

COUNTY COUNCIL OF CECIL COUNTY, MARYLAND
LEGISLATIVE SESSION DAY 2016-17

BILL NO. 2016-20 As Amended

Title of Bill: Amendment – Zoning Ordinance – Initiation of Amendments

Synopsis: An Act to amend the Cecil County Zoning Ordinance, Article XVII, Part IV, Section 323.3-
Initiation of Amendments, to allow the County Council to initiate amendments to the Zoning Ordinance.

Introduced by: Council President Hodge

Introduced and ordered posted on: September 6, 2016

Public hearing scheduled on: October 4, 2016 at: 7:00 p.m.

Scheduled for consideration: October 18, 2016

By: James Massey
Council Manager

PUBLIC HEARING

Notice of time and place of public hearing and title of Bill having been posted by September 6, 2016 at the County Administration Building, 200 Chesapeake Blvd., Elkton and having been published according to the Charter on September 21, 2016 and September 28, 2016, a public hearing was held on October 4, 2016 and concluded on October 4, 2016.

By: James Massey
Council Manager

Explanation: CAPITAL LETTERS INDICATE LANGUAGE ADDED TO EXISTING DOCUMENT
~~Strike through~~ indicates language deleted from existing document
Underlining indicates language added to document by amendment.
~~Double Strike through~~ indicates language stricken from document by amendment.

1 **WHEREAS**, pursuant to Annotated Code of Maryland, Division 1, Title 4, Subtitle 1, Section
2 4-101(a)(1), Land Use Article, it is the policy of the State that orderly development and use of land and
3 structures requires comprehensive regulation through the implementation of planning and zoning
4 controls; and

5 **WHEREAS**, pursuant to Annotated Code of Maryland, Section 4-102, Land Use Article, a legislative
6 body may regulate to promote the health, safety, and general welfare of the community; and

7 **WHEREAS**, pursuant to Annotated Code of Maryland, Section 4-103, Land Use Article, a legislative
8 body may impose any additional conditions or limitations that the legislative body considers appropriate
9 to improve or protect the general character and design of the land and improvements being zoned or
10 rezoned; and

11 **WHEREAS**, pursuant to Annotated Code of Maryland, Section 4-202, Land Use Article, the
12 legislative body shall adopt zoning regulations in accordance with the plan, with reasonable
13 consideration for the character of the district or zone and its uses and with a view to conserve the value
14 of property and encourage orderly development and the most appropriate use of land; and

15 **WHEREAS**, pursuant to Annotated Code of Maryland, Section 4-203(a), Land Use Article, a
16 legislative body shall provide for the manner in which its zoning regulations and the boundaries of
17 districts and zones shall be established, enforced and amended; and

18 **WHEREAS**, pursuant to Annotated Code of Maryland, Section 4-203(b)(1), Land Use Article, a
19 legislative body shall hold at least one public hearing on a proposed zoning regulation or boundary at
20 which parties in interest and citizens have an opportunity to be heard; and

21 **WHEREAS**, pursuant to Annotated Code of Maryland, Section 4-203(b)(2), Land Use Article,
22 the legislative body shall publish notice of the time and place of the public hearing, together with a
23 summary of the proposed zoning regulations or boundary, in at least one newspaper of general
24 circulation in the local jurisdiction once each week for 2 successive weeks; and

25 **NOW, THEREFORE, BE IT HEREBY ENACTED BY THE COUNTY COUNCIL OF CECIL COUNTY,**
26 **MARYLAND**, that the proposed amendment to Article XVII, Part IV, Section 323 of the Cecil County Zoning
27 Ordinance is hereby adopted as follows:

Section 323. Initiation of Amendments

- 28 1. Proposed amendments may be originated by the Office of Planning and Zoning, the Planning
29 Commission, the County Council or the owner(s) of the property(s) for which a zoning
30 change is sought.
- 31 2. Proposed amendments shall first be submitted to the Office of Planning and Zoning. The
32 applicant shall then present the proposed amendment for review by the Planning
33 Commission which shall submit its recommendations to the County Council for a public
34 hearing.
- 35 ~~3. The County Council may originate amendments to the Zoning Ordinance by legislation~~
36 ~~without submission to the Office of Planning and Zoning.~~
- 37 **AND BE IT FURTHER ENACTED** that this Act shall take effect 60 calendar days from the date
38 it becomes law.

CERTIFICATION

I, HEREBY CERTIFY that the above Bill was posted for the public on the public bulletin board with the date, time and location of the public hearing meeting, copies were made available for the public, a copy was distributed to the press, and copy was made available on the Cecil County website.


BY: Council Manager

AMENDMENT NO. 1

TO BILL NO. 2016-20

Amendment - Zoning Ordinance - Initiation of Amendments

COUNTY COUNCIL OF CECIL COUNTY, MARYLAND

LEGISLATIVE SESSION 2016-18

AMENDMENT NO. 1

TO BILL NO. 2016-20

Title: Amendment - Zoning Ordinance - Initiation of Amendments

Synopsis: To allow Council to initiate zoning ordinance changes but require the Council's proposed changes to be submitted to Planning and Zoning Office and Planning Commission as all other changes are done.

Introduced by: Council President Hodge

On page 3, line 29, insert "the County Council"

Proposed amendments may be originated by the Office of Planning and Zoning, the Planning Commission, THE COUNTY COUNCIL, or the owner(s) of the property(s) for which a zoning change is sought.

On Page 3, lines 34-35, delete in its entirety.

Motion by: _____

Seconded by: _____

Vote on amendment: _____ to approve

_____ to reject

BILL NO: 2016-20 As Amended

Title of Bill: Amendment - Zoning Ordinance - Initiation of Amendments

is hereby submitted to the County Council of Cecil County, Maryland for enrollment as being the text as finally passed.

CERTIFIED TRUE AND CORRECT

James Massey
Council Manager

Date: October 18, 2016

ENROLLED

[Signature]
Council President

Date: October 18, 2016

BY THE COUNCIL

Read the third time.

Passed – LSD 2016-20

Failed of Passage – LSD _____

BY: James Massey
Council Manager

SEALED WITH THE COUNTY SEAL AND PRESENTED TO THE COUNTY EXECUTIVE for approval this

19th day of October, 20 16 at 11:00 am/pm.
(within 10 business days from adoption §306)

BY: James Massey
Council Manager



BY THE EXECUTIVE:

Jeri Moore
Cecil County Executive

APPROVED Date: 10/19/16

VETOED Date: _____
(within 10 business days from presentation §306)

BY THE COUNCIL

This **Bill No. 2016-20 a/a** having been approved by the Executive and returned to the Council becomes law

on October 19, 2016 with an effective date of December 19, 2016

BY: James Massey
Council Manager