

COUNTY ORDINANCE NO. 25-12

A BILL ENTITLED

AN ACT CONCERNING Use of Growth Allocation in Resource Conservation Areas in Queen Anne's County;

FOR THE PURPOSE of amending the existing growth allocation standards within the Chesapeake Bay Critical Area to allow for the award of growth allocation within the Resource Conservation Area (RCA), non-adjacent to an existing Limited Development Area (LDA) or Intensely Developed Area (IDA), for the expansion of current non-profit institutional uses as of June 29, 1988 that provides secondary education or is used as a youth camp lawfully existing as of the date of enactment of this amendment; providing a definition of Secondary Education; including specific conditions; limiting such award of growth allocation to no more than 150 acres; and generally dealing with and revising the growth allocation standards within the Chesapeake Bay Critical Area in Queen Anne's County;

BY ADDING a definition to Section 14:1-11 of the Code of Public Local Laws of Queen Anne's County and AMENDING Section 14:1-76 of the Code of Public Local Laws.

SECTION I

BE IT ENACTED BY THE COUNTY COMMISSIONERS OF QUEEN ANNE'S COUNTY, MARYLAND that the Code of Public Local Laws of Queen Anne's County be and is hereby ADDED TO and AMENDED to read as set forth on Exhibit A attached hereto and incorporated herein.

SECTION II

BE IT FURTHER ENACTED that this Ordinance shall take effect on the forty-sixth (46th) day following its adoption.

INTRODUCED BY: Commissioner Dumenil

DATE: December 9, 2025

PUBLIC HEARING HELD: April 14, 2026

VOTE: 5 YEA 0 NAY

DATE OF ADOPTION: June 13, 2026

Exhibit A

CRITICAL AREA PROGRAM TEXT AMENDMENT PROPOSED BY THE GUNSTON SCHOOL, INCORPORATED

§ 14:1-11 Definitions.

SECONDARY EDUCATION

Stage of formal education typically occurring between the ages of 13 and 18.

§ 14:1-76 Growth allocation process.

D. Review criteria.

6. No more than 1/2 of the total growth allocation of the County may be located in ~~the RCA resource conservation areas~~, except as provided in Subsection D(6)(b) or (c) of this section;

(a) New ~~IDA intensely developed~~ or ~~LDA limited development areas~~ involving the use of growth allocation shall conform to all criteria of the Commission and shall be designated on the Official Critical Area Map ~~Comprehensive Zoning Map~~ submitted by the County as part of its application to the Commission for program approval or at a later date in compliance with § 8-1809(g) of the Environmental Article of the Annotated Code of Maryland; and

(b) If the County is unable to utilize a portion of the growth allocated in Subsection D(5)(a), (b) and (c) of this section within or adjacent to existing ~~IDA intensely developed~~ or ~~LDA limited development areas~~, then that portion of growth allocation which cannot be so located may be located in the RCA resource conservation area upon recommendation by the Planning Commission, conceptual approval by the County Commissioners and award of growth allocation. A developer shall be required to cluster any residential development in an area of expansion in order to minimize impacts.

(c) Location criteria that varies from the criteria required under Subsections D(5)(a), (b) and (c) of this section may be utilized to:

[1] ~~M~~meet a public need for emergency or medical services including any facility that supports such services.

[a+] The area of proposed IDA ~~growth allocation~~ may be less than 20 acres.

[b2] No more than 20% of the growth allocation ~~from the General Pool~~ may be utilized by this nonadjacency standard.

[2] Allow only for the expansion of a non-profit institutional use existing as of June 29, 1988 that **currently** provides secondary education or is used as a youth camp, **subject to the following:-**

[a] Regardless of the existing non-profit institutional use as of June 29, 1988, this standard only applies to secondary education and youth camps, **lawfully existing as of the date of enactment of this amendment.**

[b] Only the expansion of the secondary education and youth camp may occur on adjacent parcels under the same ownership and proposed use.

[c] No more than 150 acres of growth allocation may be utilized by the nonadjacency standard of this Subsection [2].

[d] The area of the proposed LDA or IDA may be within one or more development envelope(s) that include all septic and stormwater management facilities and may be less than 20 acres. The use of more than one development envelope on a parcel may be permitted, if approved by the Critical Area Commission.

[e] No LDA or IDA established through the award of nonadjacent growth allocation under this section [2] may be considered to satisfy the adjacency requirement of § 14:1-76(D)(5) for future growth allocation requests not affiliated with the secondary education or youth camp use.

[f] Growth allocation awarded under this section [2] is limited to the education or youth camp use proposed by the application. Transfer of ownership of all or portion(s) of the land subject to the growth allocation shall not be restricted.