

COUNCIL OF THE TOWN OF INDIAN HEAD

Ordinance No. XX-XX-25

Introduced by:	Mayor & Council
Date Introduced:	Month XX, 2025
Planning Commission Hearing:	Month XX, 2025
Town Council Hearing:	Month XX, 2025
Amendments Adopted:	
Date Adopted:	Month XX, 2025
Date Effective:	Month XX, 2025

AN ORDINANCE concerning

**AMENDMENT OF ZONING ORDINANCE
CRITICAL AREA REGULATIONS**

FOR the purpose of amending certain provisions of the Town of Indian Head Zoning Ordinance Critical Area Regulations as provided by COMAR 27.01.02.06-3.D..

BY: repealing and reenacting with amendments
Zoning Ordinance of the Town of Indian Head (as dated _____)
Article IX, Zoning Districts and Zoning Map
Part III. Special Overlay District – Chesapeake Bay Critical Area
Section 955(d) Growth Allocation

SECTION 1. BE IT ENACTED BY THE TOWN COUNCIL OF THE TOWN OF INDIAN HEAD, that Section 955(d) of Article IX, Zoning Districts, Part III, Special Overlay District – Chesapeake Bay Critical Area, of the Zoning Ordinance of the Town of Indian Head (as dated), be and is hereby repealed and reenacted, with amendments, to read as follows:

Article IX, Zoning Districts and Zoning Map

Part III. Special Overlay District – Chesapeake Bay Critical Area

Section 955 Growth Allocation.

(d) Requirements.

When locating new Intensely Developed or Limited Development Areas, the following requirements apply:

- (i) A new Intensely Developed Area shall be at least 20 acres EXCEPT AS PROVIDED IN SUBSECTION D (III) BELOW.
- (ii) No more than half of the Town's growth allocation may be located in Resource Conservation Areas except as provided in SUBSECTION (d) (iii) below.
- (iii) If the Town is unable TO SATISFY THE 20 ACRE SIZE THRESHOLD SET FORTH IN SUBSECTION D (I) ABOVE, OR to use a portion of its growth allocation as set out in SUBSECTION D (II) [paragraph (ii)] above, then THE TOWN MAY UTILIZE A PORTION OF ITS GROWTH ALLOCATION IN A MANNER THAT VARIES FROM SUBSECTIONS D(I) AND (D)(II) ABOVE, PROVIDED THAT THE AREA TO RECEIVE GROWTH ALLOCATION: [that portion of the growth allocation which cannot be so located may be located in the Resource Conservation Area. If growth allocation]

(1) is consistent with the Town's adopted comprehensive plan and [whether the growth allocation] would implement the goals and objectives of the adopted plan. "Consistency with" means that a standard or factor will further, and not be contrary to, the following items in the comprehensive plan:

- (A) [1] Policies;
 - (B) [2] Timing of the implementation of the plan, of development, and of rezoning;
 - (C) [3] Development patterns;
 - (D) [4] Land uses; and
 - (E) [5] Densities or intensities.
- (2) IS LOCATED IN A PRIORITY FUNDING AREA;

- (3) WILL BE SERVED BY PUBLIC WATER AND SEWER; AND
- (4) WILL HAVE AN OVERALL ECONOMIC BENEFIT TO THE COMMUNITY OR, IMPLEMENTS A SPECIFIC GOAL, OBJECTIVE OR POLICY OF THE TOWN'S COMPREHENSIVE PLAN.

SECTION 2: AND BE IT FURTHER ENACTED that this Ordinance shall take effect the later to occur of twenty (20) calendar days from the date of its approval by the Council and immediately following approval by the Chesapeake and Atlantic Bays Critical Area Commission.

INDIAN HEAD TOWN COUNCIL

Brandon Paulin, Mayor

Ron Sitoula, Vice Mayor

Cassandra Stillwell. Councilwoman

ATTEST:

Andrea Brady, Town Clerk

Date: _____

Key:

CAPITALS DENOTES LANGUAGE ADDED TO EXISTING LAW

[Brackets denotes language deleted from existing law.]

Underlining indicates amendments to bill.

Strike Out indicates language stricken from the bill by amendment or deleted from the law by amendment.

**** indicates matter in current law unchanged by this Ordinance and intentionally omitted.