

**COUNTY COUNCIL OF CECIL COUNTY, MARYLAND  
LEGISLATIVE SESSION DAY 2017-21**

**BILL NO. 2017-22**

**Title of Bill:** Amendment - Zoning Ordinance - Land Use and Development Services

**Synopsis:** A Bill to amend the Zoning Ordinance to reflect the changes in the plan of organization so that the Department of Planning and Zoning will be known as the Department of Land Use and Development Services, and to reflect the new divisions of Planning and Zoning, Permits and Inspections, and Plan Review.

**Introduced by:** Council President on behalf of County Executive

**Introduced, read first time and ordered posted on:** November 7, 2017

**Public hearing scheduled:** December 5, 2017 at: 7:00 p.m.

**Scheduled for Consideration:** December 19, 2017

By:   
Council Manager

**Public Hearing**

Notice of time and place of public hearing and title of Bill have been posted by November 7, 2017 at the County Administration Building, 200 Chesapeake Blvd., Elkton and having been published according to the Charter on November 22, 2017 and November 29, 2017, a public hearing was held on December 5, 2017, and concluded on December 5, 2017.

By:   
Council Manager

**Explanation:** CAPITALS INDICATE MATTER ADDED TO EXISTING BILL.  
{Brackets} indicate matter deleted from existing law.  
Underlining indicates language added to Bill by amendment.  
~~Strike through~~ indicates language stricken out of Bill by amendment.

Amendment - Zoning Ordinance - Land Use and Development Services

1           **WHEREAS**, pursuant to Section 402 of the Cecil County Charter (the “Charter”), the County  
2 Executive (the “Executive”) shall see that the affairs of the executive branch are administered properly and  
3 efficiently, and that employees of the executive branch faithfully perform their duties; and

4           **WHEREAS**, pursuant to Section 402 of the Charter, the duties and responsibilities of the Executive  
5 include, but are not limited to: (a) Supervising and directing offices, agencies and divisions of the executive  
6 branch and ensuring that County employees as well as County boards and commissions faithfully perform  
7 their duties; and, (b) preparing and submitting to the Council the annual County Budget; and

8           **WHEREAS**, the Land Use Article (formerly, Article 66B) of the Annotated Code of Maryland  
9 empowers Cecil County to adopt a Zoning Ordinance, Zoning Maps, and Subdivision regulations; and

10           **WHEREAS**, the Land Use Article (formerly, Article 66B) of the Annotated Code of Maryland  
11 establishes requirements relative to the adoption of said regulations and maps; and

12           **WHEREAS**, public hearings were held on 2, 9, and 16 February 2011 by the Cecil County Planning  
13 Commission in regard to said regulations and maps; and

14           **WHEREAS**, the Planning Commission recommended adoption of said regulations and maps to the  
15 Board of County Commissioners (now the County Council); and

16           **WHEREAS**, public hearings were held by the Board of County Commissioners on 2, 9, and 16 March  
17 2011 and 5 April 2011 in regard to said regulations and maps; and

18           **WHEREAS**, said regulations and maps were adopted by the Board of County Commissioners on 19  
19 April 2011; and

20           **WHEREAS**, all requirements of the Land Use Article (formerly, Article 66B) of the Annotated Code of  
21 Maryland have been met in regard to the adoption of the Zoning Ordinance, Zoning Maps, and Subdivision  
22 Regulations; and

23           **WHEREAS**, the County Executive reorganized the plan of organization by combining the Department  
24 of Planning and Zoning, Department of Permits and Inspections, and the Plans Review section of the  
25 Department of Public Works into the Land Use and Development Services Department on April 17, 2017;  
26 and

27           **WHEREAS**, the Director of the Cecil County Department of Land Use and Development Services,  
28 together with the Cecil County Planning Commission, has recommended that the Zoning Ordinance be  
29 amended, as more fully set forth herein; and

Amendment - Zoning Ordinance - Land Use and Development Services

30           **WHEREAS**, the County Executive has submitted the amendments set forth herein to the County  
31 Council for consideration and approval.

32           **NOW, THEREFORE, BE IT HEREBY ENACTED BY THE COUNTY COUNCIL OF CECIL COUNTY,**  
33 **MARYLAND**, that the proposed amendments to the Cecil County Zoning Ordinance are hereby adopted as  
34 follows:

35 Article I: Title and Purpose

36 Section 6 Interpretation

37 Subsection 6.3

38 When subdivisions and development plans, approved by the ~~Planning Commission~~ **DIRECTOR OF LAND**  
39 **USE AND DEVELOPMENT SERVICES**, contain setback or other features in excess of the minimum Zoning  
40 Ordinance requirements, such features as shown on the approved plan shall govern and shall be enforced  
41 by the local permit official. Private deed restrictions or private covenants for a subdivision, which have not  
42 been approved by the ~~Planning Commission~~ **DIRECTOR OF LAND USE AND DEVELOPMENT SERVICES** and  
43 made part of the approved subdivision plan, do not fall within the jurisdiction of enforcement by any local  
44 agency and cannot be enforced by the permit official. Conditions imposed by the ~~Planning Commission~~  
45 **DIRECTOR OF LAND USE AND DEVELOPMENT SERVICES ...**

46 Article II. Basic Definitions and Interpretations

47 Part II. Zoning Maps

48 Section 13. Official Zoning Maps

49 Subsection 13.3

50 A copy of the maps shall be located in the ~~Office of Planning and Zoning~~ **DEPARTMENT OF LAND USE AND**  
51 **DEVELOPMENT SERVICES.**

52 Section 14. Replacement of Official Zoning Maps

53 Subsection 14.2

54 The ~~Office of Planning and Zoning~~ **DEPARTMENT OF LAND USE AND DEVELOPMENT SERVICES** shall certify  
55 as to the accuracy of the new Official Zoning Maps and the maps shall be identified by the signature of the  
56 County Council attested to by the County Executive, ...

57 Section 15. Location and Boundaries of Zones

58 Subsection 15.3.i.

Amendment - Zoning Ordinance - Land Use and Development Services

59 ...the ~~Office of Planning and Zoning~~ } **DEPARTMENT OF LAND USE AND DEVELOPMENT SERVICES** shall  
60 interpret the zone boundaries.

61 Article V. Specific Supplementary Use Regulations

62 Part 1. Agricultural Uses

63 Section 66. Kennels, Commercial

64 Subsection 66.5

65 A site plan shall be submitted to and approved by the ~~Office of Planning and Zoning~~ **DEPARTMENT OF**  
66 **LAND USE AND DEVELOPMENT SERVICES** prior to the issue of a kennel license. The ~~Office of Planning and~~  
67 ~~Zoning~~ **DEPARTMENT OF LAND USE AND DEVELOPMENT SERVICES** shall ...

68 Part V. Recreation, Amusement, Entertainment Uses

69 Section 101. Campgrounds and Recreational Vehicle Parks

70 Subsection 101.14

71 A major site plan shall be submitted to and approved by the ~~Office of Planning and Zoning~~ **DEPARTMENT**  
72 **OF LAND USE AND DEVELOPMENT SERVICES** in accordance with Section 291.

73 Part XI. Motor Vehicle Related Sales and Service Uses

74 Section 138. Salvage Yards

75 Subsection 138.1

76 The parcel on which the use is situated shall be enclosed with a continuous fence or evergreen shrubbery  
77 screen, as approved by the ~~Office of Planning and Zoning~~ **DEPARTMENT OF LAND USE AND DEVELOPMENT**  
78 **SERVICES.**

79 Subjection 138.11

80 The proprietor of any proposed or existing salvage yards shall be required to obtain a Salvage Yard License  
81 from the ~~Office of Planning and Zoning~~ **DEPARTMENT OF LAND USE AND DEVELOPMENT SERVICES.**

82 Salvage yard licenses may be revoked by the ~~Office of Planning and Zoning~~ **DEPARTMENT OF LAND USE**  
83 **AND DEVELOPMENT SERVICES** if the salvage yard is not in compliance with items 1-7 above. Salvage yards  
84 shall not operate without a valid salvage yard license and any salvage yard operating as such shall be issued  
85 a Stop Work Order by the ~~Office of Planning and Zoning~~ **DEPARTMENT OF LAND USE AND DEVELOPMENT**  
86 **SERVICES.** In determining whether or not to issue a Salvage Yard License, the ~~Office of Planning and Zoning~~  
87 **DEPARTMENT OF LAND USE AND DEVELOPMENT SERVICES** may require...Inspectors from the ~~Office of~~  
88 ~~Planning and Zoning~~ **DEPARTMENT OF LAND USE AND DEVELOPMENT SERVICES** may inspect...

Amendment - Zoning Ordinance - Land Use and Development Services

89 Part XII. Industrial Uses

90 Section 155. Sludge Handling

91 Subsection 155.2.b

92 A site plan indicating the proposed use of the site prior to initiation of the project shall be submitted for  
93 approval by the ~~Office of Planning and Zoning~~ **DEPARTMENT OF LAND USE AND DEVELOPMENT SERVICES.**

94 Subsection 155.2.d

95 Access points and screening shall be provided at such locations and be of such types as may be required by  
96 the ~~Office of Planning and Zoning~~ **DEPARTMENT OF LAND USE AND DEVELOPMENT SERVICES.**

97 Subsection 155.3.c

98 A site plan indicating the proposed use of the site prior to initiation of the project shall be submitted for  
99 approval by the ~~Office of Planning and Zoning~~ **DEPARTMENT OF LAND USE AND DEVELOPMENT SERVICES.**

100 Subsection 155.3.d

101 Access points and screening shall be provided at such locations and be of such types as may be required by  
102 the ~~Office of Planning and Zoning~~ **DEPARTMENT OF LAND USE AND DEVELOPMENT SERVICES.**

103 Subsection 155.4.b

104 Access points and screening shall be provided at such locations and be of such types as may be required by  
105 the ~~Office of Planning and Zoning~~ **DEPARTMENT OF LAND USE AND DEVELOPMENT SERVICES.**

106 Subsection 155.5.d

107 A site plan indicating the proposed use of the site prior to initiation of the project shall be submitted for  
108 approval to the ~~Office of Planning and Zoning~~ **DEPARTMENT OF LAND USE AND DEVELOPMENT SERVICES.**

109 Subsection 155.5.e

110 Access points and screening shall be provided at such locations and be of such types as may be required by  
111 the ~~Office of Planning and Zoning~~ **DEPARTMENT OF LAND USE AND DEVELOPMENT SERVICES.**

112 Subsection 155.5.g.(1)

113 Application rates for nonagricultural land shall be consistent with the site plan approved by the ~~Office of~~  
114 ~~Planning and Zoning~~ **DEPARTMENT OF LAND USE AND DEVELOPMENT SERVICES.**

115 Subsection 155.6.d

116 A site plan indicating the proposed use of the site prior to initiation of the project shall be submitted for  
117 approval to the ~~Office of Planning and Zoning~~ **DEPARTMENT OF LAND USE AND DEVELOPMENT SERVICES.**

118 Subsection 155.6.e

Amendment - Zoning Ordinance - Land Use and Development Services

119 Access points and screening shall be provided at such locations and be of such types as may be required by  
120 the ~~Office of Planning and Zoning~~ **DEPARTMENT OF LAND USE AND DEVELOPMENT SERVICES.**

121 Section 158. Storage Trailer or Container

122 Subsection 158.3

123 The ~~Office of Planning and Zoning~~ **DEPARTMENT OF LAND USE AND DEVELOPMENT SERVICES** shall issue...

124 Section 159. Neighborhood Essential Services

125 Subsection 159.1

126 The Bufferyard E 1.0 standard may be modified by the ~~Office of Planning and Zoning~~ **DEPARTMENT OF**  
127 **LAND USE AND DEVELOPMENT SERVICES** to a ...

128 Subsection 159.2

129 All water and sanitary sewer pump stations, shared water systems, sewage treatment facilities and/or  
130 wastewater treatment plants established in existing communities shall be placed in a soundproof building  
131 and shall be screened by an evergreen vegetative buffer approved by the ~~Office of Planning and Zoning~~  
132 **DEPARTMENT OF LAND USE AND DEVELOPMENT SERVICES.**

133 Subsection 159.3

134 A lighting plan must be approved by the ~~Office of Planning and Zoning~~ **DEPARTMENT OF LAND USE AND**  
135 **DEVELOPMENT SERVICES.**

136 Subsection 159.4

137 A landscape plan for the Bufferyard E or vegetative buffer, shall be approved by the ~~Office of Planning and~~  
138 ~~Zoning~~ **DEPARTMENT OF LAND USE AND DEVELOPMENT SERVICES.**

139 Section 160. Video Lottery Facility

140 Subsection 160.4

141 Restaurants, hotels, entertainment venues, and retail commercial may be established in connection with  
142 said use and must be included on a major site plan submitted to the ~~Office of Planning and Zoning~~  
143 **DEPARTMENT OF LAND USE AND DEVELOPMENT SERVICES.**

144 Section 170. Setback Modification

145 The front, rear and side yard setbacks, and lot width requirements may be modified by the Cecil County  
146 Planning Commission in the case of major subdivisions and by the ~~Office of Planning and Zoning~~  
147 **DEPARTMENT OF LAND USE AND DEVELOPMENT SERVICES** in the case of ...

148 Article IX. Environmental Standards and Open Space

Amendment - Zoning Ordinance - Land Use and Development Services

149 Section 174. Environmental Standards for all Subdivisions and Development Requiring Site Plan Approval

150 Subsection 174.1.b

151 If the property is located outside of the Cecil County Critical Area District this buffer requirement may be  
152 waived by the Cecil County Planning Commission and/or the ~~Office of Planning and Zoning~~ **DEPARTMENT**  
153 **OF LAND USE AND DEVELOPMENT SERVICES** for the following:

154 Subsection 174.2.b

155 If the property is located outside of the Cecil County Critical Area District this buffer requirement may be  
156 waived by the Cecil County Planning Commission and/or the ~~Office of Planning and Zoning~~ **DEPARTMENT**  
157 **OF LAND USE AND DEVELOPMENT SERVICES** for the following:

158 Section 176. Provision of Common Open Space

159 Subsection 176.3.c

160 Culturally and historically significant sites and/or structures as determined by guidelines established by the  
161 Cecil County Planning Commission, ~~Office of Planning and Zoning~~ **DEPARTMENT OF LAND USE AND**  
162 **DEVELOPMENT SERVICES**, and the Maryland Historical Trust.

163 Section 182. Open Space - Payment in Lieu

164 ....Said payment shall be in an amount established by the ~~Office of Planning and Zoning~~ **DEPARTMENT OF**  
165 **LAND USE AND DEVELOPMENT SERVICES** and shall be made prior to final plat approval by the ~~Planning~~  
166 ~~Commission~~ **DIRECTOR OF LAND USE AND DEVELOPMENT SERVICES.**

167 Article X. Landscape Requirements

168 Section 185. Landscape Plan Required

169 Subsection 185.1

170 ...which may be approved in sections by the ~~Office of Planning and Zoning~~ **DEPARTMENT OF LAND USE**  
171 **AND DEVELOPMENT SERVICES, ...**

172 Section 186. Street Trees Requirement

173 Subsection 186.1.b

174 The spacing between and/or actual placement of the street trees may be modified by the ~~Office of Planning~~  
175 ~~and Zoning~~ **DEPARTMENT OF LAND USE AND DEVELOPMENT SERVICES** in order...

176 Subsection 186.2

Amendment - Zoning Ordinance - Land Use and Development Services

177 Street trees shall be included in a Landscape Plan and guaranteed by bond or other means acceptable to  
178 the ~~Office of Planning and Zoning~~ **DEPARTMENT OF LAND USE AND DEVELOPMENT SERVICES** and/or the  
179 Cecil County Planning Commission.

180 Subsection 186.3

181 Street trees and planted buffers may count towards the required landscaping percentage as determined by  
182 the Planning Commission and/or the ~~Office of Planning and Zoning~~ **DEPARTMENT OF LAND USE AND**  
183 **DEVELOPMENT SERVICES.**

184 Section 187. Bufferyards

185 Subsection 187.2

186 The ~~Office of Planning and Zoning~~ **DEPARTMENT OF LAND USE AND DEVELOPMENT SERVICES** or Planning  
187 Commission ...

188 Section 188. Bonding and Financial Security of Plantings

189 Subsection 188.2

190 The agreement shall in form and substance as approved by the ~~Office of Planning and Zoning~~  
191 **DEPARTMENT OF LAND USE AND DEVELOPMENT SERVICES** and shall ...

192 Subsection 188.2.e.1 The ~~Office of Planning and Zoning~~ **DEPARTMENT OF LAND USE AND DEVELOPMENT**  
193 **SERVICES** and the oblige ...

194 Subsection 188.3

195 The person required to provide financial security under this section may request reduction of the amount  
196 of the financial security by submitting a written request to the ~~Office of Planning and Zoning~~ **DEPARTMENT**  
197 **OF LAND USE AND DEVELOPMENT SERVICES** with ...At the time of the reduction request the person may  
198 also change the type of guarantee with the approval of the ~~Office of Planning and Zoning~~ **DEPARTMENT OF**  
199 **LAND USE AND DEVELOPMENT SERVICES.**

200 Subsection 188.4

201 The ~~Office of Planning and Zoning~~ **DEPARTMENT OF LAND USE AND DEVELOPMENT SERVICES** will ...

202 Subsection 188.5(a) The financial security may be released on receipt of written notice from the ~~Office of~~  
203 ~~Planning and Zoning~~ **DEPARTMENT OF LAND USE AND DEVELOPMENT SERVICES** stating ...

204 Subsection 188.5(b)



Amendment - Zoning Ordinance - Land Use and Development Services

205 Written notice shall be sent at the end of the required monitoring and maintenance period unless as  
206 provided in Subsection 6 below or non-compliance with this section is determined by the ~~Office of Planning~~  
207 ~~and Zoning~~ **DEPARTMENT OF LAND USE AND DEVELOPMENT SERVICES.**

208 Subsection 188.5(c)

209 If the ~~Office of Planning and Zoning~~ **DEPARTMENT OF LAND USE AND DEVELOPMENT SERVICES** fails to ...

210 Subsection 188.6(a)(2)

211 ...implement a corrective action necessary to complete or carryout the landscape plan as determined by  
212 the ~~Office of Planning and Zoning~~ **DEPARTMENT OF LAND USE AND DEVELOPMENT SERVICES.**

213 Subsection 188.6(b)

214 The ~~Office of Planning and Zoning~~ **DEPARTMENT OF LAND USE AND DEVELOPMENT SERVICES** shall notify  
215 the oblige, by certified mail, of the intention of the ~~Office of Planning and Zoning~~ **DEPARTMENT OF LAND**  
216 **USE AND DEVELOPMENT SERVICES** to initiate forfeiture proceedings.

217 Subsection 188.6(e)

218 The ~~Office of Planning and Zoning~~ **DEPARTMENT OF LAND USE AND DEVELOPMENT SERVICES** shall ...

219 Article XI. Overlay Zones

220 Part 1. Critical Area District

221 Section 191. Statement of Intent, Purpose, Applicability, Implementation, Findings, Requirements and  
222 Definitions

223 Subsection 191.10

224 The County's Critical Area Program and all applicable provisions of this ordinance shall be implemented and  
225 enforced by the County ~~Office of Planning and Zoning~~ **DEPARTMENT OF LAND USE AND DEVELOPMENT**  
226 **SERVICES AND** the Department of Public Works ~~and the Department of Permits and Inspections.~~

227 Section 195. Modified Buffer Areas

228 Subsection 195.5

229 New development or redevelopment including structures, roads, parking areas, and other impervious  
230 surfaces or septic systems will not be permitted in the Buffer unless the applicant can demonstrate that  
231 there is no feasible alternative and the Planning Commission or the ~~Office of Planning and Zoning~~  
232 **DEPARTMENT OF LAND USE AND DEVELOPMENT SERVICES** finds ...

233 Subsection 195.6

Amendment - Zoning Ordinance - Land Use and Development Services

234 New development or redevelopment including structures, roads, parking areas, accessory structures and  
235 other areas of lot coverage or septic systems will not be permitted in the Buffer unless the applicant can  
236 demonstrate that there is no feasible alternative and the Planning Commission or the ~~Office of Planning  
237 and Zoning~~ **DEPARTMENT OF LAND USE AND DEVELOPMENT SERVICES** finds ...

238 Subsection 195.6(d)(1)

239 New accessory structures may be located closer to the water or edge of tidal wetlands than the principal  
240 dwelling only if it has been determined by the ~~Office of Planning and Zoning~~ **DEPARTMENT OF LAND USE  
241 AND DEVELOPMENT SERVICES** that ...

242 Subsection 195.6(i)(1)

243 ...or other location as may be determined by the ~~Office of Planning and Zoning~~ **DEPARTMENT OF LAND  
244 USE AND DEVELOPMENT SERVICES.**

245 Subsection 195.8

246 The Planning Commission shall consider the written findings of the ~~Office of Planning and Zoning~~  
247 **DEPARTMENT OF LAND USE AND DEVELOPMENT SERVICES** documenting ...

248 Section 197. General Regulations for Development and Land Use within the Critical Area District

249 Subsection 197.10.a

250 ... and approved by the Planning Commission or the ~~Office of Planning and Zoning~~ **DEPARTMENT OF LAND  
251 USE AND DEVELOPMENT SERVICES** prior ... and bond if deemed necessary by the ~~Office of Planning and  
252 Zoning~~ **DEPARTMENT OF LAND USE AND DEVELOPMENT SERVICES....**

253 Subsection 197.12.b(13)(c)

254 The analysis shall be submitted to the ~~Office of Planning and Zoning~~ **DEPARTMENT OF LAND USE AND  
255 DEVELOPMENT SERVICES** for ...The Planning Commission or the ~~Office of Planning and Zoning~~  
256 **DEPARTMENT OF LAND USE AND DEVELOPMENT SERVICES** shall ...

257 Section 200. Development Standards in Limited Development Areas (LDAs)

258 Subsection 200.13.e

259 ... upon the findings of the Director of ~~Planning and Zoning~~ **LAND USE AND DEVELOPMENT SERVICES** or ...

260 Subsection 200.13.f

261 If the Director of ~~Planning and Zoning~~ **LAND USE AND DEVELOPMENT SERVICES** or ...

262 Section 201. Development Standards in Resources Conservation Areas (RCAs)

263 Subsection 201.5

Amendment - Zoning Ordinance - Land Use and Development Services

264 ... if it is determined by the ~~{Office of Planning and Zoning~~ **DEPARTMENT OF LAND USE AND**  
265 **DEVELOPMENT SERVICES** that ...

266 Section 202. Woodland Reforestation and Afforestation Standards

267 Subsection 202.7

268 A planting plan shall be submitted by the developer to the ~~Office of Planning and Zoning~~ **DEPARTMENT OF**  
269 **LAND USE AND DEVELOPMENT SERVICES** for approval, ...

270 Subsection 202.9.a

271 Although plant types should be chosen from the recommended plant list available from the ~~Office of~~  
272 ~~Planning and Zoning~~ **DEPARTMENT OF LAND USE AND DEVELOPMENT SERVICES** or ...

273 Subsection 202.10

274 The landscape agreement shall be in form and substance as approved by the ~~Office of Planning and Zoning~~  
275 **DEPARTMENT OF LAND USE AND DEVELOPMENT SERVICES** and ...

276 Subsection 202.10.c

277 All bonds or other forms of surety shall be in a form acceptable to and approved by the ~~Office of Planning~~  
278 ~~and Zoning~~ **DEPARTMENT OF LAND USE AND DEVELOPMENT SERVICES.**

279 Subsection 202.10.e

280 The ~~Office of Planning and Zoning~~ **DEPARTMENT OF LAND USE AND DEVELOPMENT SERVICES** or its ...

281 Subsection 202-A Commercial Timber Harvesting

282 Subsection 202-A.2

283 ... the approved plan shall be sent to the ~~Office of Planning and Zoning~~ **DEPARTMENT OF LAND USE AND**  
284 **DEVELOPMENT SERVICES** prior ...

285 Subsection 202-A.4.a

286 ... and notice of approval shall be sent to the ~~Office of Planning and Zoning~~ **DEPARTMENT OF LAND USE**  
287 **AND DEVELOPMENT SERVICES.**

288 Section 205. Growth Allocation (GA) Districts

289 Subsection 205.1.a(1)

290 A request for GA from the Towns shall be made to the ~~Office of Planning and Zoning~~ **DEPARTMENT OF**  
291 **LAND USE AND DEVELOPMENT SERVICES.**

292 Subsection 205.1.a(2)

293 The ~~Office of Planning and Zoning~~ **DEPARTMENT OF LAND USE AND DEVELOPMENT SERVICES** shall ...

Amendment - Zoning Ordinance - Land Use and Development Services

294 Section 206. Award Process for Growth Allocation  
295 Subsection 206.3  
296 ... and the ~~Office of Planning and Zoning~~ **DEPARTMENT OF LAND USE AND DEVELOPMENT**  
297 **SERVICES**...assigned by ~~Office of Planning and Zoning~~ **DEPARTMENT OF LAND USE AND DEVELOPMENT**  
298 **SERVICES, ...**  
299 Subsection 206.4 The Planning Commission and the ~~Office of Planning and Zoning~~ **DEPARTMENT OF LAND**  
300 **USE AND DEVELOPMENT SERVICES** shall ...  
301 Section 209. Submission Requirements  
302 Subsection 209.2  
303 ... shall be submitted to the ~~Office of Planning and Zoning~~ **DEPARTMENT OF LAND USE AND**  
304 **DEVELOPMENT SERVICES** as ...  
305 Subsection 209.3  
306 The ~~Office of Planning and Zoning~~ **DEPARTMENT OF LAND USE AND DEVELOPMENT SERVICES** shall ...The  
307 ~~Office of Planning and Zoning~~ **DEPARTMENT OF LAND USE AND DEVELOPMENT SERVICES** shall ..... that the  
308 ~~Office of Planning and Zoning~~ **DEPARTMENT OF LAND USE AND DEVELOPMENT SERVICES** may ...  
309 Section 210. Procedure for Review of GA District Applications  
310 Subsection 210.2.a(1)  
311 ~~Office of Planning and Zoning~~ **DEPARTMENT OF LAND USE AND DEVELOPMENT SERVICES** staff ...  
312 Subsection 210.2.a(4)  
313 The ~~Office of Planning and Zoning~~ **DEPARTMENT OF LAND USE AND DEVELOPMENT SERVICES** staff ...  
314 Subsection 210.2.b(1)  
315 The ~~Office of Planning and Zoning~~ **DEPARTMENT OF LAND USE AND DEVELOPMENT SERVICES** staff ...  
316 Subsection 210.2.b(4)  
317 ... the ~~Office of Planning and Zoning~~ **DEPARTMENT OF LAND USE AND DEVELOPMENT SERVICES** staff ...  
318 Subsection 210.2.c(2)  
319 Prior to approving the final site plan or subdivision plat, the ~~Planning Commission~~ **DIRECTOR OF THE LAND**  
320 **USE AND DEVELOPMENT SERVICES** or ...  
321 Section 213. Procedure for the Granting of Growth Allocation Floating Zones to Project Point Scoring  
322 System Exemptions  
323 Subsection 213.6

Amendment - Zoning Ordinance - Land Use and Development Services

324 ... as determined by the Cecil County ~~Office of Planning and Zoning~~ **DEPARTMENT OF LAND USE AND**  
325 **DEVELOPMENT SERVICES** , ...  
326 Section 214. Penalties  
327 Subsection 214.2  
328 ... appointed by the ~~County Planning Director~~ **DIRECTOR OF THE LAND USE AND DEVELOPMENT SERVICES** ,  
329 ...  
330 Subsection 214.2.a  
331 Staff of the ~~Office~~ **DIVISION** of Planning and Zoning and staff of the ~~Department~~ **DIVISION** of Permits and  
332 Inspections ...  
333 Subsection 214.19.a  
334 ... on form provided by the ~~Office of Planning and Zoning~~ **DEPARTMENT OF LAND USE AND**  
335 **DEVELOPMENT SERVICES**. ... when delivered to the ~~Office of Planning and Zoning~~ **DEPARTMENT OF LAND**  
336 **USE AND DEVELOPMENT SERVICES**. The date and time of filing shall be entered on the appeal by the ~~Office~~  
337 ~~of Planning and Zoning~~ **DEPARTMENT OF LAND USE AND DEVELOPMENT SERVICES** staff;  
338 Section 229. Administration and Procedures  
339 Subsection 229.1  
340 The Director of ~~Planning and Zoning~~ **LAND USE AND DEVELOPMENT SERVICES** is ...  
341 Section 233. Variances  
342 Subsection 233.2(A)  
343 ... shall submit a variance to the ~~Office of Planning and Zoning~~ **DEPARTMENT OF LAND USE AND**  
344 **DEVELOPMENT SERVICES**.  
345 Subsection 233.3  
346 The ~~Office of Planning and Zoning~~ **DEPARTMENT OF LAND USE AND DEVELOPMENT SERVICES** shall ...  
347 Part IV. Historic Districts  
348 Section 245.  
349 Subsection 245.5(m)  
350 To call upon the staff of the ~~Office of Planning and Zoning~~ **DEPARTMENT OF LAND USE AND**  
351 **DEVELOPMENT SERVICES**, ...  
352 Subsection 245.5.n

Amendment - Zoning Ordinance - Land Use and Development Services

353 ...to recommend to the ~~Office of Planning and Zoning~~ **DEPARTMENT OF LAND USE AND DEVELOPMENT**  
354 **SERVICES** any ...  
355 Subsection 245.6.g  
356 The recommendation of the Historic District Commission shall be sent to the ~~Office of Planning and Zoning~~  
357 **DEPARTMENT OF LAND USE AND DEVELOPMENT SERVICES**, and  
358 Subsection 245.6.h  
359 The ~~Office of Planning and Zoning~~ **DEPARTMENT OF LAND USE AND DEVELOPMENT SERVICES** shall ...The  
360 ~~Office of Planning and Zoning~~ **DEPARTMENT OF LAND USE AND DEVELOPMENT SERVICES** shall ...  
361 Subsection 245.7.a  
362 The ~~Office of Planning and Zoning~~ **DEPARTMENT OF LAND USE AND DEVELOPMENT SERVICES** shall ...  
363 Subsection 245.11  
364 ... shall be forwarded by the ~~Office of Planning and Zoning~~ **DEPARTMENT OF LAND USE AND**  
365 **DEVELOPMENT SERVICES** to the Historic District Commission. The ~~Office of Planning and Zoning~~  
366 **DEPARTMENT OF LAND USE AND DEVELOPMENT SERVICES** shall not issue the historic area work permit  
367 until a certificate of appropriateness has been issued by the Historic District Commission before the  
368 application is sent by the ~~Office of Planning and Zoning~~ **DEPARTMENT OF LAND USE AND DEVELOPMENT**  
369 **SERVICES** to the Historic District Commission or during review of the application.... and available in the  
370 ~~Office of Planning and Zoning~~ **DEPARTMENT OF LAND USE AND DEVELOPMENT SERVICES**.  
371 Subsection 245.13  
372 ... and the ~~Department~~ **DIVISION** of Permits and Inspections ...  
373 Subsection 245.16  
374 ... approval from the ~~Department~~ **DIVISION** of Permits and Inspections ...  
375 Subsection 245.19.a  
376 The Historic District Commission may request the ~~Department~~ **DIVISION** of Permits and Inspections ...  
377 Subsection 245.19.c  
378 ... the Historic District Commission may request that the ~~Department~~ **DIVISION** of Permits and Inspections  
379 issue ...  
380 Subsection 245.19.d  
381 ...the Historic District Commission may request that the ~~Department~~ **DIVISION** of Permits and Inspections ...  
382 Part V. Transfer of Development Rights

Amendment - Zoning Ordinance - Land Use and Development Services

383 Section 246.

384 Subsection 246.8.h

385 A final plat shall be presented to the ~~Planning Commission~~ **DIRECTOR OF THE DEPARTMENT OF LAND USE**  
386 **AND DEVELOPMENT SERVICES** for approval or disapproval. Prior to the ~~Planning Commission's~~ **DIRECTOR**  
387 **OF LAND USE AND DEVELOPMENT SERVICES'** review, ...

388 Subsection 246.8.i

389 If the final plat is approved by the ~~Planning Commission~~ **DIRECTOR OF LAND USE AND DEVELOPMENT**  
390 **SERVICES**, the Transfer of Development Rights Conservation Easement and Deed of Transfer of  
391 Development Rights shall be recorded in the Office of the Clerk of the Court for Cecil County. The record  
392 plats shall not be signed by the Director of ~~Planning and Zoning~~ **LAND USE AND DEVELOPMENT SERVICES**  
393 until the recordation of these documents occurs.

394 Subsection 246.8.k

395 The Cecil County ~~Office of Planning and Zoning~~ **DEPARTMENT OF LAND USE AND DEVELOPMENT SERVICES**  
396 shall send a certificate of availability of development rights to property owners that qualify as a sending  
397 area upon request.

398 Subsection 246.8.L

399 If a landowner who is eligible to sell development rights sells those rights, the landowner shall notify the  
400 ~~Office of Planning and Zoning~~ **DEPARTMENT OF LAND USE AND DEVELOPMENT SERVICES** of the  
401 transaction and the number of development rights sold, unless those rights are sold the County. The ~~Office~~  
402 ~~of Planning and Zoning~~ **DEPARTMENT OF LAND USE AND DEVELOPMENT SERVICES** shall be notified of  
403 future transfer of development rights between purchaser and seller, unless those rights are transferred  
404 through the County.

405 Section 247. Brownfield Redevelopment District - BR

406 Subsection 247.3.a

407 The Director of ~~Planning and Zoning~~ **LAND USE AND DEVELOPMENT SERVICES** shall be authorized to grant  
408 administrative adjustments for commercial and/or industrial developments as part of the site plan review  
409 process.

410 Article XIV. Accessibility and Parking Requirements

411 Section 272. General

412 Subsection 272.2

Amendment - Zoning Ordinance - Land Use and Development Services

413 With the approval of the Planning Commission or the ~~Office of Planning and Zoning~~ **DEPARTMENT OF LAND**  
414 **USE AND DEVELOPMENT SERVICES**,...

415 Subsection 272.2.b

416 A parking plan is filed and approved by the Cecil County Planning Commission or the ~~Office of Planning and~~  
417 ~~Zoning~~ **DEPARTMENT OF LAND USE AND DEVELOPMENT SERVICES.**

418 Subsection 272.3

419 The required minimum number of parking spaces may be reduced by the ~~Office of Planning and Zoning~~  
420 **DEPARTMENT OF LAND USE AND DEVELOPMENT SERVICES** or the Planning Commission ...

421 Any proposal seeking this reduction by forming a private multi-modal or multi-passenger transportation  
422 system must be approved by the Cecil County Planning Commission or the ~~Office of Planning and Zoning~~  
423 **DEPARTMENT OF LAND USE AND DEVELOPMENT SERVICES.**

424 Section 273. General Parking Specifications

425 Subsection 273.3

426 ..., and the applicable landscape buffer and screening requirements may be modified as approved by the  
427 Cecil County Planning Commission or the ~~Office of Planning and Zoning~~ **DEPARTMENT OF LAND USE AND**  
428 **DEVELOPMENT SERVICES.**

429 Section 275. Business/Industrial Parking Specifications

430 Subsection 275.5

431 ... unless a modification is granted by the Cecil County Planning Commission or the ~~Office of Planning and~~  
432 ~~Zoning~~ **DEPARTMENT OF LAND USE AND DEVELOPMENT SERVICES.**

433 Subsection 275.8

434 ..., and a parking plan must be approved by the Cecil County Planning Commission or the ~~Office of Planning~~  
435 ~~and Zoning~~ **DEPARTMENT OF LAND USE AND DEVELOPMENT SERVICES.**

436 Section 290. Minor Site Plans

437 Subsection 290.2

438 Minor site plans shall be approved by the ~~Office of Planning and Zoning~~ **DEPARTMENT OF LAND USE AND**  
439 **DEVELOPMENT SERVICES**... and shall be reviewed by the ~~Office of Planning and Zoning~~ **DEPARTMENT OF**  
440 **LAND USE AND DEVELOPMENT SERVICES** concurrently with the building permit.

441 Section 291. Major Site Plans

442 Subsection 291.4



Amendment - Zoning Ordinance - Land Use and Development Services

443 Site plans for development outside the Chesapeake Bay Critical Area, when required in this Ordinance, shall  
444 be prepared and submitted as described in Appendix A and approved by the ~~Office of Planning and Zoning~~  
445 **DEPARTMENT OF LAND USE AND DEVELOPMENT SERVICES**. Said ~~Office~~ **DEPARTMENT** may ...

446 Subsection 291.5

447 Site plans for development inside the Chesapeake Bay Critical Area, where required by this Ordinance, shall  
448 be prepared and submitted as described in Appendix C and approved by the ~~Office of Planning and Zoning~~  
449 **DEPARTMENT OF LAND USE AND DEVELOPMENT SERVICES**. Said ~~Office~~ **DEPARTMENT** may ...

450 Subsection 291.10

451 An appropriate number of copies of all major site plans shall be submitted to the ~~Office of Planning and~~  
452 ~~Zoning~~ **DEPARTMENT OF LAND USE AND DEVELOPMENT SERVICES**. Such ~~Office~~ **DEPARTMENT** may ...

453 Subsection 291.11.a

454 Upon receipt of the major site plan, the ~~Office of Planning and Zoning~~ **DEPARTMENT OF LAND USE AND**  
455 **DEVELOPMENT SERVICES** shall review such plan ...

456 The entity responsible for the preparation of the site plan shall provide verification to the ~~Office of Planning~~  
457 ~~and Zoning~~ **DEPARTMENT OF LAND USE AND DEVELOPMENT SERVICES** that all adjoining property owners  
458 to the subject property have been notified of the site plan submittal.

459 Subsection 291.11.b

460 Where the ~~Office of Planning and Zoning~~ **DEPARTMENT OF LAND USE AND DEVELOPMENT SERVICES** finds  
461 that, because of unusual circumstances of shape and topography or other features or conditions of the  
462 proposed development or because of the nature of adjacent development, extraordinary hardships may  
463 result from strict compliance with regulations, including but not limited to, frontages, setbacks, or buffers,  
464 the ~~Office of Planning and Zoning~~ **DEPARTMENT OF LAND USE AND DEVELOPMENT SERVICES** may grant a  
465 modification of such regulations when requested by the developer.

466 In granting modifications, the ~~Office of Planning and Zoning~~ **DEPARTMENT OF LAND USE AND**  
467 **DEVELOPMENT SERVICES** may require ...Any modification of these regulations for a particular development  
468 shall be noted on the final site plan and appear in the records of the ~~Office of Planning and Zoning~~  
469 **DEPARTMENT OF LAND USE AND DEVELOPMENT SERVICES**.

470 Subsection 291.12.a

471 The applicant may construct only such improvements as have been approved by the ~~Office of Planning and~~  
472 ~~Zoning~~ **DEPARTMENT OF LAND USE AND DEVELOPMENT SERVICES**.

Amendment - Zoning Ordinance - Land Use and Development Services

473 Subsection 291.13.b

474 Upon written request by the applicant, within thirty (30) days prior to the expiration of said approval, a two  
475 (2) year extension may be given by the ~~{Office of Planning and Zoning~~ **DEPARTMENT OF LAND USE AND**  
476 **DEVELOPMENT SERVICES.**

477 Section 295. Planning Commission Established

478 Subsection 295.4

479 The ~~Office of Planning and Zoning~~ **DEPARTMENT OF LAND USE AND DEVELOPMENT SERVICES** shall be  
480 represented at all meetings of the Planning Commission, ...

481 Subsection 295.5

482 Staff from the ~~Office of Planning and Zoning~~ **DEPARTMENT OF LAND USE AND DEVELOPMENT SERVICES**  
483 shall be present during all deliberations by the Planning Commission ...

484 Section 297. Technical Advisory Committee

485 The Planning Commission shall organize a Technical Advisory Committee composed of staff members of the  
486 ~~Planning Office~~ **DEPARTMENT OF LAND USE AND DEVELOPMENT SERVICES, ...**

487 Part II. Board of Appeals

488 Section 298. Board of Appeals Established

489 Subsection 298.6.b

490 Staff from the ~~Office of Planning and Zoning~~ **DEPARTMENT OF LAND USE AND DEVELOPMENT SERVICES**  
491 shall be present ...

492 Subsection 298.8.a

493 Appeals shall be filed with the ~~Office of Planning and Zoning~~ **Department of Land Use and Development**  
494 **Services** and shall specify the grounds thereof. The ~~Office of Planning and Zoning~~ **Department of Land Use**  
495 **and Development Services** shall forthwith transmit ...

496 Part III. Other Administrative Provisions

497 Section 299. Zoning Administrator

498 Subsection 299.1

499 The administration and enforcement of the provisions of this Ordinance shall be, except as otherwise  
500 specified in this Ordinance, within the scope of responsibility of the Director, ~~Office of Planning and Zoning~~  
501 **DEPARTMENT OF LAND USE AND DEVELOPMENT SERVICES.** Within this ~~Office~~ **DEPARTMENT**, there is

Amendment - Zoning Ordinance - Land Use and Development Services

502 hereby established the position of County Zoning Administrator. The Director, ~~Office of Planning and~~  
503 ~~Zoning~~ **DEPARTMENT OF LAND USE AND DEVELOPMENT SERVICES** shall recommend ...

504 Section 301. Fees and Charges

505 ...upon recommendation of the ~~Office of Planning and Zoning~~ **DEPARTMENT OF LAND USE AND**  
506 **DEVELOPMENT SERVICES.**

507 Article XVII. Appeals, Variances, Interpretations, Special Exceptions, Amendments and Procedures

508 Section 305. Appeals

509 Subsection 305.1

510 A notice of appeal shall be considered filed when the Zoning Administrator and the Board of Appeals when  
511 delivered to the ~~Office of Planning and Zoning~~ **DEPARTMENT OF LAND USE AND DEVELOPMENT SERVICES**  
512 and when the application fee is paid.

513 Part II. Special Exceptions

514 Section 308. Application for Special Exception

515 Such application shall be forwarded from the Zoning Administrator to the Board of Appeals for review and  
516 decision in accordance with the ~~Office of Planning and Zoning's~~ **DEPARTMENT OF LAND USE AND**  
517 **DEVELOPMENT SERVICES** submission deadline and scheduling policies.

518 Section 313. Approval of Special Exceptions

519 Subsection 313.2

520 The ~~Office of Planning and Zoning~~ **DEPARTMENT OF LAND USE AND DEVELOPMENT SERVICES** and the  
521 Planning Commission have reviewed the application and stated their recommendations to the Board.

522 Subsection 313.3 Where requested or required by the ~~Office of Planning and Zoning~~ **DEPARTMENT OF**  
523 **LAND USE AND DEVELOPMENT SERVICES**, the applicant has obtained written comments on the application  
524 from other agencies.

525 Part III. Hearing Procedures for Appeals, Variances, Special Exceptions or Petitions of Revocation

526 Section 316. Hearing Required on Appeals and Applications

527 Subsection 316.1

528 Before making a decision on an appeal or an application for a variance, special exception, or a petition from  
529 the Zoning Administrator or Director of ~~Planning~~ **LAND USE AND DEVELOPMENT SERVICES** to revoke a  
530 special exception, ...

531 Part IV. Amendments

Amendment - Zoning Ordinance - Land Use and Development Services

532 Section 323. Initiation of Amendments

533 Subsection 323.1

534 Proposed amendments may be originated by the ~~Office of Planning and Zoning~~ **DEPARTMENT OF LAND**  
535 **USE AND DEVELOPMENT SERVICES**, the Planning Commission, the County Council, or the owner(s) of the  
536 property(s) for which a zoning change is sought.

537 Subsection 323.2

538 Proposed amendments shall first be submitted to the ~~Office of Planning and Zoning~~ **DEPARTMENT OF**  
539 **LAND USE AND DEVELOPMENT SERVICES**.

540 Section 325. Planning Commission Consideration of Proposed Amendments

541 Subsection 325.1.d

542 The Public shall be given an opportunity to testify or ask questions of the applicant, his witnesses, or the  
543 ~~planning~~ staff **OF THE DEPARTMENT OF LAND USE AND DEVELOPMENT SERVICES**.

544 Section 326. County Council Action on Amendments

545 Subsection 326.5


546 In the granting of any amendment pursuant to this Ordinance, County Council shall solicit and consider the  
547 recommendations of the ~~Office of Planning and Zoning~~ **DEPARTMENT OF LAND USE AND DEVELOPMENT**  
548 **SERVICES** and those of the Planning Commission.

549 Subsection 326.9 The record shall be open to public inspection and shall be maintained in the ~~Office of~~  
550 ~~Planning and Zoning~~ **DEPARTMENT OF LAND USE AND DEVELOPMENT SERVICES**.

551 **AND, BE IT FURTHER ENACTED BY THE COUNTY COUNCIL OF CECIL COUNTY, MARYLAND,**  
552 that this Bill shall take effect 60 calendar days from the date 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

**BILL NO: 2017-22**

**Title of Bill: Amendment – Zoning Ordinance – Land Use and Development Services**

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

**CERTIFIED TRUE AND CORRECT**

**ENROLLED**

James Massey  
Council Manager

Jayce Bowlsbey  
Council President

Date: December 19, 2017

Date: December 19, 2017

**BY THE COUNCIL**

Read the third time.

Passed – LSD 2017-24

Failed of Passage – LSD \_\_\_\_\_

BY: James Massey  
Council Manager

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

20<sup>th</sup> day of December, 2017 at 1:00 am/pm.  
(within 10 business days from adoption §306)

BY: James Massey  
Council Manager



BY THE EXECUTIVE:  
Ch. S. Melanby  
Cecil County Executive

APPROVED Date: 12/20/17

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

**BY THE COUNCIL**

Bill No. 2017-22 having been approved by the Executive and returned to the Council becomes law

on December 20, 2017 with an effective date of February 19, 2018

BY: James Massey  
Council Manager