

**TOWN COUNCIL OF CENTREVILLE
ORDINANCE NO. 05-2021**

AN ORDINANCE OF THE TOWN COUNCIL OF CENTREVILLE TO AMEND THE TOWN'S ZONING ORDINANCE CODIFIED AS CHAPTER 170 OF THE TOWN CODE TO CREATE SETBACK AND BUFFER YARD REQUIREMENTS BETWEEN NEW USES AND EXISTING SINGLE-FAMILY DETACHED RESIDENCES IN THE R-1 AND R-2 ZONING DISTRICTS AND FOR ANY NON-RESIDENTIAL USE IN THE R-3 ZONING DISTRICT

WHEREAS, the Town Council of Centreville has the authority under Section 5-213 of the Local Government Article of the Annotated Code of Maryland to establish reasonable zoning regulations.

WHEREAS, Section 4-102(6) of the Land Use Article of the Annotated Code of Maryland authorizes the Town Council of Centreville to regulate the location and use of buildings, signs and structures on the land.

WHEREAS, the Town Council finds that the health, safety, and general welfare of the residents of the Town will be furthered and enhanced by adding setback and buffer yard standards between new uses and existing single-family detached residences in the R-1 and R-2 zoning districts and between non-residential uses and existing single-family detached residences located in the R-3 zoning district;

WHEREAS, the Town Council finds that the health, safety, and general welfare of the residents of the Town will be furthered and enhanced by providing additional setbacks and buffer yard requirements next to single-family detached residences.

NOW, THEREFORE, be it ordained by the Town Council of Centreville that:

Section 1.

The recitals set forth above are incorporated herein by reference and made a part of this ordinance.

Section 2.

Section 170-42, "Buffer yards" of the Code be, and is hereby, amended to add a new paragraph K to read as follows with new material shown in **bold underlined**:

K. Notwithstanding any other provision of the Zoning Code, when a lot in the R-1 or R-2 Zoning District is to be developed or converted into a new use permitted by right or special exception, other than a single-family detached residence, or the lot is in the R-3 District and is to be developed or converted into any non-residential use permitted by right or special exception, then the following standards shall apply:

- (1) A minimum 50-foot setback shall be established between any principal structure and any side or rear lot line adjacent to an existing single-family detached residence;**
- (2) Within the 50-foot setback, the Planning Commission shall determine the required buffer yard from those that are set forth in Chapter 170, Attachment 1 of the Town Code considering the proposed use and the adjacent uses;**
- (3) No parking lot, driveway, or street shall be permitted within the buffer yard; and**

(4) Accessory apartment on lots that are in single-family residential use and the use of an existing single-family house for a bed and breakfast establishment or short-term rental are exempt from this requirement.

Section 3.

Section 170-19.C(1) of the Code be, and is hereby, amended as follows, deleted material is shown with **bold strikeout**.

- (1) Rest homes, nursing homes, funeral homes, medical offices, and other minor institutions for human care and the treatment of noncontagious diseases; single-family attached and multifamily residential dwelling units to house the elderly when associated with the nursing home or other institution. These uses may be approved, provided that the density does not exceed 12 dwelling units per acre ~~and Buffer Yard C (Appendix 1) is provided between the facility and single-family residential uses.~~

Section 4.

Section 170-20.C(1) of the Code be, and is hereby, amended as follows, deleted material is shown with **bold strikeout**.

- (1) Rest homes, nursing homes, funeral homes, medical offices, and other minor institutions for human care and the treatment of noncontagious diseases; single-family attached and multifamily residential dwelling units to house the elderly when associated with the nursing home or other institution. These uses may be approved, provided that the density does not exceed 12 dwelling units per acre ~~and Buffer Yard C (Appendix 1) is provided between the facility and single-family residential uses.~~

Section 5. Section 170-19, "Residential District R-1" shall be amended to add a new paragraph D to read as follows with new material shown in **bold underlined**:

D. All permitted and special exception uses, other than a single-family detached residence, that are adjacent to single-family detached residences shall comply with the setback and buffer yard requirements contained in § 170-42.K.

Section 6. Section 170-20, "Residential District R-2" shall be amended to add a new paragraph D to read as follows with new material shown in **bold underlined**:

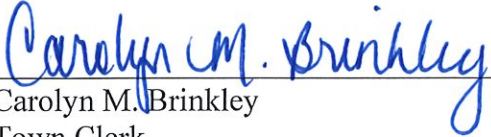
D. All permitted and special exception uses, other than a single-family detached residence, that are adjacent to single-family detached residences shall comply with the setback and buffer yard requirements contained in § 170-42.K.

Section 7. Section 170-21, "Residential District R-3" shall be amended to add a new paragraph E to read as follows with new material shown in **bold underlined**:

D. All non-residential permitted and special exception uses that are adjacent to single-family detached residences shall comply with the setback and buffer yard requirements contained in § 170-42.K.

Section 8. This Ordinance shall become effective twenty (20) days after its enactment.


ATTEST:



Carolyn M. Brinkley
Town Clerk

First Reading: April 1, 2021
Second Reading: April 15, 2021
Enacted: May 6, 2021
Effective: May 27, 2021
(21st calendar day after enactment)

THE TOWN COUNCIL OF CENTREVILLE



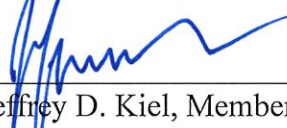
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