

**TOWN COUNCIL OF CENTREVILLE
ORDINANCE NO 05-2024**

**AN ORDINANCE OF THE TOWN COUNCIL OF CENTREVILLE AMENDING THE
TOWN OF CENTREVILLE ZONING ORDINANCE, WHICH IS CHAPTER 170 OF
THE TOWN CODE, TO ZONE LAND ANNEXED INTO THE TOWN OF
CENTREVILLE**

WHEREAS, the Town Council has the authority under §5-213 of the Local Government Article of the Annotated Code of Maryland, to adopt zoning regulations which includes assigning a zoning designation to all land within the Town boundary;

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, Section 170-62 of the Code of the Town of Centreville provides for amendments to the regulations, restrictions and [zoning] boundaries set forth in Chapter 170 of the Code;

WHEREAS, the Town desires to amend Chapter 170 by amending its Official Zoning Map to assign the zoning classification of Traditional Neighborhood Development District TND for lands annexed into the Town as per Resolution No. _____ (“Annexed Land”) and is more fully described on the “Zoning Plat” which is attached hereto this Ordinance as Exhibit 1;

WHEREAS, Local Government Article § 4-416 (a) of the Annotated Code of Maryland, provides that the municipality shall have exclusive jurisdiction over planning, subdivision control, and zoning of the Annexed Land;

WHEREAS, the Town Council received a _____ recommendation on the zoning map amendment from the Centreville Planning and Zoning Commission; and

WHEREAS, the Town Council held a public hearing on the zoning map amendment on _____.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of Centreville:

Section 1. The recitals set forth above are incorporated herein by reference and made a part of this Ordinance;

Section 2. The Official Zoning Map is hereby amended to zone 279.586 acres of land more or less, annexed into the Town as per Resolution No. _____, (“Providence Property”) as Traditional Neighborhood Development District (TND) as more fully described on the “Zoning Plat” which is attached hereto this Ordinance as Exhibit 1;

Section 3. If any section, clause, paragraph, sentence or phrase of the Ordinance or the application thereof to any person, property, or circumstance is held invalid or unconstitutional by

a court of competent jurisdiction, the invalidity or unconstitutionality shall in no way affect other provisions or any other application of this Ordinance which can be given effect without the invalid or unconstitutional provision or application, and for this purpose the provisions of this Ordinance are declared severable.

Section 4. Local Government Article § 4-416 (b) and (c) of the Annotated Code of Maryland, provides:

(b) Without the express approval of the county commissioners or county council of the county in which the municipality is located, for 5 years after an annexation by a municipality, the municipality may not allow development of the annexed land for land uses substantially different than the authorized use, or at a substantially higher density, not exceeding 50%, than could be granted for the proposed development, in accordance with the zoning classification of the county applicable at the time of the annexation.

(c) Notwithstanding § 4-204 of the Land Use Article and if the county expressly approves, the municipality may place the annexed land in a zoning classification that allows a land use or density different from the land use or density specified in the zoning classification of the county or agency with planning and zoning jurisdiction over the land prior to its annexation applicable at the time of the annexation.

In accordance with Local Government Article § 4-416 (b) and (c) of the Annotated Code of Maryland, this Ordinance shall become effective on the date the County Commissioner for Queen Anne's County expressly approve the zoning classification of Traditional Neighborhood Development District (TND) for the Annexed Property, or 5 years after the effective date of the Resolution _____, whichever occurs first; however in any event this Ordinance shall not become effective until twenty days following its enactment, and following the change and applicable entry being made to the Official Town Zoning Map.

ATTEST:

THE TOWN COUNCIL OF CENTREVILLE

R. Gaye Adams
Town Clerk

Ashley Heffernan Kaiser, Esq., President

First Reading: _____

Eric B. Johnson, Jr., Vice President

Second Reading: _____

Enacted: _____

Enacted: _____

Daniel B. Worth, Member

Jim A. Beauchamp, Member

Jeffrey D. Kiel, Member

DRAFT

