location at strategic sites in relation to population centers and transportation networks.

### **Section 2 - Uses Permitted by Right**

1. Banks and savings and loan institutions.
2. Restaurants.
3. Drug stores.
4. Barber and beauty shops.
5. Funeral homes.
6. Clothing stores and tailor shops.
7. Dry cleaners and laundries.
8. Bakeries.
9. Libraries.
10. Medical offices and clinics.
11. Florist shops.
12. Retail stores.
13. Retail food stores.
14. Churches.
15. Antique shops and gift shops.
16. Machinery sales and services.
17. Plumbing and electrical supply (with storage under cover).
18. Lumber and building supply (with storage under cover).
19. New Car Sales, bicycle, and home appliance sales and services. (Amended 2/25/03)
20. Service stations (with major repair under cover).
21. Hotels and motels.
22. Office buildings.
23. Nurseries and greenhouses.
24. Printing, publishing and engraving services.
25. Shoe repair.
26. Clubs and lodges.
27. Public utilities, distribution.

### **Section 3 - Uses Permitted by Special Exception**

1. Hospitals.
2. Theaters.

3. Cabinet, furniture and upholstery shops.
4. Training center for handicapped persons.
5. Public billiard parlors and pool rooms, bowling alleys, dance halls, swimming pools, and other forms of public amusement.
6. Processing, light warehousing, wholesaling, and distribution establishments.
7. Residences as accessory uses.
8. Public utilities.
9. Child care facility. (Amended 5/10/85)
10. Bed and Breakfast. (Adopted 3/26/87)
11. Contractor's Equipment, Storage and Sales Facilities. (Repealed & Replaced 05/25/04)
12. Truck stop, truck service and repair facilities subject to the following conditions: (Adopted 7/28/92)
  - a. All maintenance, repair, and mechanical work shall be performed in enclosed buildings.
  - b. All facilities shall be designed and located so that the operation thereof does not adversely affect adjacent commercial or residential areas, particularly with respect to noise.
  - c. No parking or outside storage shall be permitted in any required front yard.
  - d. All areas for outdoor storage and all equipment, machinery and facilities not located within an enclosed building shall be effectively screened.
  - e. All exterior lighting sources shall be shielded and directed downward so as to not be visible to adjacent properties.
  - f. Adjacent residential uses shall have a minimum of a 50' buffer to any truck service and repair facility or truck stop.
  - g. Any other conditions as provided for in Article XVII, Section 11 of the Zoning Ordinance as may be required.
13. Convents, Monasteries and Religious Retreats subject to the following conditions: (Adopted 8/24/93)
  - a. The property must have been zoned B-1, Business, prior to March 27, 1980.
  - b. The minimum lot size shall be five acres of land.
  - c. Length of stay for religious retreats shall not exceed 30 days.
  - d. Site plan approval shall be required.
14. Communication Facilities.  
(Repealed & Replaced 05/25/04)
15. Sexually Oriented Businesses subject to the following criteria:  
(Adopted 2/27/01)
  - A. Permit required from sheriff
 

Every person either operating or desiring to operate a Sexually Oriented Business must comply with the permit requirements as set forth in the Emergency Ordinance to Provide for the Regulation and Permitting of Sexually Oriented Business, adopted January 16, 2001 (proposed Amendment to Chapter 77 of the Caroline County Code (Property Maintenance) adding Article VIII (Providing for the Regulation of and Permitting Sexually Oriented Businesses)).
  - B. Location of Sexually Oriented Businesses.
    1. Set-back Requirements.
 

No Sexually Oriented Business may be operated within 1,000 feet of the property line of the following:

- (a) A church, synagogue, mosque, temple or building which is used primarily for religious worship and related religious activities.
- (b) A public or private educational facility including but not limited to child day care facilities, nursery schools, preschools, kindergartens, elementary schools, private schools, intermediate schools, junior high schools, middle schools, high schools, vocational schools, secondary schools, continuation schools, special education schools, junior colleges, and universities; school includes the school grounds, but does not include facilities used primarily for another purpose and only incidentally as a school;
- (c) A boundary of a residential district as defined in the Caroline County Zoning Ordinance;
- (d) Any public lands, parks or recreational areas which have been designated for park or recreational activities including but not limited to a park, playground, nature trails, swimming pool, reservoir, athletic field, basketball or tennis courts, pedestrian/bicycle paths, wilderness areas, or military installations, government office space, game preserves, public landings or other similar public land within the County.
- (e) An entertainment business which is oriented primarily towards children or family entertainment; or
- (f) A licensed premises, licensed pursuant to the alcoholic beverage control regulations of the State;
- (g) Any motel, hotel, or travel lodge; or
- (h) Any truck stop or truck rest area.
- (i) Any other sexually oriented businesses.

C. Hours of Operation

No sexually oriented business, except for an adult motel, may remain open at any time between the hours of one o'clock (1:00) A.M. and eight o'clock (8:00) A.M. on weekdays and Saturdays, and one o'clock (1:00) A.M. and noon (12:00) P.M. on Sundays.

D. Violations and Penalties.

A person who operates or causes to be operated a Sexually Oriented Business in violation of this ordinance is subject to a suit for injunction as well as prosecution for criminal violations. Such violations shall be punishable by a fine of \$2,500.00 or imprisonment for a term not to exceed 12 months or both. Each day a sexually oriented business so operates shall constitute a separate offense or violation.

E. Severability.

If any section, subsection, or clause of this ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected.

- 16. Used Car Sales (except when accessory to new car sales).  
(Adopted 2/25/03)
- 17. Tow Service Operation  
(Adopted 4/11/06)
- 18. Private roads in a commercial development subject to the standards in Article 15, Section 8, Development Standards, Paragraph L – Standards for Private Roads.
- 19. Crematory subject to the standards in Article 15, Section 8, Paragraph M – Standards for Crematory.  
(Adopted 11/24/09)