

COUNTY COUNCIL
OF
TALBOT COUNTY, MARYLAND

2014 Legislative Session, Legislative Day No.: September 3, 2014

Resolution No.: 217 *AS AMENDED*

Introduced by: Mr. Hollis, Mr. Pack, Ms. Price

A RESOLUTION CONCERNING THE PROPOSED ANNEXATION OF TALBOT COMMERCE PARK, ADJACENT TO GLEBE ROAD, EASTON, MARYLAND, BY THE TOWN OF EASTON, MARYLAND (THE "TOWN") CONSISTING OF APPROXIMATELY 125.057 ACRES OF LAND, MORE OR LESS, INCLUDING MARYS COURT, MISTLETOE DRIVE, AND BRYAN DRIVE, PUBLIC ROADS OR STREETS, FINDING THAT THE PROPOSED REZONING FROM THE COUNTY'S EXISTING LIMITED INDUSTRIAL ("LI") ZONE TO THE TOWN'S PROPOSED BUSINESS-COMMERCIAL ("BC") ZONE WILL RESULT IN A SUBSTANTIALLY HIGHER DENSITY, EXCEEDING 50%, THAN COULD BE GRANTED FOR PROPOSED DEVELOPMENT UNDER EXISTING "LI" ZONING, AND WAIVING THE 5-YEAR HOLD IN ACCORDANCE WITH LOCAL GOVERNMENT ARTICLE § 4-416, MD. ANN. CODE

By the Council: September 23, 2014

Introduced, read first time, and ordered posted, with Public Hearing scheduled on Tuesday, October 14, 2014 at 2:00 p.m. and on Tuesday, October 28, 2014 at 6:30 p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 N. Washington St., Easton, MD 21601.

By order:



Susan W. Moran, Secretary

A RESOLUTION CONCERNING THE PROPOSED ANNEXATION OF TALBOT COMMERCE PARK, ADJACENT TO GLEBE ROAD, EASTON, MARYLAND, BY THE TOWN OF EASTON, MARYLAND (THE "TOWN") CONSISTING OF APPROXIMATELY 125.057 ACRES OF LAND, MORE OR LESS, INCLUDING MARYS COURT, MISTLETOE DRIVE, AND BRYAN DRIVE, PUBLIC ROADS OR STREETS, FINDING THAT THE PROPOSED REZONING FROM THE COUNTY'S EXISTING LIMITED INDUSTRIAL ("LI") ZONE TO THE TOWN'S PROPOSED BUSINESS-COMMERCIAL ("BC") ZONE WILL RESULT IN A SUBSTANTIALLY HIGHER DENSITY, EXCEEDING 50%, THAN COULD BE GRANTED FOR PROPOSED DEVELOPMENT UNDER EXISTING "LI" ZONING, AND WAIVING THE 5-YEAR HOLD IN ACCORDANCE WITH LOCAL GOVERNMENT ARTICLE § 4-416, MD. ANN. CODE

WHEREAS, Local Gov't Article § 4-416, Md. Ann. Code, restricts the authority of a municipality annexing land to allow development of the annexed land for a period of 5 years for land uses substantially different than the authorized uses, or at substantially higher densities, exceeding 50%, than could be granted for the proposed development in accordance with the county zoning classification applicable at the time of the annexation; and,

WHEREAS, the Town of Easton (the "Town") is proposing to annex Talbot Commerce Park, located on the northeast side of Glebe Road, in the First Election District of Talbot County, including Marys Court, Mistletoe Drive, and Bryan Drive, public roads, roadways, or streets located therein, pursuant to Ordinance No. 642 and Resolution No. 6033 introduced before the Easton Town Council and pending final approval and adoption; and,

WHEREAS, Talbot Commerce Park is currently in the Limited Industrial ("LI") zone; upon annexation the Town proposes to rezone the property into the Business-commercial ("BC") zone; and,

WHEREAS, the Town has requested the County to determine whether a rezoning of the annexed property from LI (County) to BC (Town) would or would not allow development of the annexed land for land uses substantially different than the authorized uses, or at a substantially higher density, exceeding 50%, than could be granted for a proposed development in accordance with the zoning classification of the County applicable at the time of annexation.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF TALBOT COUNTY, MARYLAND, that:

1. The County Council finds that the rezoning of the annexed land from its current Limited Industrial ("LI") zoning classification to the proposed Business-Commercial ("BC") zoning classification would allow development of the annexed land at a substantially higher density, exceeding 50%, than could be granted for a proposed development in accordance with the County's Limited Industrial ("LI") zoning classification at the time of annexation.

2. Pursuant to Local Gov't Article § 4-416, Md. Ann. Code, upon annexation of the property, the County hereby expressly approves the Town placing the property into a zoning classification, the Business-Commercial ("BC") zoning district as proposed by Ordinance No. 642 and Resolution No. 6033, that will allow a density substantially higher than the density specified in the Limited Industrial ("LI") zoning classification of the County.

AND BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately upon the date of its passage.

PUBLIC HEARING

Having been posted, and a Notice of the Time and Place of the Public Hearing, and the Title of Resolution No. 217 having been published, a public hearing was held on Tuesday, October 14, 2014 at 2:00 p.m. and Tuesday, October 28, 2014 at 6:30 p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 N. Washington St., Easton, Maryland.

BY THE COUNCIL

Read third time:

Enacted: **October 28, 2014 *AS AMENDED***

By order: *Susan W. Moran*
Susan W. Moran, Secretary

Pack - Aye
Hollis - Aye
Bartlett - Nay
Duncan - Aye
Price - Aye

Effective Date: **October 28, 2014**