

CITY OF TANEYTOWN
ORDINANCE NO. 01-2010
COMPREHENSIVE RE-ZONING OF 2010

PURSANT to Section C-401B(62) of the Charter of the City of Taneytown, Maryland, Article 66B of the Annotated Code of Maryland, and applicable provisions of the Code of the City of Taneytown, the Mayor and City Council are empowered to exercise planning and zoning powers within the City of Taneytown, Maryland; and

WHEREAS, under the requirements of Section 3.05(b)(2) of Article 66B of the Maryland Annotated Code, the Taneytown Planning and Zoning Commission shall every six years review, revise and adopt amendments to the local comprehensive plan considering various requirement elements as outlined in State law. A part of this process is the review and proposal of land use designations to be contained in the Comprehensive Plan; and

WHEREAS, while addressing proposed changes for the land use designation for the Comprehensive Plan, changes in the existing designation of zoning classifications on properties within the entire City of Taneytown were reviewed and discussed based in part, on the following criteria: population changes, availability of public facilities, transportation patterns, existing and proposed development in the City, and the overall comprehensive plan of the City of Taneytown; and

WHEREAS, the Mayor and City Council having monitored, supported and fostered the Taneytown Planning and Zoning Commission's effort to update and amend the Comprehensive Plan, have reviewed the findings and recommendations contained therein as a basis for initiating this Comprehensive Rezoning; and

WHEREAS, the Mayor and Council's proposed changes to the City's existing zoning classifications, based on the Taneytown Planning and Zoning Commission's findings and work-product, were submitted to the Taneytown Planning and Zoning Commission and a public hearing on these changes was held by the Taneytown Planning and Zoning Commission on February 22, 2010; and

WHEREAS, the comments of the Taneytown Planning and Zoning Commission on these changes were given to the Mayor and City Council of the City of Taneytown for their review and consideration; and

WHEREAS, the Mayor and City Council gave public notice as required by law and held a public hearing on March 3, 2010 to receive public input and comment.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF TANEYTOWN:

Section One: That the following changes in zoning designation be made to the Official Zoning Map of the City of Taneytown:

1. Property containing 34,630 square feet of land, tax map 301, parcel 2320, tax account number 01-25244 having a physical address of 65 Frederick Street with a current zoning designation of Restricted Industrial shall be changed to Downtown Business.
2. Property described as lots, 7, 8, 9, tax map 302, parcel 2022, tax account number 01-13467 having a physical address of 464 East Baltimore Street with a current zoning designation of Restricted General Business shall be changed to General Business.
3. Property described as tax map 302, parcel 2021, tax account number 01-13327, having a physical address of 454 East Baltimore Street with a current zoning designation of Restricted General Business shall be changed to General Business.
4. Property described as tax map 302, parcel 2020, tax account number 01-17993, having a physical address of 460 East Baltimore Street with a current zoning of Restricted General Business shall be changed to General Business.
5. Property described as tax map 300, parcel 219, tax account number 01-016393, having a physical address of 458 East Baltimore Street with a current zoning designation of Restricted General Business shall be changed to General Business.

6. Property described as tax map 302, parcel 2018, tax account number 01-16814, having a physical address as 454 East Baltimore Street Extended with a current zoning designation of Restricted General Business shall be changed to General Business.
7. Property described as tax map 302, parcel 2017, tax account number 01-25228, having a physical address of 454 East Baltimore Street, with a current zoning designation of Restricted General Business shall be changed to General Business.
8. Property described as tax map 302, parcel 2016, tax account number 01-37714, having a physical address of 448 East Baltimore Street with a current zoning designation of Restricted General Business shall be changed to General Business.
9. Property described as tax map 301, parcel 465, tax account number 01-11847, having a physical address of 2780 Francis Scott Key Highway containing 16.4058 acres of land with a current zoning designation of R-10,000 shall be changed to General Business.
10. Property described as tax map 301, parcel 465, tax account number 01-33689, have a physical address of 2776 Francis Scott Key Highway, containing 1.47 acres of land, with a current zoning designation of R-10,000 shall be changed to General Business.
11. Property described as tax map 300, parcel 2314, tax account number 01-18280, having a physical address of 40 Frederick Street, containing 21,780 square feet of land, with a current zoning designation of R-7,500 shall be changed to Downtown Business.
12. Property described as tax map 300, parcel 2313, tax account number 01-17969, having a physical address of 36 Frederick Street, containing 10,741 square feet of land, with a current zoning designation of R-7,500 shall be changed to Downtown Business.
13. Property described as tax map 300, parcel 2312, tax account number 01-13270, having a physical address of 32 Frederick Street, containing 12,540 square feet of land, with a current zoning designation of R-7,500 shall be changed to Downtown Business.
14. Property described as tax map 300, parcel 2315, tax account number 01-15133, having a physical address of 44 Frederick Street, containing 2.00 acres of land, with a current zoning designation of R-7,500 shall be changed to Downtown Business.
15. Property described as tax map 300, parcel 2316, tax account number 01-016091, having a physical address of Frederick Street, containing 2.00 acres of land, with a current zoning designation of R-7,500 shall be changed to Downtown Business.
16. Property described as tax map 302, parcel 100, tax account number 01-15184, having a physical address on Trevanion Road, containing 27.35 acres of land, with a current zoning designation of R-7,500 shall be changed to Open Space.
17. Property described as tax map 302, parcel 100, tax account number 01-37331, having a physical address of Trevanion Road, containing 3.71 acres of land, with a current zoning designation of R-7,500 shall be changed to Open Space.
18. Property described as tax map 302, parcel 101, tax account number 01-2333, containing 2.63 acres of land, having a current zoning designation of R-7,500 shall be changed to Open Space.

19. Property described as tax map 302, parcel 101, tax account number 01-2341, containing 6.3 acres of land, having a current zoning designation of R-7,500 shall be changed to Open Space.

The following parcels were intended to be rezoned during the last comprehensive rezoning, however may not have been changed on the official zoning map of the City of Taneytown. Therefore, to ensure the proper zoning classification, the new zoning is re-stated herein.

20. Property described as tax map 19, parcel 482, tax account number 01-40626, containing 4.31 acres of land shall be zoned R-10,000.
21. Property described as 2.466 acres, on the southeast side of Maryland State Railroad Administration track right of way (track map V-2/5), fronting 409.05 feet on the north side of Kenan Street extending from the railroad right of way to Lot 64 Section One of the Meadowbrook Subdivision, being part of a deed dated April 8, 1994 recorded in the Land Records of Carroll County in Liber 1583, Folio 966, shall be zoned R-10,000.
22. Property describe as tax map 19, parcel 487, tax account number 01-44982, having a physical address of Francis Scott Key Highway, containing 3.90 acres of land, shall be zoned General Business.
23. Property described as tax map 19, parcel 490, tax account number 01-45016, having a physical address of Francis Scott Key Highway, containing 3.95 acres of land, shall be zoned General Business.
24. Property described as tax map 19, parcel 489, tax account number 01-45008, having a physical address of Francis Scott Key Highway, containing 2.63 acres of land, shall be zoned General Business.
25. Property described as tax map 19, parcel 465, tax account number 01-32186, having a physical address of Francis Scott key Highway, containing 3.03 acres of land, shall be zoned General Business.
26. Property described as tax map 19, parcel 466, tax account number 01-32194, having a physical address of Francis Scott Key Highway, containing 1.43 acres of land, shall be zoned General Business.
27. Property described as tax map 300, parcel 804, tax account number 01-006606, having a physical address of 3289 Francis Scott Key Highway, containing 14.21 acres of land, shall be zoned R-10,000.

These properties are designated with the new zoning on the map attached hereto as “Exhibit A”

Section Two: That Section 205-3 (A) of the Zoning Ordinance of the City of Taneytown shall be repealed and reenacted with a reference to the Zoning Map attached hereto as “Exhibit A.”

Section Three: Severability.

Should any provision, section, paragraph or subparagraph of this Ordinance, including any code or text adopted hereby, be declared null and void, illegal, unconstitutional, or otherwise determined to be unenforceable for a court having jurisdiction, the same shall not affect the validity, legality, or enforceability of any other provision, section, paragraph or subparagraph hereof, including any code text adopted hereby. Each such provision, section, paragraph or subparagraph is expressly declared to be and is deemed severable.

Section Four: Section headings, chapter headings, titles.

Section headings, chapter headings, titles, etc., are for the purpose of description or ease of use and do not form a part of the text of this Ordinance or any Code or text adopted hereby.

INTRODUCED THIS ____ DAY OF _____ 2010

LINDA QUINN, CITY CLERK

PASSED THIS ____ DAY OF _____ 2010

LINDA QUINN, CITY CLERK

APPROVED THIS ____ DAY OF _____ 2010

JAMES MCCARRON, MAYOR

APPROVED AS TO LEGAL SUFFICIENCY
THIS ____ DAY OF _____ 2010

JACK A. GULLO, JR. CITY ATTORNEY