

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2015, Legislative Day No. 8

Bill No. 35-15

Mr. Tom Quirk, Councilman

By the County Council, April 20, 2015

A BILL
ENTITLED

AN ACT concerning

Zoning Regulations - Scrap Metal Processing Facility

FOR the purpose of defining a scrap metal processing facility; permitting a scrap metal processing facility by right in the County's M.H. Zones, subject to certain conditions; permitting a scrap metal processing facility as a special exception, subject to certain conditions; prohibiting a scrap metal processing facility in the MD 43 overlay district; providing for the application of the Act; and generally relating to the regulation of a scrap metal processing facility.

BY adding

Section 101.1, the definition of "scrap metal processing facility," alphabetically
Baltimore County Zoning Regulations

~~BY repealing and re-enacting, with amendments~~

~~Section 256.1.A.1~~
~~Baltimore County Zoning Regulations~~

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
 [Brackets] indicate matter stricken from existing law.
 ~~Strike out~~ indicates matter stricken from bill.
 Underlining indicates amendments to bill.

BY adding

Section 256.1.A.4 and 5
Baltimore County Zoning Regulations

BY repealing and re-enacting, with amendments

Sections 256.2, by adding the use “scrap metal processing facility, and 259.11.C

1 SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF BALTIMORE
2 COUNTY, MARYLAND, that the Baltimore County Zoning Regulations read as follows:

3 Section 101. Definitions.

4 §101.1 Word usage; definitions

5 SCRAP METAL PROCESSING FACILITY - AN ESTABLISHMENT THAT IS
6 ENGAGED PRIMARILY IN THE PURCHASE, TYPICALLY BY WEIGHT, OF FERROUS
7 OR NON-FERROUS SCRAP FOR PROCESSING BY THE USE OF A SHREDDER
8 AFFIXED TO THE PROPERTY, POWERED BY ELECTRICITY WITH A MINIMUM
9 CAPACITY OF 3,000 KVA DISTRIBUTED BY A PUBLIC UTILITY, THE OUTPUT OF
10 WHICH IS SHIPPED AS RAW MATERIAL TO BE USED FOR MELTING PURPOSES BY
11 STEEL MILLS, FOUNDRIES, SMELTERS, REFINERS, AND SIMILAR USERS.

12 SECTION 256

13 Manufacturing, Heavy (M.H.) Zone Use Regulations

14 §256.1. Permitted Uses.

15 A. The following uses only are permitted, subject to the provisions of Subsection 256.3:

1 ~~1. Uses permitted in M.R. Zone, Section 241.1 and in Section 253.4 of the M.L.~~

2 Zone:

3 ~~—— Animal boarding place, Class A~~

4 ~~—— Animal boarding place, Class B~~

5 ~~—— Animal grooming facility, subject to Section 421.~~

6 ~~—— Boatyard~~

7 ~~—— Brewery, Class 5B, if within the urban rural demarcation line~~

8 ~~—— Car wash in a planned industrial park only, subject to Section 419~~

9 ~~—— Commercial beach, with provision of adequate parking area, and permitting dressing~~
10 ~~facilities, snack bar, picnic area and boat rental~~

11 ~~—— Community building, swimming pool or other structural or land use devoted to civic,~~
12 ~~social, recreational and educational activities~~

13 ~~—— Fuel service station, in a planned industrial park only, subject to Section 405~~

14 ~~—— Golf course, country club or other outdoor recreation clubs; also quasi-public camp,~~
15 ~~including day camps, but no such uses shall be located on less than five acres, and no building,~~
16 ~~parking lot or out-of-water marine craft storage thereon shall be located within 60 feet of any~~
17 ~~residential property line~~

18 ~~—— Living quarters for watchmen and caretakers and their families employed and living on~~
19 ~~the premises, in connection with any lawful use in the M.H. zone~~

20 Marina

21 ~~—— SCRAP METAL PROCESSING FACILITY, IF LOCATED ON A PROPERTY OF AT~~
22 ~~LEAST 7 CONTIGUOUS ACRES. RETAIL SALES ARE NOT PERMITTED. SCRAP~~
23 ~~VEHICLES SHALL BE PROCESSED WITHIN FORTY-EIGHT (48) HOURS OF RECEIPT,~~
24 ~~UNLESS A DELAY IS CAUSED BY EQUIPMENT BREAKAGE, ELECTRICAL~~

1 ~~INTERRUPTION, OR MANUFACTURER-REQUIRED PREVENTIVE MAINTENANCE.~~

2 ~~Storage of inflammable liquids and gases underground~~

3 ~~Veterinarian's office~~

4 ~~Veterinarian~~

5 ~~Volunteer fire company~~

6 ~~Wireless telecommunications antennas or wireless telecommunications towers, subject to~~

7 ~~Section 426~~

8 4. A SCRAP METAL PROCESSING FACILITY IS PERMITTED ON A LOT OF 7
9 ACRES OR GREATER IF THAT LOT IS LOCATED AT LEAST 1400 FEET FROM ANY DR
10 ZONE LINE AND WITHIN 500 FEET OF THE RIGHT-OF-WAY OF A FEDERAL
11 INTERSTATE HIGHWAY. RETAIL SALES ARE NOT PERMITTED. SCRAP VEHICLES
12 SHALL BE PROCESSED WITHIN FORTY-EIGHT (48) HOURS OF RECEIPT, UNLESS A
13 DELAY IS CAUSED BY EQUIPMENT BREAKAGE, ELECTRICAL INTERRUPTION, OR
14 MANUFACTURER-REQUIRED PREVENTIVE MAINTENANCE.

15 5. NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE
16 CONTRARY, A SCRAP METAL PROCESSING FACILITY IS PERMITTED ON A TRACT
17 OF LAND 1000 ACRES OR GREATER UNDER COMMON OWNERSHIP OR CONTROL,
18 IF SUCH FACILITY IS LOCATED AT LEAST 1000 FEET FROM ANY RESIDENTIAL
19 ZONE LINE.

20 §256.2. Special Exception Uses.

1 The following uses only when permitted as special exceptions (see Sections 270
2 and 502):

3 A SCRAP METAL PROCESSING FACILITY ON A TRACT OF LAND 1000
4 ACRES OR GREATER UNDER COMMON OWNERSHIP OR CONTROL, IF SUCH
5 FACILITY IS LOCATED LESS THAN 1000 FEET FROM ANY RESIDENTIAL ZONE LINE.

6 §259.11. Development standards for MD 43 Overlay District.

7 C. Uses prohibited. Notwithstanding any provision of the zoning regulations to
8 the contrary, the following uses are prohibited:

9 1. After-hours clubs.

10 2. Junkyards.

11 3. Outdoor advertising.

12 4. SCRAP METAL PROCESSING FACILITY

13 [4.] 5. Striptease businesses.

14 SECTION 2. AND BE IT FURTHER ENACTED, that this Act, having been passed by
15 the affirmative vote of five members of the County Council, shall take effect on June 1, 2015 and
16 shall not apply to any scrap metal processor in existence and lawfully operating on the effective
17 date of the Act.