

THE TOWN COMMISSIONERS OF CHARLESTOWN

ORDINANCE NUMBER 2009-01, 1/10/2023 AMENDMENT

AN ORDINANCE AMENDING SECTIONS 175-16, A, (Low-Density Residential District R-1, Medium-Density Residential District R-2, High-Density Residential District R-3, Shoreline Recreational Residential District R-R, & Local Commercial District C-1) OF CHAPTER 175 (ZONING) OF THE CODE OF CHARLESTOWN FOR THE PURPOSE OF CLARIFYING ITS INTENT.

WHEREAS, the Town Commissioners of the Town of Charlestown have the authority to amend its Zoning Ordinance; and,

WHEREAS, the Town Commissioners of the Town of Charlestown desire to amend Section 175-16, A(2), of Chapter 175 for the purpose of clarifying the intent of said Section.

NOW, THEREFORE, BE IT ORDAINED AND ESTABLISHED by the Town Commissioners of Charlestown that Section 175-16, A(2), of Chapter 175 of the Code of the Town of Charlestown is hereby amended to read as follows:

Sections 175-16. Low-Density Residential District R-1

A. The following uses are permitted:

~~(2) Farms, provided that no poultry or livestock shall be housed or confined within two hundred (200) feet of the front boundary of the property. Animals kept as pets are exempt from this provision."~~

Amendment

(8) *Chicken Plots, after a permit and review by the Planning and Zoning Commission, provided:*

- (a) *The coop is constructed in the rear yard only;*
- (b) *Chickens are registered with the State of Maryland and copy of registration is provided to the Town;*
- (c) *Chickens include only hens, no roosters are permitted;*
 - 1). *For properties less than one half acre in size, Chickens are limited to no more than six (6);*
- (d) *Enclosure fence around the coop must be at least 4 feet in height;*
- (e) *Density of coop must provide for at least 3 square feet for each chicken, and density of run (within enclosure), must provide for at least 10 square feet for each chicken;*
- (f) *Coop setbacks must follow the same as accessory structures appropriate to the zone, as well as, a minimum of fifty feet from a neighboring dwelling.*
- (g) *Permit fee must be a minimum of \$75, which may include construction of both a fence and coop;*
- (h) *Property must be owner-occupied;*
- (i) *The coop and secure enclosure must be kept clean, free of all odors, and materials that can attract rodents or harbor manure borne pathogens;*
- (j) *If any dimensional changes are made to the coop or enclosure, a permit revision will be required.*

Amendment

§175-17. Medium-Density Residential District R-2.

- (4) Chicken plots, after a permit and review by the Planning and Zoning Commission, provided:
- (a) The coop is constructed in the rear yard only;
 - (b) Chickens are registered with the State of Maryland and copy of registration is provided to the Town;
 - (c) Chickens are limited to no more than six (6), and include only hens, no roosters are permitted;
 - (d) Are only permitted on lots greater than 10,000 square feet;
 - (e) Enclosure fence around the coop must be at least 4 feet in height;
 - (f) Density of coop must provide for at least 3 square feet for each chicken, and density of run (within enclosure), must provide for at least 10 square feet for each chicken;
 - (g) Coop setbacks must follow the same as accessory structures appropriate to the zone, as well as, a minimum of fifty feet from a neighboring dwelling.
 - (h) Permit fee must be a minimum of \$75, which may include construction of both a fence and coop;
 - (i) Property must be owner-occupied;
 - (j) The coop and secure enclosure must be kept clean, free of all odors, and materials that can attract rodents or harbor manure borne pathogens;
 - (k) If any dimensional changes are made to the coop or enclosure, a permit revision will be required.

Amendment

§175-18. High-Density Residential District R-3.

- (8) Chicken plots, after a permit and review by the Planning and Zoning Commission, provided:
- (a) The coop is constructed in the rear yard only;
 - (b) Chickens are registered with the State of Maryland and copy of registration is provided to the Town;
 - (c) Chickens are limited to no more than six (6), and include only hens, no roosters are permitted;
 - (d) Are only permitted on lots greater than 10,000 square feet;
 - (e) Enclosure fence around the coop must be at least 4 feet in height;
 - (f) Density of coop must provide for at least 3 square feet for each chicken, and density of run (within enclosure), must provide for at least 10 square feet for each chicken;
 - (g) Coop setbacks must follow the same as accessory structures appropriate to the zone, as well as, a minimum of fifty feet from a neighboring dwelling.
 - (h) Permit fee must be a minimum of \$75, which may include construction of both a fence and coop;
 - (i) Property must be owner-occupied;
 - (j) The coop and secure enclosure must be kept clean, free of all odors, and materials that can attract rodents or harbor manure borne pathogens;
 - (k) If any dimensional changes are made to the coop or enclosure, a permit revision will be required.

Amendment

§175-19. Shoreline Recreational Residential District R-R.

- (6) Chicken plots, after a permit and review by the Planning and Zoning Commission, provided:
- (a) The coop is constructed in the rear yard only;

- (b) Chickens are registered with the State of Maryland and copy of registration is provided to the Town;*
- (c) Chickens are limited to no more than six (6), and include only hens, no roosters are permitted;*
- (d) Are only permitted on lots greater than 10,000 square feet;*
- (e) Enclosure fence around the coop must be at least 4 feet in height;*
- (f) Density of coop must provide for at least 3 square feet for each chicken, and density of run (within enclosure), must provide for at least 10 square feet for each chicken;*
- (g) Coop setbacks must follow the same as accessory structures appropriate to the zone, as well as, a minimum of fifty feet from a neighboring dwelling.*
- (h) Permit fee must be a minimum of \$75, which may include construction of both a fence and coop;*
- (i) Property must be owner-occupied;*
- (j) The coop and secure enclosure must be kept clean, free of all odors, and materials that can attract rodents or harbor manure borne pathogens;*
- (k) If any dimensional changes are made to the coop or enclosure, a permit revision will be required.*

Amendment

§175-20. Local Commercial District C-1.

- (8) Chicken plots, after a permit and review by the Planning and Zoning Commission, provided:*
 - (a) The coop is constructed in the rear yard only;*
 - (b) Chickens are registered with the State of Maryland and copy of registration is provided to the Town;*
 - (c) Chickens are limited to no more than six (6), and include only hens, no roosters are permitted;*
 - (d) Are only permitted on lots greater than 10,000 square feet;*
 - (e) Enclosure fence around the coop must be at least 4 feet in height;*
 - (f) Density of coop must provide for at least 3 square feet for each chicken, and density of run (within enclosure), must provide for at least 10 square feet for each chicken;*
 - (g) Coop setbacks must follow the same as accessory structures appropriate to the zone, as well as, a minimum of fifty feet from a neighboring dwelling.*
 - (h) Permit fee must be a minimum of \$75, which may include construction of both a fence and coop;*
 - (i) Property must be owner-occupied;*
 - (j) The coop and secure enclosure must be kept clean, free of all odors, and materials that can attract rodents or harbor manure borne pathogens;*
 - (k) If any dimensional changes are made to the coop or enclosure, a permit revision will be required.*

BE IT FURTHER ORDAINED AND ESTABLISHED that in all other respects Chapter 175 of the Code of the Town of Charlestown remains unchanged and in force and effect.

BE IT FURTHER ORDAINED AND ESTABLISHED by the Town Commissioners of Charlestown that this Ordinance shall become effective upon the expiration of twenty (20) days following the approval and adoption by the Town Commissioners of Charlestown.

Attest:

Town Administrator

Karl H. Fockler, President

Date Approved:

Renee Capano, Vice-President

Date Adopted:

Jeffrey Fields, Treasurer

Loucretia Wood

Curtis Elmer