

CITY COUNCIL

READ FILE COVER SHEET

Subject: **Ordinance 1075 Require Planning Commission Review
for Open Space in a Planned Adult Community
(Public Hearing)**

Date: **4/19/2022**

Notice: Any comments made after 5:00 p.m. on the Thursday before the Council Meeting will not be seen in the agenda packet.

- Purpose:
- FYI
 - Read and Comment as Needed**
 - Action Required by May 2, 2022**
 - In Confidential File Drawer

Approve:

Casi Boyer Yes No No Comment
Comment: _____

David Glenn Yes No No Comment
Comment: _____

Dave Martin Yes No No Comment
Comment: _____

Jim Ringsaker Yes No No Comment
Comment: _____

Jason Robertson Yes No No Comment
Comment: _____

Carolyn Zinner Yes No No Comment
Comment: _____

Note: N/A

CITY COUNCIL
OF
HAVRE DE GRACE, MARYLAND

ORDINANCE NO. 1075

Introduced by _____ Council Member Ringsaker

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF HAVRE DE GRACE ADOPTED PURSUANT TO THE AUTHORITY OF ARTICLE XI-E OF THE MARYLAND CONSTITUTION, THE LOCAL GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND, AND SECTIONS 33 AND 34 OF THE HAVRE DE GRACE CITY CHARTER, FOR THE PURPOSE OF REQUIRING PLANNING COMMISSION REVIEW FOR PROPOSED CHANGES TO OPEN SPACE AREAS WITHIN A PLANNED ADULT COMMUNITY

On: 4/18/2022

at: 7:00 p.m.

Ordinance introduced, read first time, ordered posted and public hearing scheduled.

PUBLIC HEARING

A Public Hearing is scheduled for 5/2/2022 at 7:00 p.m.

EXPLANATION

Underlining indicates matter added to existing law.

[Bold Brackets] indicate matter deleted from existing law.

Amendments proposed prior to final adoption will be noted on a separate page with line references or by handwritten changes on the draft legislation.

34 **BE IT ORDAINED**, that City Code Section 205-43.2.J is hereby amended as follows:

35

36 Subsections (1) and (2) shall be added to existing Section 205-43.2.J of the City Code:

37

38 J. At least 25% of the gross area of the community shall contain open space. For the purposes
39 of this section, recreational facilities, including golf courses and golf driving ranges, shall
40 be included in the definition of open space. The open space may be owned and maintained
41 by one or more property owners' associations, or by private entities or individuals. The
42 open space shall be generally continuous, accessible to the residents, and protective of
43 natural features. The protection of trees shall be considered in determining the location of
44 open space and development areas. Open space shall be available for use by residents of
45 the community, and may be available for use by the general public, on terms and conditions
46 set forth in the use and development restrictions. The use and development restrictions may
47 provide that use of open space shall be provided at no cost, or on a fee or membership
48 basis.

49

50 (1) Any open space area within a community designed and approved under this
51 ordinance shall not be converted to another use or altered or disturbed in any way
52 without review and approval by the Planning Commission.

53

54 (2) Subsection J(1) applies to any open space areas shown on an approved concept, site
55 or subdivision plan, regardless of whether the area has been recorded as open space
56 on a subdivision plat, or whether it has been dedicated to a Homeowner's
57 Association.

58

59 **NOW THEREFORE**, it is determined, decided, and ordained by the City Council that the
60 additions to City Code Section 205-43.2.J to require Planning Commission review for proposed
61 changes to open space areas within a Planned Adult Community are hereby approved.

62

63 In accordance with the provisions of the Maryland Ann. Code, Land Use Article, §4-203 and the
64 City Charter requirements, this ordinance shall become effective no earlier than ten days after the
65 close of the public hearing on the Zoning Code amendments set forth herein.

66

67 ADOPTED by the City Council of Havre de Grace, Maryland this ___ day of ____, 2022.

68

69 SIGNED by the Mayor and attested by the Director of Administration this ____ day of
70 ____, 2022.

71

72

73 ATTEST:

THE MAYOR AND CITY COUNCIL
OF HAVRE DE GRACE, MARYLAND

74

75

76

77 _____
Stephen J. Gamatoria
78 Director of Administration

79 _____
William T. Martin
Mayor

79

80 Introduced/First Reading: 4/18/2022
81 Public Hearing: 5/2/2022
82 Second Reading/Adopted:
83
84 Effective Date:

Public Hearing