

TOWN OF LOCH LYNN HEIGHTS

ORDINANCE 2019-02

ZONING ORDINANCE AMENDMENT FOR AGRICULTURAL USES

AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF LOCH LYNN HEIGHTS AMENDING CERTAIN PROVISIONS OF THE ZONING ORDINANCE REGULATING AGRICULTURAL USES AND ENACTING NEW OR AMENDED PROVISIONS IN THEIR PLACE AND STEAD AND MAKING THE VIOLATION OF THIS ORDINANCE A MUNICIPAL INFRACTION.

WHEREAS, the Mayor and Town Council of Loch Lynn Heights is authorized by the Land Use Articles of the Maryland Annotated Code and by the Loch Lynn Heights Town Charter to enact ordinances to protect the health, safety and welfare of residents of and visitors to Loch Lynn Heights; and

WHEREAS, on July 7, 1997, the Mayor and Town Council of Loch Lynn Heights adopted a Zoning Ordinance which provides for uses which are permitted by right, permitted by special exception or prohibited in the respective zoning districts under Article 4. Use Regulations. Section 406. Table of Use Regulations; and

WHEREAS, the Town finds that the current provisions of the aforesaid Articles of the Zoning Ordinance may in certain circumstances not preserve the integrity of the Town where specifically stated in the 1997 Zoning Ordinance for the Town of Loch Lynn Heights, the purpose of the Ordinance is to promote the public health, safety, morals or the general welfare of the Town of Loch Lynn Heights by encouraging the most appropriate use of land, conserving the value of land and buildings and by giving reasonable consideration, among other things, to the character of the district and its peculiar suitability for particular uses. The Town and Planning Commission play an important role in managing growth and determining the locations most suitable for specific uses; and

WHEREAS, Article 4. Use Regulation. 406. Table of Use Regulations. Section G. Agricultural Uses. 1.a. states:

1. a. Structures and enclosures routinely used for the keeping of livestock and related activities or the storage or processing of manure shall be setback a minimum of 200 feet from any lot line, unless the owner of the abutting property at the time of the construction of such uses waives the right to such setback in writing.

This section prohibits agricultural use in Town Center, permits such use in Economic Center, and allows with Special Exception in Residential areas.

NOW THEREFORE BE IT ORDAINED AND RESOLVED, Article 4. Use Regulations. 406. Table of Use Regulations. Section G. Agricultural Uses. is hereby amended and states the following:

1. Agricultural Uses

a. Structures and enclosures routinely used for the keeping of livestock and related activities, or the storage or processing of manure are not permitted in any Zoning District within Town limits.

BE IT FURTHER ORDAINED AND RESOLVED, Article 4. Use Regulations. 406. Table of Use Regulations. Section G. Agricultural Uses. is amended by adding a new subsection:

1. b. Keeping of any chicken, goose, duck, turkey, goat, sheep, pig, horse, cow or other farm animal is not permitted in any Zoning District within Town limits. Does not preclude a cat or dog.

BE IT FURTHER ORDAINED AND RESOLVED, a violator shall be fined immediately as authorized by the Land Use Articles of the Maryland Annotated Code. The penalty shall be in an amount as set by the Mayor and Town Council by regulation.

BE IT FURTHER RESOLVED, this ordinance amendment shall be duly advertised in accordance with the Policy for the Adoption of Ordinances by the Mayor and Town Council of Loch Lynn Heights. A public hearing on this zoning ordinance amendment shall be held on the 2nd day of July, 2019, at 5:00 p.m. at the Town Hall located at 211 Bonnie Boulevard, Loch Lynn Heights, Maryland 21550.

INTRODUCED this 4th of June, 2019.

SECOND READING AND ADOPTION this 2nd day July, 2019.

AND BE IT FURTHER ORDAINED AND RESOLVED, this Ordinance shall be effective July 24, 2019.

THIS ORDINANCE AMENDMENT IS SUBJECT TO REFERENDUM AS OUTLINED IN THE LAND USE ARTICLES.

ATTEST:



Rebecca C Friend, Clerk / Treasurer



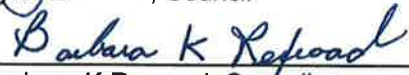
Carolyn S Corley, Mayor



Max A Hill, Council



Tyler E Friend, Council



Barbara K Rexroad, Council

Margaret E Logan, Council