

ORDINANCE NO. 2025-

**AN ORDINANCE TO ADOPT A TEMPORARY DEFERRAL CONCERNING
CLUSTER SUBDIVISIONS IN THE FREEDOM DESIGNATED GROWTH AREA OF
CARROLL COUNTY UNTIL _____, 2026, PENDING CONSIDERATION AND
ADOPTION OF SUCH LEGISLATION AS THE BOARD OF COMMISSIONERS OF
CARROLL COUNTY, MARYLAND MAY CONSIDER ADVISABLE TO PROMOTE
PUBLIC HEALTH, SAFETY, AND WELFARE.**

WHEREAS, The Board of Commissioners of Carroll County, Maryland (“the Board”), has enacted and codified the "Code of Public Local Laws and Ordinances of Carroll County, Maryland"; and

WHEREAS, the Board is authorized under the Local Government Article and Land Use of the Annotated Code of Maryland to enact and amend ordinances; and

WHEREAS, the Board desires to review existing requirements for cluster subdivisions in light of changing consumer demand, and changes to existing infrastructure in the County to evaluate the suitability and economic, social and environmental risks; and

WHEREAS, to advance the public health and safety, the Board desires to obtain additional information regarding the possible adverse effects cluster subdivisions proposed have on residential uses, adequate public facilities, and infrastructure; and

WHEREAS, the Planning Commission and Staff need additional time to finalize a recommendation, and the Board of County Commissioners then needs the time to have the required public hearing and possibly adopt a zoning text amendment to address this matter; and

WHEREAS, the Board desires to impose a six (6) month deferral on the processing, reviewing, and approval of cluster subdivisions in the Freedom Designated Growth Area, to give

the Planning Commission and County staff time to study the matter in connection with enactment of legislation on this subject.

NOW, THEREFORE, BE IT ENACTED by the Board that Title XV Land Use Chapter 155.036.1 – Temporary Deferral on Cluster Subdivisions in the Freedom Designated Growth Area is added as follows:

ARTICLE I

Cluster Subdivisions – Temporary Deferral

There shall be a temporary deferral on the processing, reviewing, and approval of all Cluster Subdivisions in the Freedom Designated Growth Area as defined in § 155.036 of the Code for a period of six (6) months starting with the effective date of Ordinance 2025 - ____.

ARTICLE II. SEVERABILITY.

Should any provision, section, paragraph, or subparagraph of this ordinance, including any code, or text adopted hereby, be declared null and void, illegal, unconstitutional, or otherwise determined to be unenforceable by a court having jurisdiction; the same shall not affect the validity, legality, or enforceability of any other provision, section, paragraph or subparagraph hereof, including any code or text adopted hereby. Each such provision, section, paragraph, or subparagraph is expressly declared to be and is deemed severable.

ARTICLE III. EFFECTIVE DATE.

This Ordinance shall become effective _____, 2025.

ADOPTED _____

ATTEST:

THE COUNTY COMMISSIONERS OF
CARROLL COUNTY, MARYLAND,
a body corporate and politic
of the State of Maryland

Vivian Daly, County Clerk

_____(SEAL)
Kenneth A. Kiler, President

_____(SEAL)
Joseph A. Vigliotti, Vice-President

_____(SEAL)
Thomas S. Gordon III, Commissioner

_____(SEAL)
Michael R. Guerin, Commissioner

_____(SEAL)
Susan W. Krebs, Commissioner

Approved for legal sufficiency:

Timothy C. Burke, County Attorney

Notice of Public Hearing published: _____
Public Hearing held: _____
Public Meeting to adopt Ordinance: _____
Notice of Adoption of Ordinance published: _____
Ordinance filed with Clerk of Court: _____

I hereby certify that the actions described above took place on the dates referred to above and that this Ordinance is effective as of the _____ day of _____, 2025.

Timothy C. Burke, County Attorney