

CITY COUNCIL
OF
HAVRE DE GRACE, MARYLAND
CHARTER RESOLUTION NO. 298
(ANNEXATION)

Introduced by _____ Council Member Schneegas _____

A RESOLUTION BY THE MAYOR AND CITY COUNCIL OF HAVRE DE GRACE, MARYLAND, ADOPTED PURSUANT TO THE AUTHORITY OF THE MARYLAND CONSTITUTION, ARTICLE XI-E AND THE PROVISIONS OF THE ANNOTATED CODE OF MARYLAND, LOCAL GOVERNMENT ARTICLE SUBTITLE 3: AMENDMENT OR REPEAL OF CHARTER, AND SUBTITLE 4: ANNEXATION AUTHORIZING THE LEGISLATIVE BODY OF A MUNICIPALITY TO ANNEX PROPERTY EXTENDING THE BOUNDARIES OF THE MUNICIPALITY BY RESOLUTION TO AMEND THE CITY CHARTER, SPECIFICALLY APPENDIX A OF THE HAVRE DE GRACE CHARTER BY ADDING “SUBSECTION A.39 THE FIRST 2023 ADDITION TO THE CITY BOUNDARIES,” ALONG WITH THE LEGAL DESCRIPTION OF THE ACRES OF LAND WHICH WILL ENLARGE THE BOUNDARIES OF THE CITY OF HAVRE DE GRACE TO INCLUDE 1419 CHAPEL ROAD CONSISTING OF A TOTAL OF 15,725 SQ. FT. MORE OR LESS

On: 11/20/2023

at: 7:00 p.m.

Charter Amendment Resolution introduced, read first time, ordered posted and public hearing scheduled.

PUBLIC HEARING

Having been posted and notice of time and place of hearing and title of Charter Amendment Resolution having been published according to the Charter, a public hearing was held on January 2, 2024 at 7:02 p.m., and concluded on January 2, 2024 at 7:07 p.m.

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(Annexation)**

WHEREAS, the land subject to this annexation resolution is eligible for annexation since the land is contiguous and adjoining the existing corporate boundaries of the City, and the annexation will not create an unincorporated area as it is bounded on all sides by: (i) property presently within the corporate limits of the City; (ii) real property proposed to be within the corporate limits of the City as a result of the proposed annexation; or (iii) any combination of such properties; and

WHEREAS, the owners of not less than twenty-five percent (25%) of the assessed value of the real property to be annexed and at least 25% of the registered voters who are residents in the area to be annexed consent to the annexation, and therefore the annexation meets the requirements of Section 4-404 of the Local Government Article of the Annotated Code of Maryland; and

WHEREAS, the Mayor and City Council of Havre de Grace, Maryland has adopted an Annexation Plan for the Property on the same date which is known as City Council Calendar Resolution No. 2023-20 and which is the subject to this Charter Resolution, and

WHEREAS, The Mayor and City Council of Havre de Grace, Maryland has determined that the annexation of the 15,725 sq. ft. of land more or less consisting of the parcel located on the north side of the westbound lane of Chapel Road as more specifically defined herein is in the best interest of the health and welfare of the citizens of Havre de Grace and consistent with the City's Comprehensive Plan.

NOW THEREFORE BE IT RESOLVED, ORDAINED, AND ENACTED BY THE MAYOR AND CITY COUNCIL OF HAVRE DE GRACE, MARYLAND AS FOLLOWS:

SECTION 1. The Appendix to the Charter of the Mayor and City Council of Havre de Grace, Maryland is hereby amended to add a new Subsection A.39, The First 2023 Addition to the City Boundaries as set forth in the legal description attached hereto as **Exhibit A** and incorporated by reference herein. ("Property").

SECTION 2. The Mayor and City Council of Havre de Grace, Maryland and the requisite owners of the properties hereby annexed agree that the conditions and circumstances applicable to the change in the boundaries of the City of Havre de Grace caused by this annexation and to the property within the area hereby annexed are as provided in the applicable Charter provisions, laws and ordinances of the State of Maryland and the City of Havre de Grace, except as follows:

(a) The Property is currently given a County zoning destination of R2 on the official zoning maps of Harford County. The zoning designation in the City that the Mayor and City Council shall assign to the Property is R1 as defined in the Havre de Grace Zoning Code.

(b) City water and sewer is already servicing this Property and after the annexation is final, the property will be charged generally applicable rates and pursuant to conditions generally applicable to other City-owned properties within the corporate boundaries of the City of Havre de Grace. The cost to construct any upgrades to facilities necessary to provide water and sewer service to the Property shall be paid according to the laws, rules, regulations and policies,

specifications, standards and approvals (including state and county, if any), existing or required at the time of construction, including any applicable capital cost recovery charges, annexation agreements, public works agreements, or recoupment agreements authorized under the Annexation Resolution, and in accordance with the Annexation Plan adopted under Calendar Resolution 2023-20 attached hereto and marked **Exhibit B**.

(c) The Mayor and City Council of Havre de Grace, Maryland acknowledge that a legal description of the Property has been prepared by a professional engineer and reviewed by the City.

(d) The terms and conditions of this Charter Resolution are consistent with the Annexation Policy of the Mayor and City Council of Havre de Grace, Maryland established by City Code Section 20 (“Annexation Policy”), a copy of which is attached hereto as **Exhibit C**.

SECTION 3. AND BE IT FURTHER RESOLVED that, promptly after the introduction and first reading of this Charter Resolution by the Mayor and City Council of Havre de Grace, Maryland, the Director of Administration shall create a public notice, briefly and accurately describing the proposed change and the conditions and circumstances applicable. The aforesaid notice shall be published two (2) times at not less than weekly intervals in a newspaper or newspapers of general circulation in the City of Havre de Grace and the area to be annexed, as the area to be annexed is less than 25 acres. The aforesaid public notice shall state a time, not less than fifteen (15) days after the second (2nd) publication thereof and not less than 30 days after the Annexation Plan described in Calendar Resolution 2023-20 is approved, provided to the regional and national planning agencies, and the place within the City of Havre de Grace at which a public hearing shall be held to consider public comment to consider this Charter Resolution. The public hearing may be continued or rescheduled in accordance with the requirements set forth in Local Government Article of the Annotated Code of Maryland. Immediately upon the first publication of the specified public notice, a copy of the public notice and other relevant documents shall be provided to the Harford County Council, the Harford County Executive, the Director of the Harford County Department of Planning and Zoning, the Planning Commission of the City of Havre de Grace, and to any other regional or state planning agency having jurisdiction over the property.

SECTION 4. AND BE IT FURTHER RESOLVED that, this Charter Resolution shall become effective forty-five (45) days after its enactment by the Mayor and City Council of Havre de Grace, Maryland, provided that after the public hearing this Charter Resolution is read and passed by an affirmative vote of a majority of the Council members present at a second reading of the Charter Resolution at a regular City Council meeting after the conclusion of the public hearing and any continuation thereof as prescribed by the Local Government Article Section 4-407 of the Annotated Code of Maryland (as amended) and also provided that a proper petition for referendum calling for an election related to the annexation is not filed as permitted by law.

SECTION 5. AND BE IT FURTHER RESOLVED that, if any section, subsection, paragraph, sentence, clause, phrase or word of this Resolution or its application to any person or circumstances is held invalid by any court of competent jurisdiction, the remaining sections, subsections, paragraphs, sentences, clauses, phrases, and words of this Resolution, or the

**CHARTER Resolution No. 298
(Annexation)**

application of the provision to other persons or circumstances then in effect, shall continue in full force and effect.

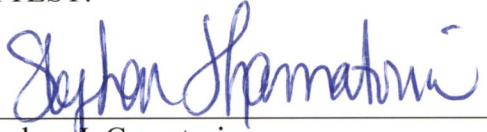
SECTION 6. AND BE IT FURTHER RESOLVED, by the Mayor and City Council of Havre de Grace, Maryland, that the Director of Planning shall promptly register the original and the new corporate boundaries of the City of Havre de Grace with the Clerk of the Circuit Court of Harford County and the Department of Legislative Reference for the State of Maryland when this Resolution takes effect.

SECTION 7. AND BE IT FURTHER RESOLVED, by the City Council of Havre de Grace, Maryland that the Mayor is authorized to enter into an Annexation Agreement and/or Public Works Agreement with the recommendation of the Director of Planning Director of the Department of Public Works, and after for legal sufficiency by the City Attorney, to implement the purposes of this Charter Resolution and the Annexation Plan.

Introduced by the City Council the 20th day of November, 2023.

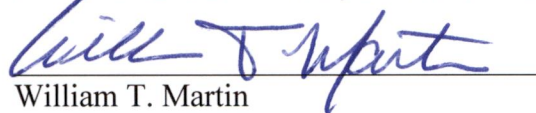
Attested by the Director of Administration this 17th day of January, 2024.

ATTEST:



Stephen J. Gamatoria
Director of Administration

THE MAYOR AND CITY COUNCIL
OF HAVRE DE GRACE, MARYLAND



William T. Martin
Mayor

Introduced: 11/20/2023
Public Hearing 1/2/2024
Second Reading/Enacted: 1/16/2024
Adopted/Effective Date (45 days after enactment if no referendum): 3/1/2024

Attachments:

- Exhibit A – Property Description
- Exhibit B – Resolution 2023-20 – Annexation Plan
- Exhibit C – City Code Section 20 – Annexation Policy

Exhibit A

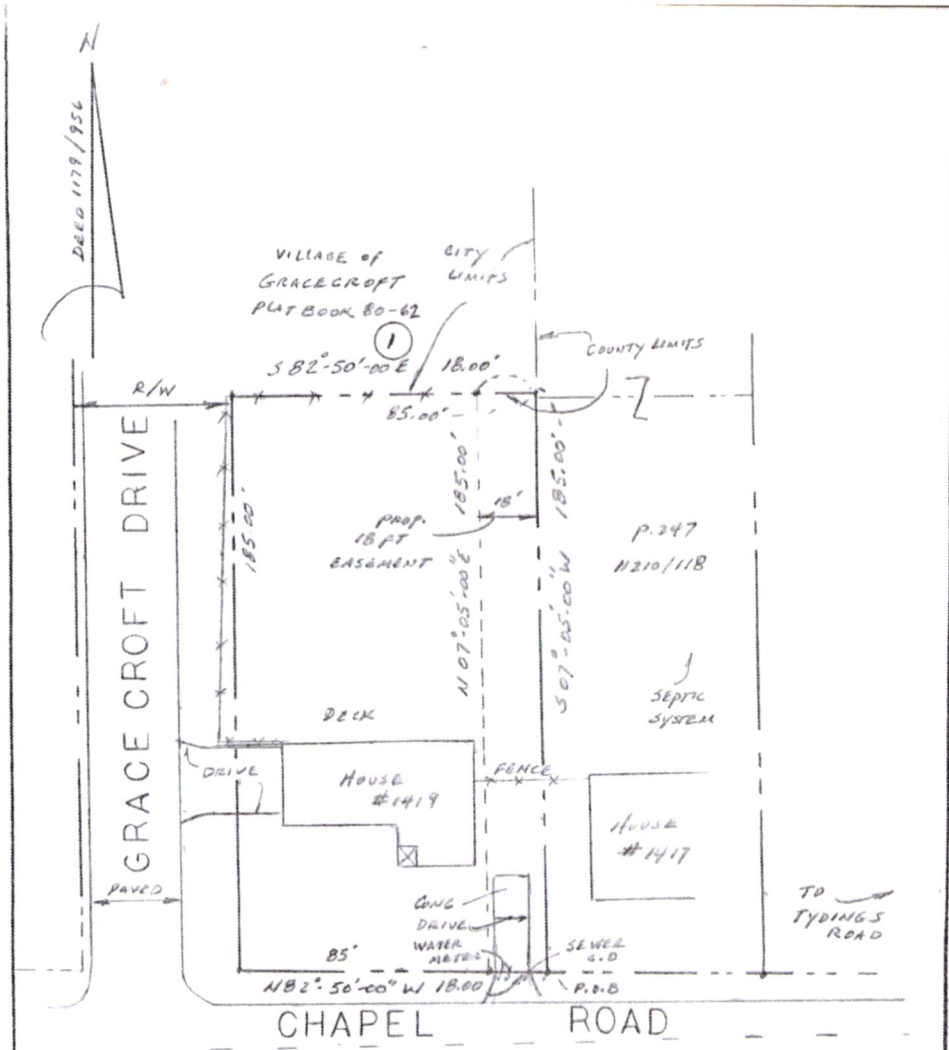
Property Description of Land

To be Annexed into the City of Havre de Grace

1419 Chapel Road

Consisting of 15,725 Square Feet More or Less

Beginning for the same at a point on the northerly side of the road leading from Havre de Grace to Wesleyan Chapel, known as Chapel Road distant fifteen feet northwesterly from the southwesterly corner of the lot heretofore conveyed by deed from G. Arnold Pfaffenbach to William Ellsworth Fletcher and Minnie L. Fletcher, his wife, dated July 14, 1951 and recorded among the Land Records of Harford County in Liber G.R.G. 359, Folio 508; and running thence parallel with the westerly line of said lot conveyed by deed to William Ellsworth Fletcher and Minnie L. Fletcher, his wife, as aforesaid North 7° 05' East 185 feet to a point; thence parallel with the northerly side of Chapel Road North 82° 50' West 85 feet to a point; thence parallel with the aforesaid lot heretofore conveyed by deed from G. Arnold Pfaffenbach to William Ellsworth Fletcher and Minnie L. Fletcher, his wife, South 7° 05' West 185 feet to the northerly side of Chapel Road, thence with the northerly side of Chapel Road South 82° 50' East 85 feet to the place of beginning.



#1417 CHAPEL ROAD DEED 11210/118 parcel 247
 HAVRE DE GRACE, MD 21078 TAX MAP 44

#1419 CHAPEL ROAD DEED 1178/956 parcel 246
 HAVRE DE GRACE, MD 21078

LOTS ARE IN HARFORD COUNTY; NOT IN THE CITY
 18x185 = 3330 SQ FT ; 0.076446 AC ±

<p>Plat to Accompany Easement Description</p> <p>1417 & 1419 Chapel Road Havre de Grace, Maryland</p> <p>6th Election District Harford County, Maryland</p>	<p>SURVEYOR SEAL</p>	<p>WELSH ENGINEERING 2 PARADISE DRIVE HAVRE DE GRACE, MARYLAND 20178</p> <p>410-939-1304 FAX 410-939-6480</p>		
	<p>SCALE: 1" = 40' DATE: 11-24-16</p>		<p>DRAWN: JW</p>	<p>JOB: 1171 J</p>
	<p>SEWER G.O. P.O.B.</p>		<p>TO TYDINGS ROAD</p>	

Exhibit B

Resolution No. 2023-20

CITY COUNCIL
OF
HAVRE DE GRACE, MARYLAND

RESOLUTION NO. 2023-20

Introduced by _____ Council President Ringsaker

A RESOLUTION BY THE MAYOR AND CITY COUNCIL OF HAVRE DE GRACE, MARYLAND, ADOPTED PURSUANT TO THE AUTHORITY OF THE MARYLAND CONSTITUTION ARTICLE XI-E AND THE PROVISIONS OF THE ANNOTATED CODE OF MARYLAND, LOCAL GOVERNMENT ARTICLE SECTION 4-405, AND CITY CHARTER SECTION 34 ADOPTING AN ANNEXATION PLAN FOR THE PROPERTY KNOWN AS 1419 CHAPEL ROAD CONSISTING OF A TOTAL OF 15,725 SQUARE FEET MORE OR LESS

WHEREAS, the Mayor and City Council of Havre de Grace (“City”) seeks to annex certain Property located at 1419 Chapel Road, consisting of 15,725 sq. ft. more or less, and adopt this Annexation Plan in furtherance of the proposed Charter Resolution for Annexation (“Charter Resolution” or “Annexation Resolution”); and

WHEREAS, the property to be annexed consists of 15,725, sq. ft. more or less located on the north side of Chapel Road westbound, situated and lying in the Sixth Election District of Harford County, Maryland as set forth more fully below; and

WHEREAS, the property is adjacent to property already within the municipal limits of the City, and will not create an enclave;

WHEREAS, the annexation is consistent with the Municipal Growth Element of the City’s 2010 Comprehensive Plan, and specifically the annexation of properties on a case-by-case basis along Chapel Road between Tydings Road and Shawnee Brooke Drive;

NOW THEREFORE, the Mayor and City Council adopt the following Annexation Plan for the property, as defined herein:

THE ANNEXATION PLAN FOR ONE PARCEL OF LAND LOCATED AT 1419 CHAPEL ROAD FOR A TOTAL OF 15,725 sq. ft. MORE OR LESS

1. Introduction. The property proposed to be annexed in this Plan is a residential lot situated along the north side of the westbound lane of Chapel Road at the entrance to the residential community known as Gracecroft (although it is not formerly part of Gracecroft, having been in place prior to the establishment of that development). For

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(Annexation)**

Resolution No. 2023-20

identification purposes, the Property being annexed consists of one parcel known as 1419 Chapel Road, with the total land area being 15,725 sq. ft., more or less, (the "Property"). The Property to be annexed is reflected on the property description and survey attached as **Exhibit A** and is more particularly described in the following deed filed among the Land Records of Harford County:

1419 Chapel Road, Tax Map 44, Grid 3F, Parcel 246, Account ID No. 06-005667, and described in a Deed dated April 7, 2017 and recorded among the Land Records of Harford County, Maryland, in Liber/Book 12343, folio/page 432, from Dennis M. Moore and Marilee F. Moore to Christopher Skelley and Iris Skelley, husband and wife.

2. Current Conditions. Currently there is one residence located on the Property and two resident voters. The Property to be annexed is serviced by City water and sewer and currently has a private trash service. The property owner has requested the proposed annexation of the Property.
3. Current Zoning. The Property is currently zoned R2 on the official zoning maps of Harford County.
4. Future Proposed Use. The owner of the Property has indicated that it intends to continue the current use as an owner-occupied single-family residence.
5. Proposed Zoning. Proposed zoning for the Property will be R1. No amendment to the City's zoning code will be required for the continued use as currently proposed. The use is also consistent with the Comprehensive Plan for the City of Havre de Grace and uses of adjoining properties.
6. Public Facilities. There is currently no requirement that the land subject to this Annexation Plan be set aside for a school site, water or sewer treatment facilities, libraries, recreation, or fire, EMS or police departments, except that any public easements to be dedicated to the City for purposes of access to any portion of the public water/sewer line which may run through or along the annexed Property may be required. The current annexation plan shall be reviewed for anticipated infrastructure needs. As for water and sewer capacity, the City currently has the water and sewer capacity for this the Property and the owner will be required to pay for all required connection and capital cost recovery fees set forth in the City Code for any new connections. In addition, infrastructure improvements for water pressure and volume of delivery may be required depending on future development plans and will be separately considered at that time. Until a site plan or building permit is approved for such subsequent development of the property, water and sewer capacity for increased or new demand and use remain uncommitted and not guaranteed. Water and/or sewer line upgrades for future increased use must be paid by the owner of the parcel at the property owner's expense, and any recorded recoupments will need to be collected prior to such connections. If there are any additional required infrastructure improvements, including but not limited to water and sewer capacity or distribution

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(Annexation)**

Resolution No. 2023-20

upgrades, they shall all be paid for by the owner/developers of the property along with required bonding for performance and maintenance. The owners/developers of the Property shall be charged the standard capital cost recovery charges, user benefit fees and all other fees and charges associated with connection to the City's water and sewer systems. Water and Sewer service rates shall be charged at the generally applicable rates and pursuant to the conditions generally applied by the City. The Property may be subject to recoupment agreements or cost recovery charges for water and sewer as may be authorized by City ordinances, the Annexation Resolution, Annexation Agreement, and/or Public Works Agreement, or separate agreements for capital cost recoupment that may be recorded among the Land Record for Harford County. After the effective date of the annexation, the water and sewer charges will be commensurate with the fees charged to citizens of Havre de Grace which will be prorated from the effective date through the end of the first quarterly billing cycle.

7. Trash Removal. Once annexed, the Property will be serviced by the City's trash removal services and will be charged for all applicable for the tipping fee on the quarterly water/sewer bill.
8. Fire Protection. Fire protection shall continue to be provided to the Property by the Susquehanna Hose Company, Inc. pursuant to conditions applicable to other properties within the corporate boundaries of the City and properties outside of the municipal limits.
9. Schools – Library – Recreation. The scope of the development on the Property is limited to the current single family residential use. As such, no recreation element is required, and no additional school or library expansions will be needed as a result of the proposed annexation.
10. Real Property Taxes. The Property shall be taxed by the City at generally applicable rates. If the land is subject to an abatement request due to an enterprise zone designation.
11. EMS. EMS protection shall be provided to the Property by the Havre de Grace Ambulance Corps, Inc. and Harford County Emergency Services pursuant to the conditions applicable to other properties within the corporate boundaries of the City and properties outside of the municipal limits.
12. Police. Police protection shall be provided to the Property by the Havre de Grace Police Department pursuant to the conditions to other properties within the corporate boundaries of the City and properties outside of the municipal limits in accordance with current mutual aid agreements and policies with the County and neighboring municipalities.
13. Timing of Municipal Services. The municipal services contemplated by this Annexation shall be provided at such time as the Annexation Resolution (Charter Resolution) becomes final after the time for referendum has expired.

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(Annexation)**

Resolution No. 2023-20

14. Annexation Agreement and Public Works Agreement. The Mayor is authorized to enter into an Annexation Agreement and/or Public Works Agreement with and the owners/developers of the Property detailing the terms of this Annexation Plan and any other appropriate conditions, if required by the City based on recommendations by the Director of the Department of Planning, the Director of the Department of Public Works and/or the City Attorney prior to any development or connections to City water and sewer. The provisions of this Annexation Plan are to be considered minimum requirements and additional requirements (including capital cost recovery fees) or more stringent requirements which may be added and addressed in an Annexation Agreement and/or Public Works Agreement, or both, or as otherwise provided in the Annexation Resolution (Charter Resolution).

NOW THEREFORE, it is this 20th day of November, 2023 determined, decided and resolved by the Mayor and City Council:

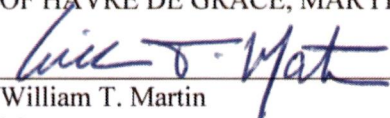
1. To adopt the Annexation Plan set forth herein.
2. To introduce the Charter Resolution (Annexation Resolution) at the November 20, 2023 City Council meeting;
3. To hold a hearing on the Charter Resolution (Annexation Resolution) on January 2, 2024 at 7 p.m.

ADOPTED by the City Council of Havre de Grace, Maryland this 20th day of November, 2023.

ATTEST:



Stephen J. Gamatoria
Director of Administration

THE MAYOR AND CITY COUNCIL
OF HAVRE DE GRACE, MARYLAND


William T. Martin
Mayor

Introduced: 11/20/2023
Passed/Adopted: 11/20/2023
Effective Date: 11/22/2023

Note: Once approved by City Council, this calendar Resolution is to be attached as Exhibit B to the Charter Resolution (Annexation Resolution) referenced herein.

Exhibit A

Property Description of Land

To be Annexed into the City of Havre de Grace

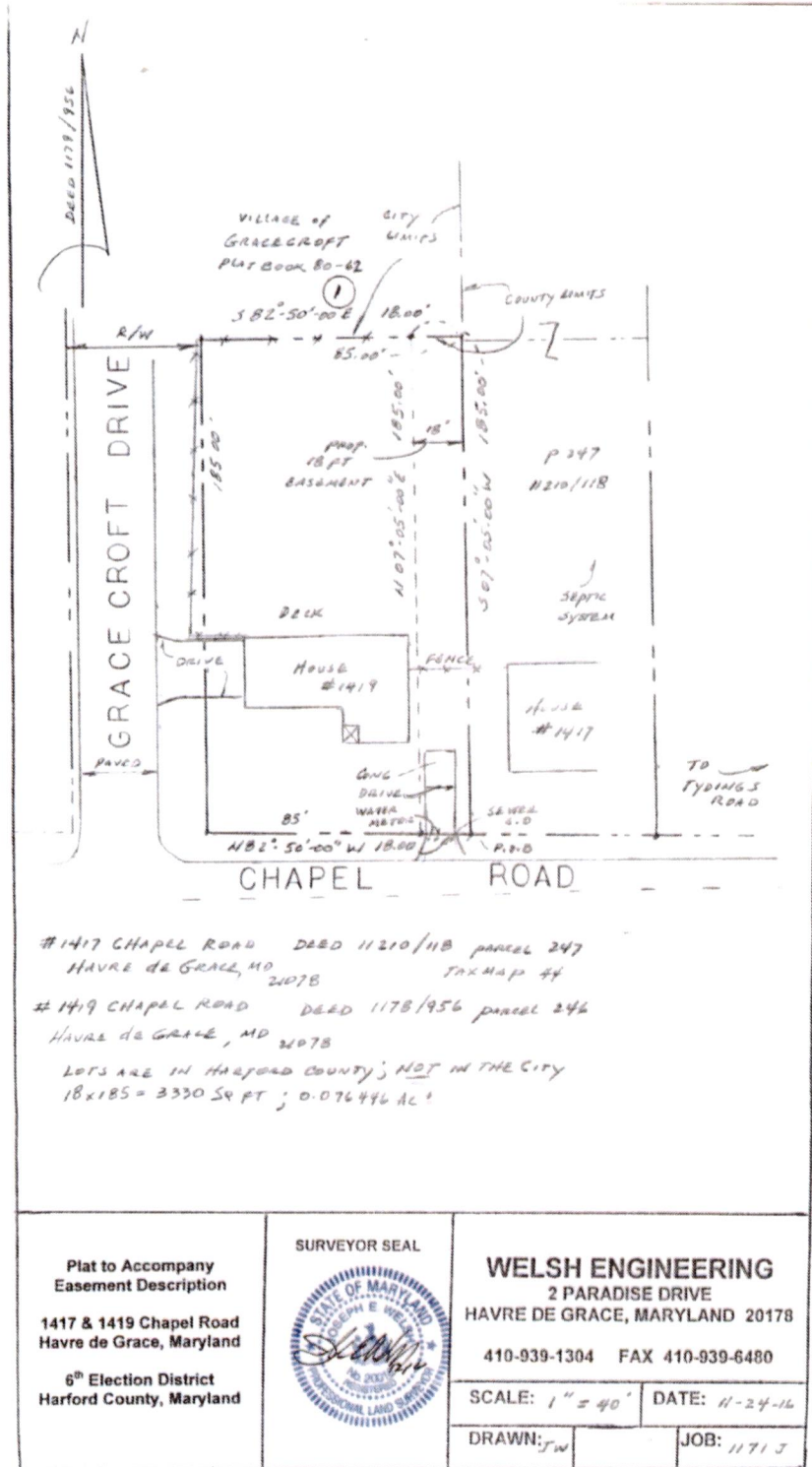
1419 Chapel Road

Consisting of 15,725 Square Feet More or Less

Beginning for the same at a point on the northerly side of the road leading from Havre de Grace to Wesleyan Chapel, known as Chapel Road distant fifteen feet northwesterly from the southwesterly corner of the lot heretofore conveyed by deed from G. Arnold Pfaffenbach to William Ellsworth Fletcher and Minnie L. Fletcher, his wife, dated July 14, 1951 and recorded among the Land Records of Harford County in Liber G.R.G. 359, Folio 508; and running thence parallel with the westerly line of said lot conveyed by deed to William Ellsworth Fletcher and Minnie L. Fletcher, his wife, as aforesaid North 7° 05' East 185 feet to a point; thence parallel with the northerly side of Chapel Road North 82° 50' West 85 feet to a point; thence parallel with the aforesaid lot heretofore conveyed by deed from G. Arnold Pfaffenbach to William Ellsworth Fletcher and Minnie L. Fletcher, his wife, South 7° 05' West 185 feet to the northerly side of Chapel Road, thence with the northerly side of Chapel Road South 82° 50' East 85 feet to the place of beginning.

CHARTER Resolution No. 298
(Annexation)

Resolution No. 2023-20



Resolution No. 2023-20
A. Ishak - 11/15/2023

Charter Resolution No. 298
A. Ishak - 11/15/2023

Exhibit C

§ 20-1. Policy.

The following principles shall govern annexation:

- A. The City Council may consider and act upon a petition for the annexation of land contiguous and adjacent to the corporate limits of the City in order to promote the health, safety, welfare, and economic development of the City.
- B. The annexation may be appropriate when it promotes coordinated planning for the area surrounding the land proposed for annexation, and where it is consistent with the plans for the present and future development of the City, and where it will not result in isolated development inconsistent with surrounding land uses.
- C. The annexation must contribute to the realization and/or furtherance of the goals and objectives of the Comprehensive Plan and any other corridor or small area plan.
- D. The location relative to existing public facilities and a review of the City's ability to provide public facilities to serve the annexation area.
- E. The development of relevant conditions for the protection and benefit of the residents of the City.
- F. The annexation will not result in an adverse fiscal impact upon the City.
- G. Upon approval of an annexation petition by the City Council, the petitioner shall not be permitted to amend or to otherwise change the terms of the annexation petition.

:1



City of Havre de Grace

711 PENNINGTON AVENUE, HAVRE DE GRACE, MARYLAND 21078
WWW.HAVREDEGRACEMD.COM

410- 939-1800
410- 575-7043

November 28, 2023

Shane Grimm, AICP, Planning Director
Harford County Government
Department of Planning and Zoning
220 South Main Street
Bel Air, Maryland 21014

RE: Annexation Resolution No. 298
1419 Chapel Road
Havre de Grace, MD 20178

Dear Mr. Grimm:

The Havre de Grace City Council is considering the annexation of 1419 Chapel Road consisting of approximately 15,725 square feet of land. Accompanying this letter is a copy of the Annexation Resolution, legal description of the property, and location map for your review and comment. The property is currently zoned R2/Urban Residential District by Harford County. The City proposes to zone the property R1/Residential District as defined in the Havre de Grace Zoning Code. The City Council passed Resolution 2023-20 (The Annexation Plan) for the subject property on November 20, 2023. This information is sent to you in accordance with the requirements set forth in the Annotated Code of Maryland, Local Government § 4-415(f), entitled "Annexation Plan".

A public hearing will be held on January 2, 2024 at the City Council Chambers of the City of Havre de Grace, 711 Pennington Avenue. If you would like to provide comments on the proposed annexation, please provide your comments in writing by December 19, 2023 which is two weeks prior to the hearing date. If you have immediate questions regarding this matter, please contact me at 410-939-1800 or via email at diannek@havredegracemd.com. Thank you in advance for your consideration.

Sincerely,

Dianne Klair
Senior Planner
Department of Planning

Cc: Stephen Gamatoria, Director of Administration
April Ishak, Esq., City Attorney
Timothy Bourcier, Director of Department of Planning
Tamara Brinkman, Administrative Assistant

CITY COUNCIL
OF
HAVRE DE GRACE, MARYLAND

RESOLUTION NO. 2023-20

Introduced by _____ Council President Ringsaker

A RESOLUTION BY THE MAYOR AND CITY COUNCIL OF HAVRE DE GRACE, MARYLAND, ADOPTED PURSUANT TO THE AUTHORITY OF THE MARYLAND CONSTITUTION ARTICLE XI-E AND THE PROVISIONS OF THE ANNOTATED CODE OF MARYLAND, LOCAL GOVERNMENT ARTICLE SECTION 4-405, AND CITY CHARTER SECTION 34 ADOPTING AN ANNEXATION PLAN FOR THE PROPERTY KNOWN AS 1419 CHAPEL ROAD CONSISTING OF A TOTAL OF 15,725 SQUARE FEET MORE OR LESS

WHEREAS, the Mayor and City Council of Havre de Grace (“City”) seeks to annex certain Property located at 1419 Chapel Road, consisting of 15,725 sq. ft. more or less, and adopt this Annexation Plan in furtherance of the proposed Charter Resolution for Annexation (“Charter Resolution” or “Annexation Resolution”); and

WHEREAS, the property to be annexed consists of 15,725, sq. ft. more or less located on the north side of Chapel Road westbound, situated and lying in the Sixth Election District of Harford County, Maryland as set forth more fully below; and

WHEREAS, the property is adjacent to property already within the municipal limits of the City, and will not create an enclave;

WHEREAS, the annexation is consistent with the Municipal Growth Element of the City’s 2010 Comprehensive Plan, and specifically the annexation of properties on a case-by-case basis along Chapel Road between Tydings Road and Shawnee Brooke Drive;

NOW THEREFORE, the Mayor and City Council adopt the following Annexation Plan for the property, as defined herein:

THE ANNEXATION PLAN FOR ONE PARCEL OF LAND LOCATED AT 1419 CHAPEL ROAD FOR A TOTAL OF 15,725 sq. ft. MORE OR LESS

1. Introduction. The property proposed to be annexed in this Plan is a residential lot situated along the north side of the westbound lane of Chapel Road at the entrance to the residential community known as Gracecroft (although it is not formerly part of Gracecroft, having been in place prior to the establishment of that development). For

identification purposes, the Property being annexed consists of one parcel known as 1419 Chapel Road, with the total land area being 15,725 sq. ft., more or less, (the "Property"). The Property to be annexed is reflected on the property description and survey attached as **Exhibit A** and is more particularly described in the following deed filed among the Land Records of Harford County:

1419 Chapel Road, Tax Map 44, Grid 3F, Parcel 246, Account ID No. 06-005667, and described in a Deed dated April 7, 2017 and recorded among the Land Records of Harford County, Maryland, in Liber/Book 12343, folio/page 432, from Dennis M. Moore and Marilee F. Moore to Christopher Skelley and Iris Skelley, husband and wife.

2. Current Conditions. Currently there is one residence located on the Property and two resident voters. The Property to be annexed is serviced by City water and sewer and currently has a private trash service. The property owner has requested the proposed annexation of the Property.
3. Current Zoning. The Property is currently zoned R2 on the official zoning maps of Harford County.
4. Future Proposed Use. The owner of the Property has indicated that it intends to continue the current use as an owner-occupied single-family residence.
5. Proposed Zoning. Proposed zoning for the Property will be R1. No amendment to the City's zoning code will be required for the continued use as currently proposed. The use is also consistent with the Comprehensive Plan for the City of Havre de Grace and uses of adjoining properties.
6. Public Facilities. There is currently no requirement that the land subject to this Annexation Plan be set aside for a school site, water or sewer treatment facilities, libraries, recreation, or fire, EMS or police departments, except that any public easements to be dedicated to the City for purposes of access to any portion of the public water/sewer line which may run through or along the annexed Property may be required. The current annexation plan shall be reviewed for anticipated infrastructure needs. As for water and sewer capacity, the City currently has the water and sewer capacity for this the Property and the owner will be required to pay for all required connection and capital cost recovery fees set forth in the City Code for any new connections. In addition, infrastructure improvements for water pressure and volume of delivery may be required depending on future development plans and will be separately considered at that time. Until a site plan or building permit is approved for such subsequent development of the property, water and sewer capacity for increased or new demand and use remain uncommitted and not guaranteed. Water and/or sewer line upgrades for future increased use must be paid by the owner of the parcel at the property owner's expense, and any recorded recoupments will need to be collected prior to such connections. If there are any additional required infrastructure improvements, including but not limited to water and sewer capacity or distribution

upgrades, they shall all be paid for by the owner/developers of the property along with required bonding for performance and maintenance. The owners/developers of the Property shall be charged the standard capital cost recovery charges, user benefit fees and all other fees and charges associated with connection to the City's water and sewer systems. Water and Sewer service rates shall be charged at the generally applicable rates and pursuant to the conditions generally applied by the City. The Property may be subject to recoupment agreements or cost recovery charges for water and sewer as may be authorized by City ordinances, the Annexation Resolution, Annexation Agreement, and/or Public Works Agreement, or separate agreements for capital cost recoupment that may be recorded among the Land Record for Harford County. After the effective date of the annexation, the water and sewer charges will be commensurate with the fees charged to citizens of Havre de Grace which will be prorated from the effective date through the end of the first quarterly billing cycle.

7. Trash Removal. Once annexed, the Property will be serviced by the City's trash removal services and will be charged for all applicable for the tipping fee on the quarterly water/sewer bill.
8. Fire Protection. Fire protection shall continue to be provided to the Property by the Susquehanna Hose Company, Inc. pursuant to conditions applicable to other properties within the corporate boundaries of the City and properties outside of the municipal limits.
9. Schools – Library – Recreation. The scope of the development on the Property is limited to the current single family residential use. As such, no recreation element is required, and no additional school or library expansions will be needed as a result of the proposed annexation.
10. Real Property Taxes. The Property shall be taxed by the City at generally applicable rates. If the land is subject to an abatement request due to an enterprise zone designation.
11. EMS. EMS protection shall be provided to the Property by the Havre de Grace Ambulance Corps, Inc. and Harford County Emergency Services pursuant to the conditions applicable to other properties within the corporate boundaries of the City and properties outside of the municipal limits.
12. Police. Police protection shall be provided to the Property by the Havre de Grace Police Department pursuant to the conditions to other properties within the corporate boundaries of the City and properties outside of the municipal limits in accordance with current mutual aid agreements and policies with the County and neighboring municipalities.
13. Timing of Municipal Services. The municipal services contemplated by this Annexation shall be provided at such time as the Annexation Resolution (Charter Resolution) becomes final after the time for referendum has expired.

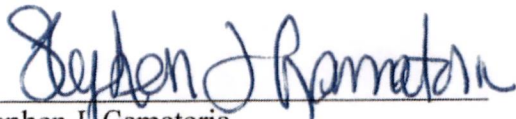
14. Annexation Agreement and Public Works Agreement. The Mayor is authorized to enter into an Annexation Agreement and/or Public Works Agreement with and the owners/developers of the Property detailing the terms of this Annexation Plan and any other appropriate conditions, if required by the City based on recommendations by the Director of the Department of Planning, the Director of the Department of Public Works and/or the City Attorney prior to any development or connections to City water and sewer. The provisions of this Annexation Plan are to be considered minimum requirements and additional requirements (including capital cost recovery fees) or more stringent requirements which may be added and addressed in an Annexation Agreement and/or Public Works Agreement, or both, or as otherwise provided in the Annexation Resolution (Charter Resolution).

NOW THEREFORE, it is this 20th day of November, 2023 determined, decided and resolved by the Mayor and City Council:

1. To adopt the Annexation Plan set forth herein.
2. To introduce the Charter Resolution (Annexation Resolution) at the November 20, 2023 City Council meeting;
3. To hold a hearing on the Charter Resolution (Annexation Resolution) on January 2, 2024 at 7 p.m.

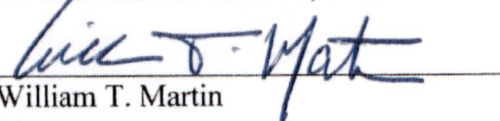
ADOPTED by the City Council of Havre de Grace, Maryland this 20th day of November, 2023.

ATTEST:



Stephen J. Gamatoria
Director of Administration

THE MAYOR AND CITY COUNCIL
OF HAVRE DE GRACE, MARYLAND



William T. Martin
Mayor

Introduced: 11/20/2023
Passed/Adopted: 11/20/2023
Effective Date: 11/22/2023

Note: Once approved by City Council, this calendar Resolution is to be attached as Exhibit B to the Charter Resolution (Annexation Resolution) referenced herein.

Exhibit A

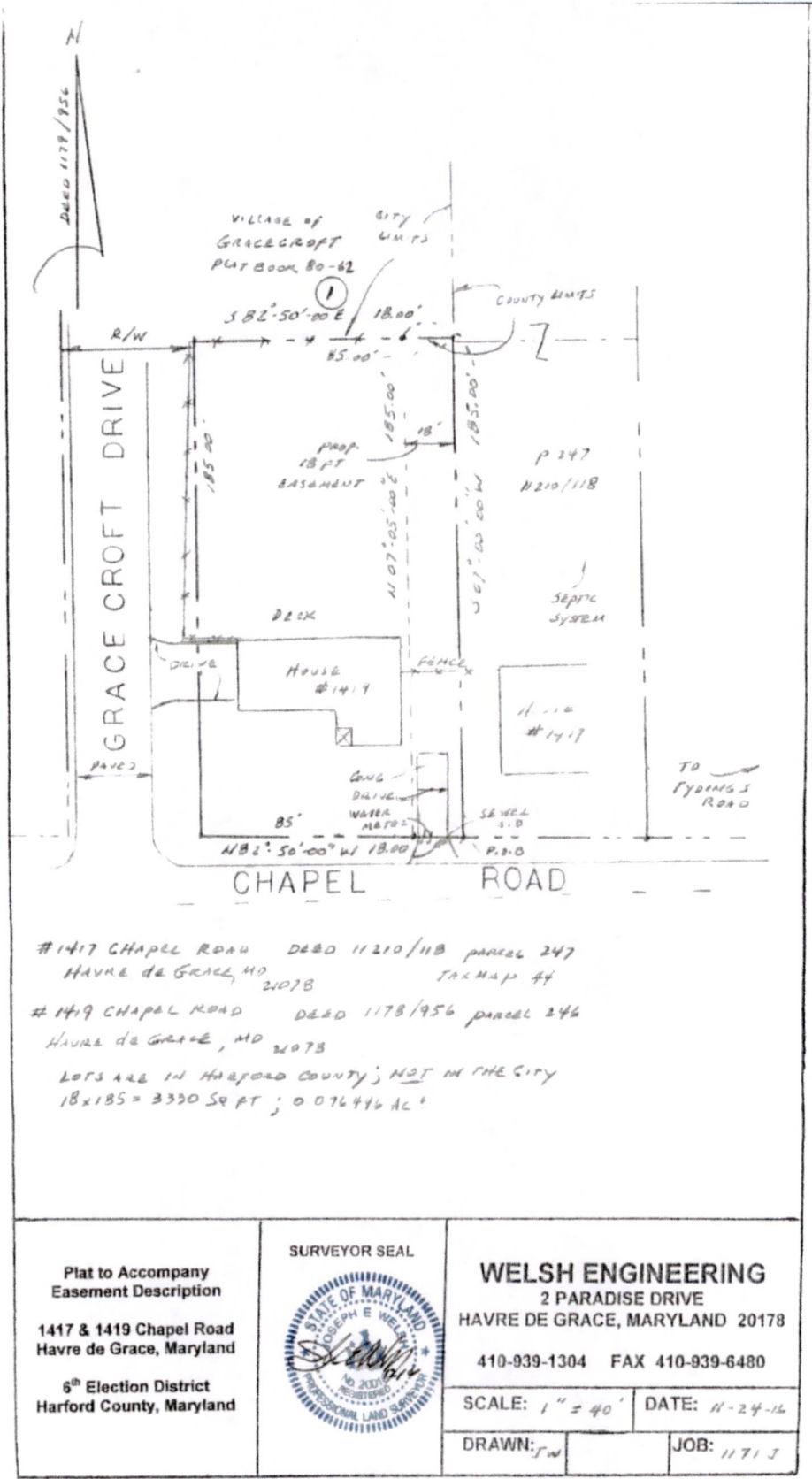
Property Description of Land

To be Annexed into the City of Havre de Grace

1419 Chapel Road

Consisting of 15,725 Square Feet More or Less

Beginning for the same at a point on the northerly side of the road leading from Havre de Grace to Wesleyan Chapel, known as Chapel Road distant fifteen feet northwesterly from the southwesterly corner of the lot heretofore conveyed by deed from G. Arnold Pfaffenbach to William Ellsworth Fletcher and Minnie L. Fletcher, his wife, dated July 14, 1951 and recorded among the Land Records of Harford County in Liber G.R.G. 359, Folio 508; and running thence parallel with the westerly line of said lot conveyed by deed to William Ellsworth Fletcher and Minnie L. Fletcher, his wife, as aforesaid North 7° 05' East 185 feet to a point; thence parallel with the northerly side of Chapel Road North 82° 50' West 85 feet to a point; thence parallel with the aforesaid lot heretofore conveyed by deed from G. Arnold Pfaffenbach to William Ellsworth Fletcher and Minnie L. Fletcher, his wife, South 7° 05' West 185 feet to the northerly side of Chapel Road, thence with the northerly side of Chapel Road South 82° 50' East 85 feet to the place of beginning.



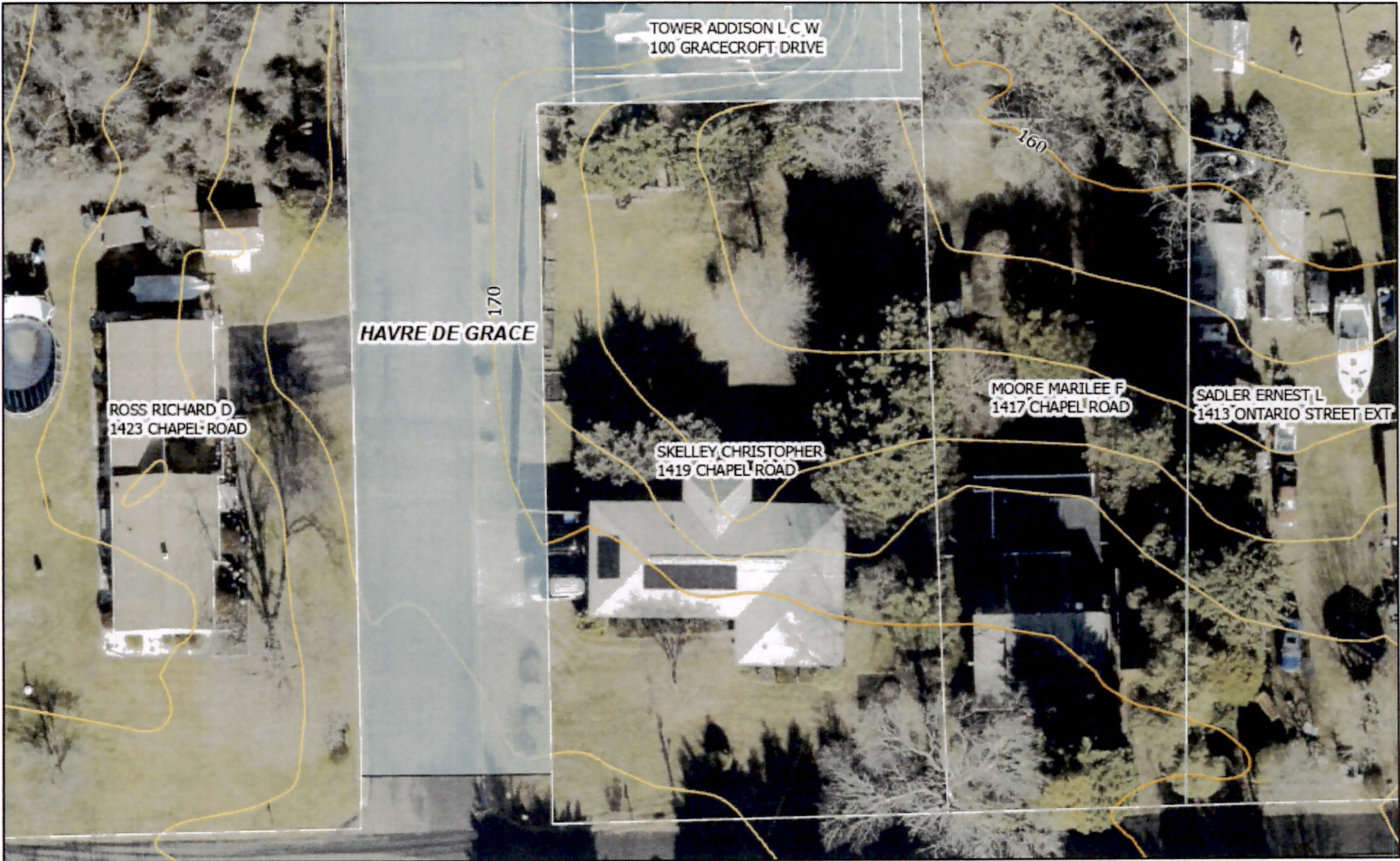
#1417 CHAPEL ROAD DEED 11210/118 parcel 247
 HAVRE DE GRACE, MD 21078 TAX MAP 44

#1419 CHAPEL ROAD DEED 1178/956 parcel 246
 HAVRE DE GRACE, MD 21078

LOTS ARE IN HARFORD COUNTY; NOT IN THE CITY
 18x185 = 3330 SQ FT ; 0.076446 AC ±

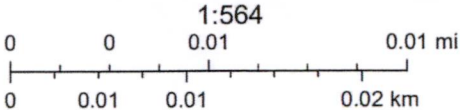
Plat to Accompany Easement Description 1417 & 1419 Chapel Road Havre de Grace, Maryland 6 th Election District Harford County, Maryland	SURVEYOR SEAL 	WELSH ENGINEERING 2 PARADISE DRIVE HAVRE DE GRACE, MARYLAND 20178 410-939-1304 FAX 410-939-6480
	SCALE: 1" = 40' DATE: 11-24-16	
	DRAWN: J.W.	JOB: 1171 J

1419 Chapel Road - Annexation Resolution No. 298



11/27/2023, 2:48:00 PM

- 2' Intermediate Contours
- 10' Index Contours
- 20' Index Contours
- Municipal Boundaries
- HAVRE DE GRACE
- Cadastral (IN WHITE)
- Harford County Boundary
- Cadastral Labels



Cecil County, Harford County Government, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA



City of Havre de Grace

711 PENNINGTON AVENUE, HAVRE DE GRACE, MARYLAND 21078
WWW.HAVREDEGRACEMD.COM

410- 939-1800
410- 575-7043

November 28, 2023

Rebecca Flora, AICP, Secretary
Maryland Department of Planning
301 W. Preston Street, Suite 1101
Baltimore, Maryland 21201

RE: Annexation Resolution No. 298
1419 Chapel Road
Havre de Grace, MD 20178

Dear Ms. Flora:

The Havre de Grace City Council is considering the annexation of 1419 Chapel Road consisting of approximately 15,725 square feet of land. Accompanying this letter is a copy of the Annexation Resolution, legal description of the property, and location map for your review and comment. The property is currently zoned R2/Urban Residential District by Harford County. The City proposes to zone the property R1/Residential District as defined in the Havre de Grace Zoning Code. The City Council passed Resolution 2023-20 (The Annexation Plan) for the subject property on November 20, 2023. This information is sent to you in accordance with the requirements set forth in the Annotated Code of Maryland, Local Government § 4-415(f), entitled "Annexation Plan".

A public hearing will be held on January 2, 2024 at the City Council Chambers of the City of Havre de Grace, 711 Pennington Avenue. If you would like to provide comments on the proposed annexation, please provide your comments in writing by December 19, 2023 which is two weeks prior to the hearing date. If you have immediate questions regarding this matter, please contact me at 410-939-1800 or via email at diannek@havredegracemd.com. Thank you in advance for your consideration.

Sincerely,

Dianne Klair
Senior Planner
Department of Planning

Cc: Stephen Gamatoria, Director of Administration
April Ishak, Esq., City Attorney
Timothy Bourcier, Director of Department of Planning
Tamara Brinkman, Administrative Assistant

CITY COUNCIL
OF
HAVRE DE GRACE, MARYLAND

RESOLUTION NO. 2023-20

Introduced by _____ Council President Ringsaker

A RESOLUTION BY THE MAYOR AND CITY COUNCIL OF HAVRE DE GRACE, MARYLAND, ADOPTED PURSUANT TO THE AUTHORITY OF THE MARYLAND CONSTITUTION ARTICLE XI-E AND THE PROVISIONS OF THE ANNOTATED CODE OF MARYLAND, LOCAL GOVERNMENT ARTICLE SECTION 4-405, AND CITY CHARTER SECTION 34 ADOPTING AN ANNEXATION PLAN FOR THE PROPERTY KNOWN AS 1419 CHAPEL ROAD CONSISTING OF A TOTAL OF 15,725 SQUARE FEET MORE OR LESS

WHEREAS, the Mayor and City Council of Havre de Grace (“City”) seeks to annex certain Property located at 1419 Chapel Road, consisting of 15,725 sq. ft. more or less, and adopt this Annexation Plan in furtherance of the proposed Charter Resolution for Annexation (“Charter Resolution” or “Annexation Resolution”); and

WHEREAS, the property to be annexed consists of 15,725, sq. ft. more or less located on the north side of Chapel Road westbound, situated and lying in the Sixth Election District of Harford County, Maryland as set forth more fully below; and

WHEREAS, the property is adjacent to property already within the municipal limits of the City, and will not create an enclave;

WHEREAS, the annexation is consistent with the Municipal Growth Element of the City’s 2010 Comprehensive Plan, and specifically the annexation of properties on a case-by-case basis along Chapel Road between Tydings Road and Shawnee Brooke Drive;

NOW THEREFORE, the Mayor and City Council adopt the following Annexation Plan for the property, as defined herein:

THE ANNEXATION PLAN FOR ONE PARCEL OF LAND LOCATED AT 1419 CHAPEL ROAD FOR A TOTAL OF 15,725 sq. ft. MORE OR LESS

1. Introduction. The property proposed to be annexed in this Plan is a residential lot situated along the north side of the westbound lane of Chapel Road at the entrance to the residential community known as Gracecroft (although it is not formerly part of Gracecroft, having been in place prior to the establishment of that development). For

identification purposes, the Property being annexed consists of one parcel known as 1419 Chapel Road, with the total land area being 15,725 sq. ft., more or less, (the "Property"). The Property to be annexed is reflected on the property description and survey attached as **Exhibit A** and is more particularly described in the following deed filed among the Land Records of Harford County:

1419 Chapel Road, Tax Map 44, Grid 3F, Parcel 246, Account ID No. 06-005667, and described in a Deed dated April 7, 2017 and recorded among the Land Records of Harford County, Maryland, in Liber/Book 12343, folio/page 432, from Dennis M. Moore and Marilee F. Moore to Christopher Skelley and Iris Skelley, husband and wife.

2. Current Conditions. Currently there is one residence located on the Property and two resident voters. The Property to be annexed is serviced by City water and sewer and currently has a private trash service. The property owner has requested the proposed annexation of the Property.
3. Current Zoning. The Property is currently zoned R2 on the official zoning maps of Harford County.
4. Future Proposed Use. The owner of the Property has indicated that it intends to continue the current use as an owner-occupied single-family residence.
5. Proposed Zoning. Proposed zoning for the Property will be R1. No amendment to the City's zoning code will be required for the continued use as currently proposed. The use is also consistent with the Comprehensive Plan for the City of Havre de Grace and uses of adjoining properties.
6. Public Facilities. There is currently no requirement that the land subject to this Annexation Plan be set aside for a school site, water or sewer treatment facilities, libraries, recreation, or fire, EMS or police departments, except that any public easements to be dedicated to the City for purposes of access to any portion of the public water/sewer line which may run through or along the annexed Property may be required. The current annexation plan shall be reviewed for anticipated infrastructure needs. As for water and sewer capacity, the City currently has the water and sewer capacity for this the Property and the owner will be required to pay for all required connection and capital cost recovery fees set forth in the City Code for any new connections. In addition, infrastructure improvements for water pressure and volume of delivery may be required depending on future development plans and will be separately considered at that time. Until a site plan or building permit is approved for such subsequent development of the property, water and sewer capacity for increased or new demand and use remain uncommitted and not guaranteed. Water and/or sewer line upgrades for future increased use must be paid by the owner of the parcel at the property owner's expense, and any recorded recoupments will need to be collected prior to such connections. If there are any additional required infrastructure improvements, including but not limited to water and sewer capacity or distribution

upgrades, they shall all be paid for by the owner/developers of the property along with required bonding for performance and maintenance. The owners/developers of the Property shall be charged the standard capital cost recovery charges, user benefit fees and all other fees and charges associated with connection to the City's water and sewer systems. Water and Sewer service rates shall be charged at the generally applicable rates and pursuant to the conditions generally applied by the City. The Property may be subject to recoupment agreements or cost recovery charges for water and sewer as may be authorized by City ordinances, the Annexation Resolution, Annexation Agreement, and/or Public Works Agreement, or separate agreements for capital cost recoupment that may be recorded among the Land Record for Harford County. After the effective date of the annexation, the water and sewer charges will be commensurate with the fees charged to citizens of Havre de Grace which will be prorated from the effective date through the end of the first quarterly billing cycle.

7. Trash Removal. Once annexed, the Property will be serviced by the City's trash removal services and will be charged for all applicable for the tipping fee on the quarterly water/sewer bill.
8. Fire Protection. Fire protection shall continue to be provided to the Property by the Susquehanna Hose Company, Inc. pursuant to conditions applicable to other properties within the corporate boundaries of the City and properties outside of the municipal limits.
9. Schools – Library – Recreation. The scope of the development on the Property is limited to the current single family residential use. As such, no recreation element is required, and no additional school or library expansions will be needed as a result of the proposed annexation.
10. Real Property Taxes. The Property shall be taxed by the City at generally applicable rates. If the land is subject to an abatement request due to an enterprise zone designation.
11. EMS. EMS protection shall be provided to the Property by the Havre de Grace Ambulance Corps, Inc. and Harford County Emergency Services pursuant to the conditions applicable to other properties within the corporate boundaries of the City and properties outside of the municipal limits.
12. Police. Police protection shall be provided to the Property by the Havre de Grace Police Department pursuant to the conditions to other properties within the corporate boundaries of the City and properties outside of the municipal limits in accordance with current mutual aid agreements and policies with the County and neighboring municipalities.
13. Timing of Municipal Services. The municipal services contemplated by this Annexation shall be provided at such time as the Annexation Resolution (Charter Resolution) becomes final after the time for referendum has expired.

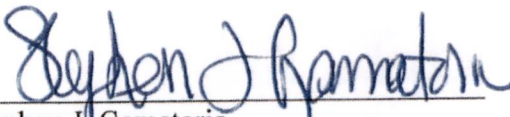
14. Annexation Agreement and Public Works Agreement. The Mayor is authorized to enter into an Annexation Agreement and/or Public Works Agreement with and the owners/developers of the Property detailing the terms of this Annexation Plan and any other appropriate conditions, if required by the City based on recommendations by the Director of the Department of Planning, the Director of the Department of Public Works and/or the City Attorney prior to any development or connections to City water and sewer. The provisions of this Annexation Plan are to be considered minimum requirements and additional requirements (including capital cost recovery fees) or more stringent requirements which may be added and addressed in an Annexation Agreement and/or Public Works Agreement, or both, or as otherwise provided in the Annexation Resolution (Charter Resolution).

NOW THEREFORE, it is this 20th day of November, 2023 determined, decided and resolved by the Mayor and City Council:

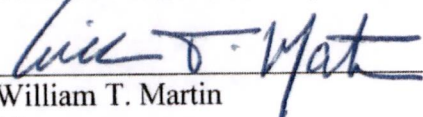
1. To adopt the Annexation Plan set forth herein.
2. To introduce the Charter Resolution (Annexation Resolution) at the November 20, 2023 City Council meeting;
3. To hold a hearing on the Charter Resolution (Annexation Resolution) on January 2, 2024 at 7 p.m.

ADOPTED by the City Council of Havre de Grace, Maryland this 20th day of November, 2023.

ATTEST:



Stephen J. Gamatoria
Director of Administration

THE MAYOR AND CITY COUNCIL
OF HAVRE DE GRACE, MARYLAND


William T. Martin
Mayor

Introduced: 11/20/2023
Passed/Adopted: 11/20/2023
Effective Date: 11/22/2023

Note: Once approved by City Council, this calendar Resolution is to be attached as Exhibit B to the Charter Resolution (Annexation Resolution) referenced herein.

Exhibit A

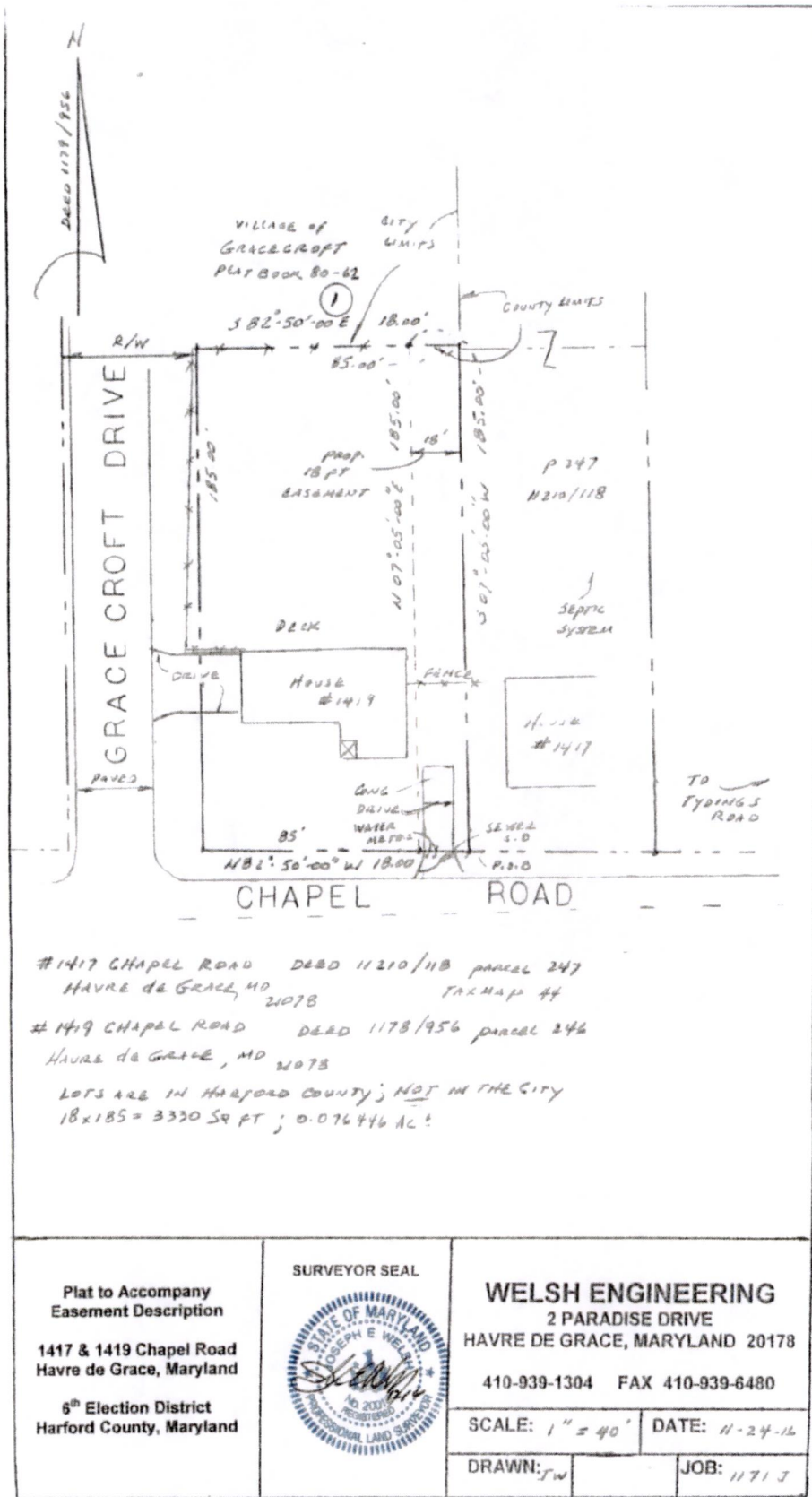
Property Description of Land

To be Annexed into the City of Havre de Grace

1419 Chapel Road

Consisting of 15,725 Square Feet More or Less

Beginning for the same at a point on the northerly side of the road leading from Havre de Grace to Wesleyan Chapel, known as Chapel Road distant fifteen feet northwesterly from the southwesterly corner of the lot heretofore conveyed by deed from G. Arnold Pfaffenbach to William Ellsworth Fletcher and Minnie L. Fletcher, his wife, dated July 14, 1951 and recorded among the Land Records of Harford County in Liber G.R.G. 359, Folio 508; and running thence parallel with the westerly line of said lot conveyed by deed to William Ellsworth Fletcher and Minnie L. Fletcher, his wife, as aforesaid North 7° 05' East 185 feet to a point; thence parallel with the northerly side of Chapel Road North 82° 50' West 85 feet to a point; thence parallel with the aforesaid lot heretofore conveyed by deed from G. Arnold Pfaffenbach to William Ellsworth Fletcher and Minnie L. Fletcher, his wife, South 7° 05' West 185 feet to the northerly side of Chapel Road, thence with the northerly side of Chapel Road South 82° 50' East 85 feet to the place of beginning.

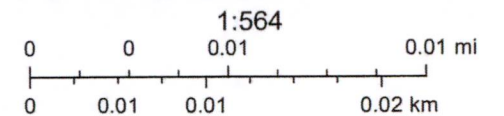


1419 Chapel Road - Annexation Resolution No. 298



11/27/2023, 2:48:00 PM

- 2' Intermediate Contours
- 10' Index Contours
- 20' Index Contours
- Municipal Boundaries
- HAVRE DE GRACE
- Cadastral (IN WHITE)
- Harford County Boundary
- Cadastral Labels



Cecil County, Harford County Government, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA



Maryland

DEPARTMENT OF PLANNING

December 22, 2023

The Honorable William T. Martin
City of Havre de Grace
711 Pennington Avenue
Havre de Grace, MD, 21078

Re: 1419 Chapel Road Annexation (Resolution 2023-20)

Dear Mayor Martin:

Thank you for providing the Maryland Department of Planning (MDP) with information pertaining to the 1419 Chapel Road annexation. MDP has reviewed your submission and offers the following comments for consideration.

As you are aware, §4-416(b) of the Local Government Article specifies that the new zoning for the annexed land cannot be substantially different from the existing county zoning, without the express consent of the Harford County Council. In reviewing this annexation request, it is the Department's view that the proposed Havre de Grace Residential-1 (R-1) zoning appears to not be substantially different from the current county Residential-2 (R-2) zoning from a use perspective, as the proposed city zoning district allows for single-family detached homes and low-intensity institutional uses. In addition, the Havre de Grace zoning appears to not allow substantially higher density than the current county zoning. MDP recommends that Havre de Grace confer with Harford County to confirm consistency of zoning, as provided in §4-416 of the Local Government Article. Please see MDP's attached Annexation Review for further details of our analysis.

The property proposed for annexation is currently located in a county-certified Priority Funding Area (PFA). Based on MDP's review of the annexation, the subject property will remain designated as a PFA upon annexation. Upon the effective date of Resolution 2023-20, and once MDP has received official notification of the annexation from the Department of Legislative Services, MDP will confirm that no changes have occurred since our initial review and affirm the Municipal PFA eligibility of the property. If Havre de Grace does not want the annexation parcel to be considered for designation as a Municipal PFA, then the city should notify MDP prior to the effective date of the annexation.

Enclosed you will find important information concerning post annexation notification and participation in the Census Bureau's Boundary and Annexation Survey. The city should follow the appropriate procedures so that the annexed property is legally established as part of the

incorporated municipality. To expedite MDP's updating of the PFA status, please send Brooks Phelps a copy of the notification transmitted to the Department of Legislative Services.

If you desire further assistance please contact regional planner, Brooks Phelps, at brooks.phelps@maryland.gov.

Sincerely,



Charles W. Boyd, AICP
Assistant Secretary for Planning Services

cc: Timothy Bourcier, Planning Director, City of Havre de Grace
Shane P. Grimm, Planning & Zoning Director, Harford County
Joe Griffiths, Manager Local Assistance and Training
Susan Llareus, Planner Supervisor/Regional Planner for Maryland Capital Region
Brooks Phelps, Regional Planner for Central Maryland

Attachments: Maryland Department of Planning Annexation Review
Municipal Reporting Responsibilities Following Annexation
Municipal Charter or Annexation Resolution Reposition Form

Annexation Review
1419 Chapel Road

Municipality	Havre de Grace
Name of Annexation	1419 Chapel Road
Resolution Number	Res. No. 298
Size of Parcels	0.36 Acres
Is the property contiguous in accordance with Section 4-401?	No
Public Hearing Date	1/2/2024
Current County Zoning	
Existing Density	

Purpose of the Current County Zoning District

These districts are intended to accommodate urban residential needs by providing for a wide range of densities and building types where public water and sewer are available. Conventional Development with Open Space (COS) and Planned Residential Development (PRD) are permitted where open space and environmental features are provided or preserved. R2 zoning permits single family residences on 7,500-10,000 square foot lots and may permit townhouses in 4 unit buildings.

Permitted Use in the Current County Zoning District

The current R2 zoning permits single family detached homes, low-intensity institutional uses such as churches and libraries, and open space such as parks and forestry.

Proposed Municipal Zoning

Purpose of the Proposed Municipal Zoning District

Described in Article IV as R-1 Residential District.

Permitted Use in the Proposed Municipal Zoning District

The proposed R-1 Residential District zoning permits single family detached dwelling units, churches, community facilities, and day-care homes.

Are the permitted uses in the proposed municipal zoning similar to those in the county zoning? Yes

The site is currently developed as a single family home and the owner has stated that it will remain so; a SFD home is permitted under the CCZ and PMZ codes.

Is the permitted density in the proposed municipal zoning similar to density permitted in the county zoning? Yes

The intensity of development allowed in the County R2 zoning and Havre de Grace R1 zoning is very similar, although the Havre de Grace zoning does not allow for the multifamily development allowed as a conditional use under the R2 zoning.

County waiver recommended? No

As the proposed municipal zoning would not permit substantially different use or density from the existing county zoning, a waiver is not recommended at this time, although the Maryland Department of Planning recommends that the city confirm this with Harford County.

Issues of State interest:

Planning has not identified any issues relating to state interest.

Is the property in a Designated Growth Area? No

This property is adjacent to the Havre de Grace Heights growth area on the 2003/2010 Havre de Grace Comprehensive plan and accompanying growth area map; the plan states that properties here are generally supplied by city water and individual septic systems but should be annexed because of the infrastructure provided and because they are entirely surround by the municipal boundary (page 3-24). While this property is not identified on the growth areas map from 2003, it is adjacent to the Havre de Grace Heights properties and the description of services and location is accurate for the property at 1419 Chapel Road.

MDP notes that this paragraph is outdated and the entirety of Havre de Grace Heights (as well as this property) already have a designation of S-1 according to the Harford County WSP and receive sewer through the city, though most of the neighborhood has not been annexed.

Is the property eligible to become a Priority Funding Area? Yes

The property is currently a county PFA and will be designated a municipal PFA after annexation; it is the policy of MDP to maintain current PFA status after annexation. However, it would otherwise not qualify due to density and growth area requirements.

Maryland Department of Planning Reviewer:

Date Submitted: 11/28/2023



MUNICIPAL REPORTING RESPONSIBILITIES FOLLOWING ANNEXATION

State Municipal Reporting Responsibilities

There are state law municipal reporting responsibilities requiring the municipality to promptly submit certain information after an annexation is approved:

1. The Local Government Article, section § 4-414, Annotated Code of Maryland, requires that municipalities send a copy of the annexation resolution with the new boundaries to the Maryland Department of Legislative Services if an annexation is approved. Please copy the Maryland Department of Planning so that we are aware of the approved annexation boundaries.

The copy of the annexation resolution, along with the Municipal Charter Or Annexation Resolution Reposition Form (below), with the new boundaries shall be sent within 10 days after the resolution takes effect to:

State Department of Legislative Services
Legislative Division
90 State Circle
Annapolis, Maryland 21401

2. State law requires that upon annexation approval, the chief executive and administrative officer of a municipality that has annexed property forward the annexation resolution and map with the new boundary to the local municipal clerk, Clerk of the Court in the county or counties in which the municipal corporation is located and, for those municipalities in Montgomery and Prince George's County, to the Maryland-National Capital Park and Planning Commission.

Census Bureau Boundary and Annexation Survey

To ensure that persons residing on annexed land are counted as part of the municipal population, the U.S. Census Bureau periodically mails to all municipal corporations a Boundary and Annexation Survey (BAS).

Following an annexation, no immediate action is required. The Census Bureau will notify the person who has been identified by the municipality as the contact person by mail and/or e-mail. Municipalities may submit boundary corrections or changes through the Bureau's free Partnership software. In the past, the U.S. Census Bureau mailed out the BAS survey on a varying schedule based on the population size of the incorporated town. The Mayor or other municipal officials must complete the BAS, update the maps and certify that the boundary shown reflects the legal corporate limits as of January 1 of the survey year. Boundary information must be returned to the Census Bureau by March 1st of the survey year to be properly recorded for the Census Bureau's annual population estimates and American Community Survey products.

The purpose of the Survey is to obtain the most accurate boundary information, including boundary changes due to annexations, detachments, mergers, or other reasons. These boundary changes are incorporated into the Census Bureau's files and used for tabulating Census data. The BAS information is used to provide an appropriate record for reporting the results of the decennial and economic censuses, and annual surveys such as the Population Estimates Program and the American Community Survey.

Maryland Department of Planning can assist municipalities in updating their boundary information. Questions regarding the Census Bureau's Boundary and Annexation Survey or assistance in submitting the BAS may be referred to Alfred Sundara at the Maryland Department of Planning at 410-767-4002 or alfred.sundara@maryland.gov.

Additional information about the Census Bureau's BAS program is available at the following link <https://www.census.gov/programs-surveys/bas.html>

MUNICIPAL CHARTER OR ANNEXATION RESOLUTION REPOSITION FORM

Section 4-109 of the Local Government Article of the Annotated Code of Maryland requires municipal officials to deposit certain municipal documents with the Department of Legislative Services. Please use this registration form for each resolution that alters the charter or the boundaries of your municipal corporation. Complete a separate form for each resolution, and mail the entire text of the resolution, along with this form to:

Georgeanne Carter, Legislative Counsel
Municipal Resolution Reposition
Department of Legislative Services
90 State Circle
Annapolis, MD 21401-1991

_____	_____
Municipal Corporation	County(ies)

Name and Title of Official Submitting this Resolution	
_____	_____
Address	Phone
_____	_____
	Date of Submitting this Resolution*

_____	_____
Resolution Number	Date Enacted by Legislative Body

	Effective Date**

1) For an annexation resolution, state the charter section (e.g., boundary description section, appendix) that is amended _____ OR state the charter section (e.g., general powers section) pursuant to which the property is annexed _____. (Enclose a copy of the metes and bounds description of the complete boundaries of your municipal corporation that includes the newly annexed property, including the number of acres and the point of beginning coordinates for the newly annexed property.)

For a charter resolution, state whether the entire charter is repealed and a new charter is adopted _____ OR state the specific section(s) that is added, repealed, renumbered, or repealed and reenacted with amendments _____.

2) Number of votes cast by the legislative body for _____ and against _____ this resolution.

3) Will this resolution be petitioned to referendum? _____

If "yes", date of the referendum election (if known) _____.

* A resolution should be submitted to the Department of Legislative Services **10 days after the effective date** of the resolution (§ 4-109(b) of the Local Government Article). Generally, provided that a resolution is not petitioned to referendum, the effective date for a charter resolution is 50 days after enactment (§ 4-304(c) of the Local Government Article), and for an annexation resolution is no earlier than 45 days after enactment (§ 4-407 of the Local Government Article).