

ANNEXATION RESOLUTION

RESOLUTION NO. 12 - 01 -2020

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF HANCOCK, ENLARGING THE CORPORATE BOUNDARIES OF THE TOWN OF HANCOCK BY ANNEXING LAND CONTIGUOUS TO AND ADJOINING UPON THE CORPORATE BOUNDARIES OF THE TOWN ALONG WARFORDSBURG ROAD (COUNTY ROAD 523) IN ELECTION DISTRICT NO. 5, WASHINGTON COUNTY, MARYLAND AND CONTAINING APPROXIMATELY 136.94 ACRES, MORE OR LESS, THEREBY AMENDING THE CHARTER OF THE TOWN OF HANCOCK, AND PROVIDING FOR THE CONDITIONS AND CIRCUMSTANCES APPLICABLE TO THE PROPOSED CHANGES IN THE BOUNDARY OF THE TOWN AND THE AMENDMENT OF THE SAID CHARTER, AND TO ESTABLISH THE ZONING CLASSIFICATION FOR THE AREA ANNEXED.

WHEREAS, pursuant to the authority of Article XI-E of the Constitution of the State of Maryland, and Subtitle 4 of Title 4 of the Local Government Article of the Annotated Code of Maryland, it is the intention of the Mayor and Council to introduce and pass a resolution providing that the present corporate limits as described in the Charter of the Town of Hancock be enlarged to include therein property located within Washington County, Maryland, known and described as:

Location of Property	Tax Map/Parcel	Tax Account	Owner	Surveyed Acreage
14732 Warfordsburg Road	Map 3, Parcel 117	05-021898	Orchard Business Park Limited Partnership	64.38
14937 Warfordsburg Road	Map 3, Parcel 119	05-022037	Orchard Business Park Limited Partnership	1.88
East Side Warfordsburg Road	Map 3, Parcel 5	05-006856	FRM, LLC	64.36
Warfordsburg Roadbed Right of Way Area (County Road 523)	--	--	(County Public Road – Tax Exempt)	6.32

all as more particularly described in the metes and bounds descriptions herein attached hereto and made a part hereof as **Exhibit A** and shown on the Annexation Plat attached hereto as **Exhibit B** (the “Land”), which property is contiguous and adjoining to the existing corporate boundaries of the Town of Hancock; and

WHEREAS, the annexation which is the subject of this Resolution does not create any unincorporated area which is bounded on all sides by real property presently within the corporate limits of the Town of Hancock, real property proposed to be within the corporate limits of the

Town of Hancock as a result of the proposed annexation, or any combination of such properties;
and

WHEREAS, pursuant to the authority of § 4-403(b) of the Local Government Article of the Annotated Code of Maryland, the Mayor and Council may introduce an annexation resolution with the consent of at least 25% of the registered voters who are residents in the area to be annexed and the owners of at least 25% of the assessed valuation of the non-tax exempt real property in the area to be annexed; and

WHEREAS, there are no registered voters who are residents in the area to be annexed; and

WHEREAS, Orchard Business Park Limited Partnership, a Maryland limited partnership, and FRM, LLC, a Maryland limited liability company, the owners of the non-tax exempt portion of the Land, have consented and agreed to the annexation of the Land into the corporate limits of the Town and to make applicable to that area all laws which are now in force and effect or which may hereafter be enacted by the Mayor and Council of Hancock, as evidenced by the Consent of Property Owners attached hereto and incorporated herein as **Exhibit C**; and

WHEREAS, the proposed zoning for the Land was referred to and reviewed by the Town of Hancock Planning Commission in relation to the Comprehensive Plan, the Zoning Ordinance, and the other applicable land-use ordinances of the Town, and the needs of the particular neighborhood and vicinities of the area to be annexed, and said Planning Commission has agreed that **Employment Center ("EC") District** zoning is proper and desirable under all of the circumstances and should be accomplished at this time; and

WHEREAS, the Mayor and Council have determined to initiate the Resolution to enlarge and extend the limits of the Town of Hancock to include and zone the Land described as follows:

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF HANCOCK:

Section 1. That there is hereby annexed into the corporate boundaries of the Town of Hancock, a municipal corporation of the State of Maryland, all that land contiguous and adjoining the current boundaries of the Town of Hancock in Washington County, Maryland, consisting of approximately 136.94 acres of land¹ as more particularly and fully described in a metes and bounds descriptions set forth on **Exhibit A** hereto, based on that survey represented by an Annexation Plat for the Town of Hancock prepared by Frederick, Seibert and Associates, designated as Job No. 6983.H, and incorporated herein by reference and attached hereto as **Exhibit B**.

Section 2. The Town Manager shall cause a notice of the proposed enlargement of the corporate boundaries of the Town of Hancock to be published not less than four (4) times, at weekly intervals, in a newspaper of general circulation in the Town of Hancock, Maryland, said notice describing the proposed enlargement (i.e., the area to be annexed) and conditions and circumstances applicable thereto and specifying the time, date and place at which a public hearing

¹ The as-surveyed acreage differs slightly from that reflected on the SDAT tax account information.

will be held on the proposed annexation. Said public hearing is to be held on the 7th day of December, 2020 at 7:00 p.m. in the Town Hall, Hancock, Maryland, said date being more than fifteen (15) days after the second publication of the notice in the aforementioned newspaper.

Section 3. Immediately upon the first publication of the public notice, the Town Manager shall cause a copy of the public notice to be provided to the Board of County Commissioners of Washington County, Maryland, the Washington County Department of Planning and Community Development, and the Maryland Department of Planning. Each of these agencies and jurisdictions shall have the first right to be heard at the scheduled public hearing, after which the hearing shall be open to the general public.

Section 4. This Resolution shall be and become effective forty-five (45) days after its passage by the Mayor and Council unless a petition for referendum in accordance with Sections § 4-408, § 4-409, or § 4-410 of the Local Government Article of the Annotated Code of Maryland is submitted to the Town Manager within forty-five (45) days following its passage.

Section 5. That from and after the effective date of this Resolution, all provisions of the Constitution of Maryland, all laws of the State of Maryland applicable to the Town of Hancock, and all duly adopted provisions of the Charter of the Town of Hancock, the Code of the Town of Hancock and the ordinances of the Town of Hancock shall be, and hereby are, extended and made applicable to such portion of Washington County, Maryland as is, under the provisions of this Resolution, annexed to and made a part of the Town of Hancock, Maryland. Nothing herein or elsewhere in the Resolution shall affect the power of the Mayor and Council of Hancock to amend or to repeal any Charter provision, Town Code provision or ordinance existing at the date of passage of this Resolution, or to enact and ordain any ordinance which, at the date of passage of this Resolution, or hereafter, it may be authorized to enact or ordain.

Section 6. The inhabitants of the Land annexed to the Town of Hancock by this Resolution shall, in all respects and to all intents and purposes, be subject to the powers, jurisdiction and authority vested, or to be vested by law, in the Mayor and Council of the Town of Hancock, so far as the same may be consistent with the provisions of this Resolution, and the Land so annexed shall, in all respects, be taken and considered as part of the municipal corporation of the Town of Hancock.

Section 7. Within ten (10) days after the effective date of this Resolution, the Town Manager of the Town of Hancock shall send a copy of this Resolution together with the new boundaries of the Town of Hancock, to a) the Clerk of the Circuit Court for Washington County, Maryland; and b) to the Department of Legislative Services. Thereafter, the Town Manager shall hold this Resolution and make it available for inspection during all business hours.

PASSED under our hands and seals at the Town Hall, Hancock, Maryland, this 7th day of December, 2020, with the corporate seal of the Town of Hancock hereto attached, duly attested by the Town Manager.

ATTEST:

MAYOR AND COUNCIL OF
HANCOCK, MARYLAND

Joe Gilbert
Joe Gilbert, Town Manager

Ralph T. Salvagno
Ralph T. Salvagno, M.D., Mayor

CERTIFICATION

I hereby certify that the foregoing resolution of the Town of Hancock designated Resolution 12-01-2020, was duly introduced and read, and thereafter advertised for four (4) successive weeks, and was considered at a public hearing on 9 December, 2020, and was adopted by the Town Council at a duly announced public meeting, in accordance with the Annotated Code of Maryland and the Charter of the Town of Hancock.

ATTEST:

Joe Gilbert
Joe Gilbert, Town Manager

ANNEXATION RESOLUTION SCHEDULE

RESOLUTION INTRODUCTION DATE :

08/12/2020

ANNEXATION PLAN TO COUNTY, MDP, WMRO&ARC:

11/02/2020

HEARING NOTICE PUBLICATION DATES:
(4 times for 4 successive weeks prior to hearing)

11/11/2020 08/19/2020

11/18/2020 08/26/2020

11/25/2020 09/02/2020

11/25/2020 09/09/2020

12/02/2020 & 12/09/2020

PUBLIC NOTICE MAILED TO COUNTY, MDP, WMRO&ARC:

11/02/2020 and 12/03/2020

PUBLIC HEARING DATE:
(Not less than 15 days after the final publication of notice)

12/09/2020

ENACTMENT DATE (AFTER HEARING):

12/09/2020

EFFECTIVE DATE (45 DAYS AFTER ENACTMENT):

01/23/2021

REPOSITION OF ENACTED RESOLUTION (CLERK OF WASHINGTON COUNTY
CIRCUIT COURT, MARYLAND DEPT. OF LEGISLATIVE SERVICES):

01/24/2021

EXHIBIT A

Description of additional lands of the Town of Hancock, subject to and together with any and all easements or rights of way of record and applicable thereto:

Tax Map 3, Parcel 117 - 14732 Warfordsburg Road

Description of Lands of Orchard Business Park Limited Partnership:

Situate along the west side of Warfordsburg Road, just south of the Pennsylvania State Line, in Election District No. 5, Washington County, Maryland, and being more particularly described in accordance with a survey by Frederick, Seibert and Associates, Inc. as follows:

Beginning at a point along the west side of Warfordsburg Road, said point being the northeastern corner of the herein described parcel, running thence in a clockwise direction with the western side of Warfordsburg Road S15°50'22"E 1189.27 feet to a point, thence by a curve to the right having a radius of 1080.86 feet, an arc length of 715.42 feet, a chord bearing of S03°07'20"W, and a chord distance of 702.43 feet to a point, thence S22°00'35"W 381.97 feet to a point, thence along the lands now or formerly of Lanco Dairy Farms Co-Op (Liber 5079, folio 198) S68°10'38"W 35.32 feet to a point, thence N70°21'39"W 631.24 feet to a point, thence by a curve to the left having a radius of 100.00 feet, an arc length of 106.40 feet, a chord bearing of S89°13'32"W and a chord distance of 101.45 feet to a point, thence by a curve to the right having a radius of 40.00 feet, an arc length of 65.51 feet, a chord bearing of N82°01'35"W and a chord distance of 58.43 feet to a point, thence N61°12'55"W 274.13 feet to a point, thence N66°04'24"W 103.00 feet to a point, thence S83°23'44"W 71.19 feet to a point, thence N84°54'15" W 431.21 feet to a point, thence along the east side of Interstate 70 (Dwight D. Eisenhower Highway) by a curve to the right having a radius of 3744.72 feet, an arc length of 1114.47 feet, a chord bearing of N19°06'21"E and a chord distance of 1110.36 feet to a point, thence N27°37'55" E 846.10 feet to a point, thence along the lands now or formerly of Lance Dairy Farms Co-Op (Deed Book 619, page 254) S89°18'05"E 722.25 feet to the place of beginning;

Containing 64.38 acres of land more or less;

Said lands being the lands conveyed in a deed from H.B. Mellott Estate, Inc., to Orchard Business Park Limited Partnership, dated November 30, 1998, recorded among the Land Records of Washington County, Maryland in Liber 1459, folio 851.

Tax Map 3, Parcel 119 - 14937 Warfordsburg Road

Description of Lands of Orchard Business Park Limited Partnership:

Situate along the east side of Warfordsburg Road, just south of the Pennsylvania State Line, in Election District No. 5, Washington County, Maryland, and being more particularly described in accordance with a survey by Frederick, Seibert and Associates, Inc. as follows:

Beginning at a point along the east side of Warfordsburg Road, said point being the northwestern corner of the herein described parcel, thence running in a clockwise direction, along the lands now or formerly of Lance Dairy Farms Co-Op (Deed Book 619, page 254) and the lands now or formerly of Orchard Business Park LP (Deed Book 274, page 87) S89°18'05"E 355.00 feet to a point, thence along the lands now or formerly of FRM LLC (Liber 1660, folio 1086) S26°05'09"W 509.33 feet to a point, thence along the east side of Warfordsburg Road N15°50'22"W 480.00 feet to the place of beginning;

Containing 1.88 Acres of land more or less;

Said lands being the lands conveyed in a deed from Mellott Company, formerly known as H.B. Mellott Estate, Inc., to Orchard Business Park Limited Partnership, dated June 5, 2009, recorded among the Land Records of Washington County, Maryland in Liber 3689, folio 53.

Tax Map 3, Parcel 5 - East Side Warfordsburg Road

Description of lands of FRM, LLC:

Situate along the east side of Warfordsburg Road, approximately 480 feet south of the Pennsylvania State Line, in Election District No. 5, Washington County, Maryland, and being more particularly described in accordance with a survey by Frederick, Seibert and Associates, Inc. as follows:

Beginning at a point along the east side of Warfordsburg Road, said point being the southwestern corner of the herein described parcel, thence running in a clockwise direction N22°00'35"E 266.34 feet to a point, thence along the lands now or formerly of Wayne R. Baier and Mary V. Baier (Liber 3392, folio 218) S16°42'34"E 170.85 feet to a point, thence S11°01'01"E 109.08 feet to a point, thence S24°40'30"E 66.40 feet to a point, thence S48°39'30"E 10.00 feet to a point, thence N24°43'44"E 704.12 feet to a point, thence N75°51'38"W 259.92 feet to a point, thence along the east side of Warfordsburg Road N22°00'35"E 689.65 feet to a point, thence by a curve to the left having a radius of 1140.86 feet, an arc length of 755.09 feet, a chord bearing of N03°07'17"E and a chord distance of 741.39 feet to a point, thence N15°50'22"W 691.46 feet to a point, thence along the lands now or formerly of Orchard Business Park LP (Uber 3689, folio 53) N26°05'09"E 509.33 feet to a point, thence along the lands now or formerly of Orchard Business Park LP (Deed Book 274, page 87) S89°18'05"E 1319.82 feet to a point, thence along the lands now or formerly of Ronald and Carol Michael (Liber 5434, folio 212) and the lands now or formerly of the Hancock Assembly of God Church (Liber 829, folio 596), S20°58'09"W 696.28 feet to a point, thence along the lands aforesaid of the Hancock Assembly of God Church (Liber 829, folio 596), and other lands now or formerly of the Hancock Assembly of God Church (Liber 822, folio 726) and other lands now or formerly of the Hancock Assembly of God Church (Liber 742, folio 370) S20°34'13"W 725.19 feet to a point, thence along the lands now or formerly of the Hancock Assembly of God Church (Liber 742, folio 370) S22°01'04"W 248.67 feet to a point, thence S40°17'37"W 141.06 feet to a point, thence S22°36'15"W 332.31 feet to a point, thence S14°33'01"W 730.32 feet to a point, thence along the lands now or formerly of Pittman Properties LLC (Uber 3195, folio 245) S21°12'22"W 921.33 feet to a point, thence N70°29'48"W 106.21 feet to a point, thence along the lands now or formerly of Joseph and Kathy Lashley (Uber 1054, folio 500) N20°53'49"E 130.55 feet to a point, thence N61°07'34"W 587.93 feet to the place of beginning; Containing 64.36 Acres of land more or less;

Said lands being the lands conveyed in a deed from FRM Development Corporation as general partner and Terry L. Randall and Jennifer J. Gordon, executors of the Estate of Forrest R. Mellott, as limited partner, of FRM Limited Partnership, to FRM, LLC, dated May 8, 2001, recorded among the Land Records of Washington County, Maryland in Liber 1660, folio 1086.

County Road 523/Warfordsburg Road - Roadbed Right-Of-Way Area

Situate along Warfordsburg Road, just south of the Pennsylvania State Line in Washington County, Maryland and being more particularly described in accordance with a survey by Frederick, Seibert and Associates, Inc. as follows:

Beginning at a point on the western right of way line of Warfordsburg Road, said point being the northwestern most corner of the lands herein described, thence running in a clockwise direction along the Pennsylvania State Line, crossing Warfordsburg Road S89°18'05"E 62.59 feet to a point, thence along the lands now or formerly of Orchard Business Park LP (Liber 3689, folio 53) S15°50'22"E 480.00 feet to a point, thence along the lands now or formerly of FRM LLC (Liber 1660, folio 1086) S15°50'22"E 691.46 feet to a point, thence by a curve to the right having a radius of 1140.86 feet, an arc length of 755.09 feet, a chord bearing of N03°07'17"E and a chord distance of 741.39 feet to a point, thence S22°00'35"W 381.93 feet to a point, thence crossing Warfordsburg Road N67°59'25"W 60.00 feet to a point, thence along the lands now or formerly Orchard Business Park LP (Liber 1459, folio 851) N22°00'35"E 381.97 feet to a point, thence by a curve to the left having a radius of 1080.86 feet, an arc length of 715.42 feet, a chord bearing of N03°07'20"E and a chord distance of 702.43 feet to a point, thence N 15°50'22" W 1189.27 feet the place of beginning;

Containing 3.165 Acres of land more or less;

Said lands being part of the rights of way of Warfordsburg Road.



Town of Hancock
126 West High Street
Hancock, Maryland 21750

EXHIBIT B

Consent of
Property Owners

Pursuant to MD Code, Local Government, §4-401 *et seq.*, FRM LLC, being the owner's of 100% of the assessed value of the lands to be annexed (exceeding the minimum requirement of 25%), do hereby consent to the annexation of their respective properties into the Town of Hancock, Maryland as described in and subject to all of the tempts and conditions set forth in the Annexation Resolution to which this consent is attached,

WITNESS:

Signatures

TERRY L. RANDALL, MANAGER 10/21/20
Printed Names & Titles

ASSESSMENT OF LANDS TO BE ANNEXED (IN U.S. DOLLARS)

Land To Be Annexed

	Owner	T.M./Parcel	Ac.	Land	Improvements	Total
	FRM LLC	0003/0005	64.55	\$498,200	\$0	\$498,200
	Totals		64.55	\$489,200	\$0	\$498,200



Town of Hancock
126 West High Street
Hancock, Maryland 21750

EXHIBIT B

Consent of
Property Owners

Pursuant to MD Code, Local Government, §4-401 *et seq.*, Orchard Business Park LP, being the owners of 100% of the assessed value of the lands to be annexed (exceeding the minimum requirement of 25%), do hereby consent to the annexation of their respective properties into the Town of Hancock, Maryland as described in and subject to all of the tempts and conditions set forth in the Annexation Resolution to which this consent is attached,

WITNESS: *Carole A. Firkle*

Signatures *Paul C. Mellott, Jr., Managing Partner*
PAUL C. MELLOTT, JR.

Printed Names & Titles

ASSESSMENT OF LANDS TO BE ANNEXED (IN U.S. DOLLARS)

Land To Be Annexed

Owner	T.M./Parcel	Ac.	Land	Improvements	Total
Orchard Business Park LP	0003/0119	1.88	\$37,600	\$0	\$37,600
	0003/0117	64.40	\$47,200	0	\$547,200
Totals		66.28	\$580,800	\$0	\$580,800

Change

**PROPOSED ANNEXATION
PUBLIC HEARING
NOTICE OF PUBLIC HEARING**

The Town of Hancock will hold a public hearing on Resolution 12-01-2020, a proposed annexation of 130.83 acres of land, more or less, belonging to Orchard Business Park Limited Partnership, and FRM LLC, situated on Warfordsburg Road, Hancock, consisting of:

14732 Warfordsburg Road, Hancock, MD 21750, Tax Map 0003, Parcel 0117, more fully described in a deed recorded among the land records of Washington County, Maryland at Liber 0003, folio 0117, and containing 64.40 acres of land, more or less; and

14937 Warfordsburg Road, Hancock, Maryland 21750; Tax Map 0003, Parcel 0119, more fully described in a deed recorded among the land records of Washington County, Maryland at Liber 0003, folio 0119, and containing 1.88 acres of land, more or less; and

0 Warfordsburg Road, Hancock, Maryland 21750; Tax Map 0003, Parcel 0005, more fully described in a deed recorded among the land records of Washington County, Maryland at Liber 0003, folio 0005, and containing 64.55 acres of land, more or less.

There are no persons residing on the Property who are registered as voters in Washington County elections in the precinct or precincts in which the Property is located. The annexation is proposed by the Hancock Council with the consent of the owners of one hundred percent (100%) of the assessed valuation of the Property.

Two public hearings will take place at 7 p.m. on 12 August 2020, in the pavilion, Kirkwood Park, Creek Road, Hancock, Maryland. The public is invited to attend and comment. A copy of the Resolution and Annexation Plan is available for inspection in Town Hall during regular business hours.

The second public hearing will take place on 9 December 2020 at 7pm the monthly Town of Hancock Mayor and Council meeting in the Town Hall 126 West Main Street, Hancock, Maryland 21750. The public is invited to attend and comment.

11-25-3th



Maryland DEPARTMENT OF PLANNING

December 1, 2020

The Honorable Ralph T. Salvagno M.D.
Town of Hancock
126 West High Street
Hancock, Maryland 21750

Re: Annexation Resolution Number 12-01-2020

Dear Mayor Salvagno:

Thank you for providing the Maryland Department of Planning (Planning) with information pertaining to the Warfordsburg Road Annexation. The department has reviewed your submission and offers the following comments for consideration.

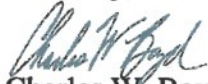
As you are aware, the §4-416(b) of the Local Government Article specifies that the new zoning for the annexed land cannot be substantially different from the existing county zoning, without the express consent of the county commissioners. In reviewing this annexation request, it is the Department's view that the proposed town zoning appears to be consistent with the current county zoning from a use and density perspective, as the proposed town zoning district Employment Center (EC) allows for similar primarily retail and business-oriented development as the county zoning district of Highway Interchange (HI). Due to the commercial character of the annexation, the proposed town zoning will also not result in a greater than 50% increase in residential density from that of the existing county zoning. It is recommended that the town confer with the Washington County Board of County Commissioners to confirm consistency of zoning, as provided in §4-416 of the Local Government Article. Please see Planning'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 Planning's review of the annexation, the proposed zoning, and the County's Water and Sewerage Master Plan, the subject property appears eligible to remain designated as a PFA upon annexation. This determination is based upon the findings that the proposed annexation is within the defined Hancock Growth Area, as described in the 2010 Hancock Comprehensive Plan, and is currently served by both public water and sewer services. This specific area is mentioned in the town's 2010 comprehensive plan as a targeted growth area known as the "Northern Annexation Area". Upon the effective date of Resolution Number 12-01-2020, and once Planning has received official notification of the annexation from the Department of Legislative Services, Planning will confirm that no changes have occurred since our initial review and affirm the Municipal PFA eligibility of the property. If Hancock does not want the annexation parcel to be considered for designation as a Municipal PFA, then the town should notify Planning 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 town should follow the appropriate procedures so that the annexed property is legally established as part of the incorporated municipality. To expedite Planning's updating of the PFA status, please send Joe Rogers a copy of the notification transmitted to the Department of Legislative Services.

If you desire further assistance please contact regional planner, Joe Rogers, at (727) 481-2772.

Sincerely,



Charles W. Boyd, AICP
Director, Planning Coordination

cc: Robert S. McCord, Secretary of Planning
Joe Gilbert, Town Manager
Jill Baker, County Planning Director
Joe Griffiths, Manager Local Assistance and Training
Dave Cotton, ARC Program Manager
Joe Rogers, Regional Planner

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

Annexation Review

Municipality: Town of Hancock

Name of Annexation and Resolution Number: Warfordsburg Road Annexation
Resolution # 12-01-2020

Size of Parcels: 136.94± acres

Public Hearing Date: December 9, 2020

Current County Zoning District and Allowable Density: Highway Interchange (HI)

Purpose of the HI Zoning District: To provide suitable locations for commercial activities or light industrial land uses that serve highway travelers, provide goods and services to a regional population, or uses that have a need to be located near the interstate highway system to facilitate access by a large number of employees, or the receipt or shipment of goods by highway vehicles. In addition to providing accessible locations, the Highway Interchange District is intended to protect the safe and efficient operation of the interchange and to promote its visual attractiveness. Site design guidelines will balance the needs for visibility with moderation of visual clutter, signs, and excessive lighting.

Permitted Uses in the HI Zoning District: Local retail goods and service shops, neighborhood shopping centers, offices, clinics, businesses, hotels, conference centers, public buildings, recreational, cultural, administrative, or public service-type structures, and other similar uses.

Proposed Municipal Zoning: Employment Center (EC) Zoning District

Purpose of the Municipal EC Zoning District: “designed to attract environmentally responsible industry and other forms of economic development that will create jobs and enhance local property tax revenues.”

Permitted Uses in the Municipal EC Zoning District: wholesale business and storage, contracting offices, printing, and light industrial/processing uses.

Is proposed Municipal zoning consistent with the County Zoning?

From a use perspective the proposed town zoning is consistent with the county zoning because both zones are primarily retail and business oriented and are currently being used as such. These parcels are located in the “Town of Hancock Growth Area” as set forth in the town’s 2010 comprehensive plan. These specific parcels are identified as an annexation area referred to as the “Northern Annexation Area” in the town’s 2010 comprehensive plan.

Planning suggests that the town confirm with the county that a waiver on the proposed zoning is not needed for this annexation.

Due to the commercial character of the areas to be annexed the proposed Town zoning will not result in a greater than 50% increase in residential density from that of the existing county zoning.

Is the County expected to grant a waiver?

N/A

Issues of State Interest:

N/A

Is property in a Designated Growth Area?

Yes, these areas are featured in the "Town of Hancock Growth Area" in the 2010 comprehensive plan and are specifically listed as the "Northern Annexation Area" in the towns plan.

Property is/is not eligible to become a Priority Funding Area:

The property is currently in the PFA and will remain eligible for PFA designation after annexation.

Maryland Department of Planning Reviewer: Joe Rogers

Date Submitted: 11/12/20



MUNICIPAL REPORTING RESPONSIBILITIES FOLLOWING ANNEXATION

State Municipal Reporting Responsibilities

There are municipal reporting responsibilities that are required by State law 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 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).