

**TOWN COUNCIL OF CENTREVILLE
ORDINANCE 08-2024**

AN ORDINANCE OF THE TOWN COUNCIL OF CENTREVILLE ADOPTING A TEMPORARY MORATORIUM ON THE APPLICATION FOR, APPROVAL OF, CONSTRUCTION OF, EXPANSION OF, PROCESSING OF, OR ISSUANCE OF ANY SUBDIVISION, SITE PLAN, OR BUILDING PERMIT APPLICATIONS FOR ANY RESIDENTIAL OR MIXED-USE PROJECT WHERE THE ANTICIPATED EQUIVALENT DWELLING UNITS (EDUS) EXCEED SEVEN (7) EDUS FOR THE TOTAL PROJECT PENDING CONSIDERATION AND ADOPTION OF REVISED ZONING ORDINANCE PROVISIONS AS THE TOWN COUNCIL MAY CONSIDER ADVISABLE AND TO ADOPT AN UPDATED CAPACITY MANAGEMENT PLAN AND SEWER ALLOCATION POLICY

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 enact and administer a zoning ordinance, which is Chapter 170 of the Centreville Town Code;

WHEREAS, Section 4-102(6) of the Land Use Article of the Annotated Code of Maryland authorizes the Town Council of Centreville to develop and adopt zoning restrictions to promote the health, safety, morals or general welfare of the community, including the location and use of buildings, signs and structures on the land;

WHEREAS, the recently adopted Town of Centreville Comprehensive Plan: 2040 (“Comp Plan”) identifies five (5) large infill areas for residential development with a development potential of approximately 749 units (Comp Plan p. 18, Table 2). This exceeds the capacity remaining in the Town’s Wastewater Treatment Plant until a new plant is built;

WHEREAS, the Comp Plan calls for implementation of Complete Neighborhoods. It states that “[t]o implement complete neighborhoods for the future, the Town will update its land development regulations to incentivize/encourage creative design and development of complete neighborhoods. . .” (Comp Plan p. 27);

WHEREAS, the Town is in the process of upgrading its Wastewater Treatment Plant from its current capacity of 542,000 gpd to 1,000,000 gpd;

WHEREAS, the new Wastewater Treatment Plant is expected to be completed at the end of 2029;

WHEREAS, the current Capacity Management Plan and Sewer Allocation Policy provide that allocations are available on a “first come-first served” basis;

WHEREAS, given the 5.5 years until the expected completion of the new Wastewater Treatment Plant, the Town would like to update its Capacity Management Plan and Sewer Allocation Policy to better prioritize allocations for desired development;

WHEREAS, the Town requires time to ensure that the appropriate study and desired public input can be obtained before establishing effective and enduring textual amendments to the Zoning Ordinance and updating the Capacity Management Plan and Sewer Allocation Policy;

WHEREAS, the acceptance and processing of an application, subdivision, site plan and/or issuance of other zoning approvals or building permits, before appropriate study of the matter, obtaining desired public input, and consideration and approval of meaningful and effective Town ordinances and regulations governing the matter, would frustrate the Town's ability to protect the health, safety, and welfare of the residents to the Town and be adverse to the orderly development of the Town;

WHEREAS, the Town Council has determined that a temporary moratorium, for a term of six (6) months, is a reasonable length of time to study, receive input and adopt any revisions to the Zoning Ordinance and update the Capacity Management Plan and Sewer Allocation Policy as necessary; and

WHEREAS, the Centreville Planning and Zoning Commission considered the matter at its August 21, 2024 meeting and has recommended that the Town Council approve this Ordinance.

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. A moratorium on the application for, consideration of, approval of, construction of, expansion of, processing of, or issuance of permits for any subdivision, site plan, or building permit application for residential and mixed-use projects where the anticipated equivalent dwelling units (EDUs) exceed seven (7) EDUs, is hereby imposed for a period of six (6) months.

Section 3. During the moratorium, the Town (including the Town Planner's office, the Building Department, the Planning and Zoning Commission, the Board of Appeals, the Town staff, and the Town Council) shall not process, consider, review, or approve any application, permit, or other approval under the Town Zoning Ordinance for any subdivision, site plan, or building permit application for a residential or mixed-use project where the anticipated EDUs exceed seven (7) EDUs.

Section 4. The moratorium shall apply to applications currently pending before the Town, as well as, applications filed after the effective date of this Ordinance. However, it does not apply to any application as of the effective date of this Ordinance that has received subdivision approval, site plan approval, and/or a building permit and which has already been approved for allocations by the Town Council.

Section 5. This moratorium is adopted to allow sufficient time for the Town to accomplish the following:

- a. Receive public input, specifically to have the Planning Commission review this issue and provide recommendations;
- b. Consider any revisions to the Zoning Ordinance;

- c. Update the Capacity Management Plan and Sewer Allocation Policy; and
- d. Consider all such other matters as the Town Council, Planning and Zoning Commission, and Town staff deem appropriate.

Section 6. The Town Council shall have and reserves the right to extend or modify this moratorium for such additional period or periods and on such terms and conditions as it deems necessary for the health, safety and welfare of the citizens of the Town of Centreville.

Section 7. If any section, subsection, sentence, clause or phrase of this ordinance or of the codes hereby adopted are, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance or those codes.

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

ATTEST:

THE TOWN COUNCIL OF CENTREVILLE

R. Gaye Adams
 R. Gaye Adams
 Town Clerk

ABSENT
 Ashley Heffernan Kaiser, Esq., President

First Reading: 7/18/2024
 Second Reading: 9/5/2024
 Enacted: 9/19/2024
 Effective: 10/9/2024

[Signature]
 Eric B. Johnson, Jr., Vice President

[Signature]
 Daniel B. Worth, Member

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 Jim A. Beauchamp, Member

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 Jeffrey D. Kiel, Member