

For:
Introduction and Referral to Planning Commission: 1/6/20
Planning Commission Review: 1/27/20
Re-introduction: 3/2/20
Public Hearing 5/4/20
Adoption 5/4/20

THE TOWN OF MOUNT AIRY, MARYLAND

ORDINANCE NO. 2020-2

PROPOSED TEXT AMENDMENT

AN ORDINANCE TO AMEND PART II OF THE CODE OF THE TOWN OF MOUNT AIRY ENTITLED “GENERAL LEGISLATION”, CHAPTER 112 ENTITLED “ZONING”, ARTICLE VI ENTITLED “PROVISIONS GOVERNING INDUSTRIAL DISTRICTS”, SECTION 112-45 ENTITLED “I INDUSTRIAL DISTRICT”

WHEREAS, on or about October 24, 2019, Van Mar Associates, Inc., on behalf of the owner and developer of Lot 16A in the Twin Arch Business Park, applied for a proposed zoning text amendment pursuant to the Town Code, Section 112-66B, proposing to allow restaurants/diners in the Industrial (I) District subject to certain limitations, and paid the \$300 application fee set forth in Section 112-66B; and

WHEREAS, the proposed text amendment was put into ordinance form, was assigned Ordinance 2020-2, was introduced at the Town Council meeting that occurred on 1/6/20 and, pursuant to the Town Code, Section 112-67, referred to the Town Planning Commission for review and recommendation; and

WHEREAS, the Planning Commission reviewed this ordinance at its regular meeting on January 27, 2020; and

WHEREAS, at its regular meeting on January 27, 2020, the Planning Commission recommended passage of the ordinance; and

WHEREAS, at its regular meeting on March 2, 2020, the Town Council reintroduced this ordinance as reflected and set a public hearing initially for April 6, 2020, but rescheduled to May 4, 2020 due to the COVID-19 state of emergency, pursuant to the Town Code, Section 112-66A and the Land Use Article of the Maryland Code, Section 4-203(b), which was held on the aforementioned date; and

WHEREAS, the Town Council finds that the changes recommended in this Text Amendment/Ordinance are desirable and in the best interests of the Town and its residents.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF MOUNT AIRY:

Section 1. That Part II, Chapter 112, Article VI, Section 112-45 of the Code of the Town of Mount Airy is hereby repealed and reenacted with amendments as follows:

§ 112-45. I Industrial District.

* * *

B. Uses permitted in the I District. No building or structure may be erected, and no land may be used or occupied except for one or more of the following principal uses:

* * *

(15) Restaurants or lunchrooms that do not exceed 15% of the lot or parcel, and provided no individual use exceeds 3,000 square feet.

BE IT ENACTED AND ORDAINED BY THE AUTHORITY AFORESAID, that this Ordinance shall take effect on the _____ day of _____, 2020.

Introduced on the 6th day of January, 2020.

Enacted this _____ day of _____, 2020 by a vote of _____ in favor and _____ opposed.

ATTEST:

Jason Poirier, Secretary

Larry Hushour,
President of the Town Council

Approved this _____ day of _____, 2020.

ATTEST:

Jason Poirier, Secretary

Patrick T. Rockinberg, Mayor

REVIEWED AND APPROVED AS TO LEGAL FORM AND SUFFICIENCY
This _____ day of _____, 2020.

Thomas V. McCarron, Town Attorney