

AGENDA
COMMISSIONERS OF POOLESVILLE
January 3, 2023
19721 BEALL STREET
7:00 PM

*To join the meeting, go to Youtube.com. Search "Pooleville"
Click the "Filter" Icon and Click "Today"
The Town Commission Meeting will be visible
A link is also on the Town Webpage*

*The meeting starts at 7 PM. You will only be able to see the
meeting once it starts*

1. **Call To Order**

2. **Pledge Of Allegiance**

3. **PFAS Presentation**

The Town will have representatives from Papadopoulos and Associates, Town staff and the Town's engineering consultant, Clark/Azar to discuss Per- and PolyFluoroAlkyl Substances (PFAS) in its water system.

4. **Public Hearing:**

Ordinance 224 - Backyard Chickens

Documents:

[ORDINANCE 224 - CHICKENS.PDF](#)

5. **Announcements**

6. **Commissioners/Committee Reports**

Martin Radigan - Planning Commission

Ed Reed - Fair Access and Sustainable Pooleville

Sarah Paksima - Fair Access

Jeff Eck - Parks, Recreation and Streets

7. **Public Comment**

To be able to speak during public comment, either in person or virtual, you will need to contact Town Hall by noon on the day of the meeting. You will have to have access to Zoom Conferencing to join the meeting virtually.

8. **Approval Of Minutes**

8.I. Minutes Of December 5, 2022

9. **Old Business**

10. **New Business**

11. **Town Manager's Report**

12. Adjournment

**Public Testimony is Limited to Three Minutes
This is a tentative agenda subject to change.**

Ordinance No. 224
Introduced: December 5, 2022
Public Hearing: January 3, 2023
Enacted:
Effective:

COMMISSIONERS OF POOLESVILLE, MARYLAND
BACKYARD CHICKENS

AN ORDINANCE of the Town of Poolesville, Maryland to amend and add to the Poolesville Code of Ordinances Zoning Code to address Backyard Chickens use and the requirements related thereto.

PURSANT to Section 82.12(65) of the Charter of the Town of Poolesville, Maryland, Title 4 of the Land Use Article of the Annotated Code of Maryland, and applicable provisions of the Code of the Town of Poolesville, the Commissioners of the Town of Poolesville are empowered to exercise planning and zoning powers within the Town of Poolesville, Maryland; and

WHEREAS, under the requirements of Land Use Article of the Maryland Annotated Code and the Poolesville Planning and Zoning Commission shall review proposed zoning amendments and offer comment thereon which it has done; and

WHEREAS, the Commissioners of Poolesville giving public notice as required by law, held a public hearing on the Ordinance on January 3, 2023 to receive public input and comment.

NOW THEREFORE, BE IT ORDAINED BY THE COMMISSIONERS OF
POOLESVILLE, MARYLAND THAT:

Section One: The following amendment shall be made to Appendix B, Use Chart Section (d) Services of the Zoning Code of the Town of Poolesville:

Animal boarding places or the keeping of farm animals ~~and/or birds of any kind.~~

Section Two: The following amendment shall be made to Appendix B, Use Chart Section (g) Miscellaneous, of the Zoning Code of the Town of Poolesville:

Kennels, non-commercial, ~~including birds, etc.~~

Section Three: The following amendment shall be made to Appendix B, Section 14,

Definitions, of the Zoning Code of the Town of Poolesville:

6. Agricultural Use: The business, science and art of cultivating and managing the soil, growing, harvesting, and selling crops and livestock, and the products of forestry, horticulture, and hydroponics; breeding or raising livestock, ~~poultry~~, fish, game, and fur-bearing and selling crops and livestock, and the products of forestry, horticulture, and hydroponics; breeding or raising livestock, ~~poultry~~, fish, game and fur-bearing animals, dairying, beekeeping, and similar activities. Agricultural use includes the sale and storage of agricultural products produced on the property. It does not include the processing of agricultural products or sale of agricultural products which have been processed prior to sale.

Section Four: The following amendment shall be made to Appendix B, Section 14, Definitions, of the Zoning Code of the Town of Poolesville:

9. Animal Boarding Place: Any building or buildings and/or land used, designed, or arranged for the boarding, grooming, breeding, or care of dogs, cats, pets, ~~birds~~, or domestic animals for other than agricultural purposes, but not to include stables or where such animals are kept for purposes of sale.

Section Five: The following amendment shall be made to Appendix B, Section 14, Definitions, of the Zoning Code of the Town of Poolesville;

72. Kennel, Noncommercial: Any building or buildings and/or land used, designed, or arranged for the boarding, breeding, or care of dogs, cats, ~~birds~~, or domestic animals for other than agricultural purposes, belonging to the owner thereof but not including stables.

Section Six: The following shall be added as a Note to Appendix B, Use Chart, of the Zoning Code of the Town of Poolesville:

Backyard Chicken raising is permitted provided the following:

- 1. One chicken may be kept for every 1,000 square feet of lot or parcel area; roosters are prohibited;*
- 2. The maximum total gross floor area of all coops shall not exceed 10% of the lot or parcel and shall be included as outbuildings/accessory structures in conformity with all other requirements of the Code.*
- 3. The minimum setback for coops from any lot line is 15 feet.*

4. Coops must be a minimum of 100' from any dwelling or principal structure on any adjacent lot or parcel.
5. Coops must be in the backyard of the property

*Note The Town of Poolesville has adopted Chapter 5, Animal Control, of the Montgomery County Code.

Section Seven: 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 Eight: 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.