

RESOLUTION NO. 25-12

A RESOLUTION OF THE COUNTY COMMISSIONERS OF QUEEN ANNE'S COUNTY, MARYLAND ADOPTING AND IMPOSING A TEMPORARY MORATORIUM ON THE APPLICATION, APPROVAL OF, CONSTRUCTION OF, EXPANSION OF, PROCESSING OF, OR ISSUANCE OF ANY SUBDIVISION, CONCEPT PLAN, SITE PLAN, OR BUILDING PERMIT APPLICATIONS FOR RESIDENTIAL OR MIXED-USE PROJECTS IN THE KENT NARROWS/STEVENSVILLE/GRASONVILLE, PROSPECT BAY, CLOVERFIELDS, BAY CITY, AND SOUTHERN KENT ISLAND WASTEWATER SUBDISTRICTS WHERE THE ANTICIPATED SEWERAGE ALLOCATION EXCEEDS 1,750 GALLONS PER DAY (7 SINGLE FAMILY RESIDENTIAL ALLOCATIONS) PENDING CONSIDERATION, REVIEW AND REVISION OF THE COUNTY MASTER WATER AND SEWERAGE PLAN, THE COUNTY WATER AND SEWERAGE ALLOCATION POLICY AND SUCH OTHER COUNTY PLANS, POLICIES, AND CODES AS THE COUNTY COMMISSIONERS MAY CONSIDER APPLICABLE.

WHEREAS, the County Commissioners of Queen Anne's County (the "County"), in their capacity as the Queen Anne's County Sanitary Commission has jurisdiction and control over the Queen Anne's County Sanitary District, including the subdistricts of Kent Narrows/Stevensville/Grasonville, Prospect Bay, Cloverfields, Bay City, and Southern Kent Island (the "Subdistricts");

WHEREAS, all Subdistricts are served by the Kent Narrows/Stevensville/Grasonville Wastewater Treatment Plant which is currently at or near capacity;

WHEREAS, the County has applied for a rerating of the KN/S/G Wastewater Treatment Plant which, if granted, will increase capacity by 300,000 gallons per day;

WHEREAS, because of constraints on expanding capacity due to the Federal Total Maximum Daily Load ("TMDL") regulations, which restrict the amount of nutrients and sediment discharge into the Chesapeake Bay, it is unlikely that further expansion of treatment capacity in the KN/S/G Wastewater Treatment Plant will be possible.

WHEREAS, the County is in the process of updating its 2011 Comprehensive Water and Sewerage Plan;

WHEREAS, both the County Water and Sewerage Allocation Policy and the proposed new Comprehensive Water and Sewerage Plan need to be reviewed and possibly revised to take into account the limited sewerage treatment capacity, the limited potential for expansion of such capacity and to consider how best to allocate the County's sewerage capacity to address current demands and future needs for such capacity;

WHEREAS, growth and development in the County, especially in the Fourth Election District has caused and is creating increased traffic concerns and problems as well as school overcrowding;

WHEREAS, the State of Maryland is in the planning stage for the construction of a new Chesapeake Bay Bridge which new bridge and attendant improvements to Route 50 and 301 will cause significant disruption to Kent Island and Grasonville and to the businesses on Routes 50 and 301;

WHEREAS, the County would like to update its Water and Sewerage Allocation Policy and its Comprehensive Water and Sewerage Plan to better prioritize allocations for desired development and to address the results of the Chesapeake Bay Crossing Study and the implications of the proposed new Chesapeake Bay Bridge(s) and attendant expansion of Route 50 and 301 through the County;

WHEREAS, the County needs to consider the effects of future development on school capacity, including Kent Island High School which is at 100% of capacity, to reexamine and potentially revise its formula for calculating the effect of residential development on the County school system, and to reconcile the differences between the student projections of the Board of Education and the County:

WHEREAS, the County requires time to ensure that the appropriate study and desired public impact can be obtained prior to establishing appropriate and effective amendments to the County Water and Sewerage Allocation Policy and Comprehensive Water and Sewerage Plan and to receive and address the implications of the Chesapeake Bay Crossing Study;

WHEREAS, the acceptance and processing of an application, subdivision, concept plan, sketch plan, site plan, Adequate Public Facilities Study and/or issuance of other zoning approvals or building permits, before appropriate study of these matters, obtaining public input, and consideration and approval of meaningful and effective County Ordinances, policies, and regulations governing these matters, would frustrate the County's ability to protect the health, safety, and welfare of the residents of the County and be adverse to the orderly development of the County, now and in the future;

WHEREAS, the County has determined a temporary moratorium, for a term of twelve (12) months, is a reasonable length of time to study, receive input and adopt any revisions to the County Sewerage Allocation Policy, the new Comprehensive Sewerage and Water Plan and any other pertinent County Ordinances, Policies, and Regulations.

NOW, THEREFORE, be it resolved by the County Commissioners of Queen Anne's County, Maryland.

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

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 sewerage allocation exceeds 1,750 gallons per day, is hereby imposed for a period of twelve (12) months in the Kent Narrows/Stevensville/Grasonville, Prospect Bay, Cloverfields, Bay City, and Southern Kent Island Subdistricts.

Section 3. During the moratorium, the County (including the County's Planning Department, the Planning and Zoning Commission, the Board of Appeals, the County staff, and the County Commissioners) shall not process, consider, review, or approve any application, permit, or other approval under the County Zoning Ordinance or the Adequate Public Facilities Ordinance for any Adequate Public Facilities Study, subdivision, site plan, sketch plan, concept plan or building permit application for a residential or mixed-use project, in the aforesaid Subdistricts, where the total anticipated sewerage allocation exceeds 1,750 gallons per day.

Section 4. The moratorium shall apply to applications currently pending before the County, as well as applications filed after the effective date of this Resolution. However, it does not apply to any application as of the effective date of this Resolution which has already been approved for sewer allocation by the County Commissioners.

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

- a. Establish a Task Force to review these matters and provide recommendations;
- b. Consider any revisions to the County Water and Sewerage Allocation Policy and Comprehensive Water and Sewer Plan and any other applicable County Ordinances, Policies or Regulations;
- c. Review and possibly revise the current County formula for estimating the impact of residential development on school population;
- d. Consider such other matters as the County Commissioners deem appropriate to address the concerns recited herein;

Section 6. The County Commissioners shall have and reserve 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 Queen Anne's County.

Section 7. If any section, subsection, sentence, clause, or phrase of this Resolution 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 Resolution or those codes.

Section 8. This Resolution shall become effective immediately upon its enactment.

Witness the hands and seal of the County Commissioners of Queen Anne's County, Maryland this 12th day of August, 2025.

ATTEST:

THE COUNTY COMMISSIONERS OF
QUEEN ANNE'S COUNTY

Stephanie Jarrell

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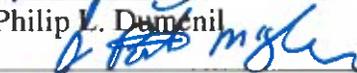
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