

**COUNTY COUNCIL
OF
TALBOT COUNTY**

2008 Legislative Session, Legislative Day No.: December 23, 2008

Resolution No. 159

Introduced by: Mr. Duncan, Mr. Foster, Mr. Harrison, Mr. Pack

A RESOLUTION TO AMEND THE TALBOT COUNTY COMPREHENSIVE PLAN (1) TO AMEND THE LAND USE MAP 3-1 AND EASTON GROWTH AREA MAP 3-2 TO RE-MAP TAX MAP 17, PARCELS 75, 38, AND 129 (FORMERLY “PARCEL 58 ONE (1) OF TWO (2)”) AS PRIMARY GROWTH AREAS; (2) TO AMEND THE LAND USE PLAN, SECTION III, COUNTYWIDE LAND USE POLICIES, ITEMS C03.P.3, TO ADD THE FOLLOWING SENTENCE: “REGIONAL MEDICAL FACILITIES AND HOSPITALS SHOULD NOT BE LOCATED IN RURAL OR UNDEVELOPED AREAS OF THE COUNTY THAT DO NOT HAVE READILY AVAILABLE ACCESS TO WATER, SEWER, POLICE AND FIRE PROTECTION OR OTHER NECESSARY INFRASTRUCTURE.”; AND, (3) TO AMEND THE LAND USE PLAN, SECTION IV, ITEM C., *EASTON PRIMARY AND SECONDARY DESIGNATED GROWTH AREAS*, TO ADD A DESCRIPTION OF THE PRIORITY DEVELOPMENT AREA AS SUITABLE SOLELY FOR USE AS A NEW REGIONAL HEALTH CARE FACILITY AND RELATED USES

By the Council: December 23, 2008

Introduced, read the first time, and ordered posted, with Public Hearing scheduled on Tuesday, January 13, 2009 at 2:00 p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland 21601.

By order: _____
Secretary

A RESOLUTION TO AMEND THE TALBOT COUNTY COMPREHENSIVE PLAN (1) TO AMEND THE LAND USE MAP 3-1 AND EASTON GROWTH AREA MAP 3-2 TO RE-MAP TAX MAP 17, PARCELS 75, 38, AND 129 (FORMERLY “PARCEL 58 ONE (1) OF TWO (2)”) AS PRIMARY GROWTH AREAS; (2) TO AMEND THE LAND USE PLAN, SECTION III, COUNTYWIDE LAND USE POLICIES, ITEMS C03.P.3, TO ADD THE FOLLOWING SENTENCE: “REGIONAL MEDICAL FACILITIES AND HOSPITALS SHOULD NOT BE LOCATED IN RURAL OR UNDEVELOPED AREAS OF THE COUNTY THAT DO NOT HAVE READILY AVAILABLE ACCESS TO WATER, SEWER, POLICE AND FIRE PROTECTION OR OTHER NECESSARY INFRASTRUCTURE.”; AND, (3) TO AMEND THE LAND USE PLAN, SECTION IV, ITEM C., EASTON PRIMARY AND SECONDARY DESIGNATED GROWTH AREAS, TO ADD A DESCRIPTION OF THE PRIORITY DEVELOPMENT AREA AS SUITABLE SOLELY FOR USE AS A NEW REGIONAL HEALTH CARE FACILITY AND RELATED USES

1 WHEREAS, Talbot County is authorized and required by the provisions of Maryland
2 Annotated Code 66B § 3.05 to adopt a comprehensive plan for the purposes of assuring the
3 orderly development of the County and for the other purposes as set forth in Article 66B § 3.01
4 *et. seq.* The County most recently adopted a Comprehensive Plan in 2005; and,

5 WHEREAS, the Land Use Plan chapter of the 2005 Comprehensive Plan identifies
6 Designated Growth Areas for the incorporated towns and recognizes Easton’s designated Priority
7 1, Priority 2, and Priority 3 Growth Areas, as described in the Town’s 2004 Comprehensive Plan.
8 Priority 1 areas are described as lands that may be annexed for the purpose of “cleaning up” the
9 Town boundary or for “health and safety reasons;” and,

10 WHEREAS, the County Comprehensive Plan established Countryside Preservation (CP)
11 Areas around Easton and the other towns, envisioned to be the ultimate geographic limit of Town
12 growth. Implementation strategies included revising the zoning ordinance to include a CP
13 designation, and developing design guidelines to encourage appropriately sited development to
14 preserve the views from roads; and,

15 WHEREAS, Talbot County, the Town of Easton, and Shore Health System, Inc., have been
16 working cooperatively to identify and make available a suitable site for the possible relocation of
17 The Memorial Hospital at Easton within the Town of Easton. The County has assembled
18 approximately 247 acres of land on the east and west sides of Maryland Route 662 adjacent to
19 the Talbot County Community Center and has made that land available to Shore Health System,
20 Inc. as a possible site for an acute care health care facility, to include a hospital and related
21 regional medical health care facility uses; and,

22 WHEREAS, the Talbot County Planning Commission has considered the matters presented
23 in this Resolution and has recommended that the Comprehensive Plan be amended as proposed
24 herein; and in that context the Planning Commission has indicated it believes that the Town of
25 Easton is the proper location for a regional medical facility, that the Route 662 site is appropriate

26 for a regional health care facility and that it is good planning to include such facilities and related
27 health care uses within municipal boundaries so as to more effectively provide municipal
28 services. In the event of facility development, it would also be sensible and efficient to provide
29 the same services to the Talbot Community Center.

30 NOW, THEREFORE, BE IT RESOLVED, by Talbot County, Maryland, that the Talbot
31 County Comprehensive Plan shall be and is hereby amended, as follows:

32 1. That the Land Use Map 3-1 and Easton Growth Area Map 3-2 of the Talbot County
33 Comprehensive Plan be amended to indicate that the Parcels identified in Maryland Tax
34 records as Map 17/ Parcel 75, Map 17/ Parcel 38 and Map 17/ Parcel 129 (formerly
35 “Parcel 58 one (1) of two (2)”) are Primary Growth Areas.

36
37 2. That the Land Use Plan, Section III, Countywide Land Use Policies, item CO3.P.3, be
38 amended by the addition of the following sentence:

39 “Regional medical care facilities and hospitals should not be located in rural or
40 undeveloped areas of the County that do not have readily available access to water,
41 sewer, police and fire protection or other necessary infrastructure.”

42 3. That the Land Use Plan, Section IV, Item C. *Easton Primary and Secondary Designated*
43 *Growth Areas*, be amended by the addition of the following description of the subject
44 Priority Development Area as suitable solely for use as a new regional-scale hospital, to
45 read as follows:

46
47 “An assemblage of land owned by Talbot County located on the west side of US Route
48 50 and east and west of State Route 662; consisting of Map 17/ Parcel 129
49 (approximately 148 acres) and Map 17/ Parcel 75 (approximately 85.6 acres), which
50 Talbot County has identified as the site to accommodate a regional medical health care
51 facility and related uses, plus Map 17/ Parcel 38 (approximately 43 acres) which is the
52 site of the Talbot County Community Center.”

53 4. Parcels 129 and 75 should be annexed by the Town *only* to accommodate a regional
54 health care facility. Land uses should be limited to regional health care facility uses and
55 recreational, governmental and open space uses associated with the Community Center.

56 5. If annexation occurs and a regional health care facility is not constructed on the
57 designated site in the time frames set out in an annexation agreement between the Town
58 of Easton, Talbot County and Shore Health System, Inc., the effectiveness of the
59 annexation of all three parcels shall be terminated.

60 BE IT FURTHER, RESOLVED,

61 EFFECTIVE DATE, SUNSET CONTINGENCIES, AND SUNSET PROVISION:
62 that this Resolution shall become effective on the date of its passage, SUBJECT,
63 HOWEVER, to the effect of “SUNSET CONTINGENCIES” set forth in Paragraph
64 13, and to the effect of the “SUNSET PROVISION” set forth in Paragraph 14, of a
65 certain Memorandum of Understanding by and between Talbot County, The Town of

66 Easton, and Shore Health System, Inc., dated August 4, 2008, (the “MOU”), which is
67 incorporated by reference herein in its entirety.

68

PUBLIC HEARING

Having been posted and Notice, Time and Place of Hearing, and Title of Resolution No. 159 having been published, a public hearing was held on Tuesday, January 13, 2009 at 2:00 p.m. in the Bradley Meeting Room, Courthouse, 11 North Washington Street, Easton, Maryland.

BY THE COUNCIL

Read the second time:

Enacted: **January 13, 2009**

By Order: _____
Secretary

Foster - Aye
Pack - Aye
Duncan - Aye
Bartlett - Aye
Harrison - Aye