

**COUNTY COUNCIL OF CECIL COUNTY, MARYLAND
LEGISLATIVE SESSION DAY 2018-13**

BILL NO. 2018-07

Title of Bill: Amendment – Zoning Ordinance – Solar Power Generating Facilities

Synopsis: An Act to amend the Cecil County Zoning Ordinance, Article V, Part XII, Section 156, Power Generating Facilities in order to permit solar power generating facilities in Business General zones as a special exception under certain conditions.

Introduced by: Council President on behalf of the County Executive

Introduced and ordered posted on: July 17, 2018

Public hearing scheduled on: August 21, 2018 at: 7:00 p.m.

Scheduled for consideration: September 4, 2018

By: _____
Council Manager

PUBLIC HEARING

Notice of time and place of public hearing and title of Bill having been posted by _____ at the County Administration Building, 200 Chesapeake Blvd., Elkton and having been published according to the Charter on _____, a public hearing was held on ____ and concluded on ____.

By: _____
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.

Amendment – Zoning Ordinance –Power Generating Facilities

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 of 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 V, Part XII, Section 156, Power Generating Facilities
27 of the Cecil County Zoning Ordinance is hereby adopted as follows:

28 **Section 156 Power Generating Facilities (12.16.000)**

29 Power generating facilities may be permitted as a Special Exception in the NAR and SAR zones provided that
30 the power is generated solely from solar, wind or water power sources. **SOLAR POWER GENERATING**

31 **FACILITIES MAY BE PERMITTED AS A SPECIAL EXCEPTION IN THE BG ZONE PROVIDED THE FOLLOWING**
32 **CONDITIONS ARE MET:**

- 33 **1. THE MINIMUM PARCEL SIZE IS FIFTY (50) ACRES.**
34 **2. THE SOLAR POWER GENERATING FACILITY IS SCREENED FROM ADJOINING**
35 **RESIDENTIAL ZONES.**

36 **AND BE IT FURTHER ENACTED** that this Act shall take effect 60 calendar days from the date it
37 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