

COUNTY COUNCIL OF CECIL COUNTY, MARYLAND
LEGISLATIVE SESSION DAY 2021-02

RESOLUTION NO. 04-2021

Title of Resolution: Amendment – Comprehensive Plan – Mineral Extraction District

Synopsis: A Resolution to amend the Comprehensive Plan in order change the land use classification of a 60.102 acre property, located at 730 Craigtown Road, Port Deposit, Maryland, from Low Density Growth area to Mineral Extraction District for the purpose of removal of sand and gravel resources; and amend the total proposed land uses by area categories.

Introduced by: Council President on behalf of the County Executive

Introduced, read first time, and ordered posted on: January 19, 2021

Public hearing scheduled for: February 16, 2021 at: 7:00 p.m.

Scheduled for consideration: March 2, 2021

By: 
Council Manager

PUBLIC HEARING

Notice of time and place of public hearing and title of Bill having been posted by January 19, 2021 at the County Administration Building, 200 Chesapeake Blvd., Elkton, and having been published according to the Charter on February 3, 2021 and February 10, 2021, a public hearing was held on February 16, 2021 and concluded on February 16, 2021.

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.

1 **WHEREAS**, pursuant to Section 3-101 of the Local Article of the Annotated Code of Maryland,
2 the legislative body of the County has the authority to approve or amend the Comprehensive Plan; and

3 **WHEREAS**, pursuant to Section 3-102, a Comprehensive Plan must include the following
4 elements; a community facilities element; an area of critical State concern element; a goals and
5 objectives element; a housing element; a land use element; a development regulations element; a
6 sensitive areas element; a transportation element; and a water resources element; and

7 **WHEREAS**, the development regulations element shall include the Planning Commission's
8 recommendation for land development regulations to implement the plan; which encourage the use of
9 flexible development regulations to promote innovative and cost-saving site design and protect the
10 environment; economic development through the use of innovative techniques and streamlined review
11 of applications for development, including permit review and subdivision plat review within the areas
12 designated for growth in the plan; and

13 **WHEREAS**, pursuant to Section 3-111, the land use element shall propose the most appropriate
14 and desirable patterns for the general location, character, extent, and interrelationship of the uses of
15 public and private land for uses for agricultural; commercial; forestry, industrial; recreational;
16 and residential; and

17 **WHEREAS**, pursuant to Section 3-202, the Planning Commission shall make and approve an
18 amendment to the plan; and recommend the amendment to the legislative body for adoption; and

19 **WHEREAS**, pursuant to Section 3-107, the mineral resources element shall identify
20 undeveloped land that should be kept in its undeveloped state until the land can be used to assist in
21 providing a continuous supply of minerals, and appropriate post-excavation uses for the land that are
22 consistent with the county's land planning process; and

23 **WHEREAS**, a mineral resources element shall incorporate land use policies and
24 recommendations for regulations to balance mineral resource extraction with other land uses; and to
25 prevent the preemption of mineral resources extraction by other uses; and

26 **WHEREAS**, the Department of the Environment shall review the mineral resources element to
27 determine whether the proposed plan is consistent with the programs and goals of the Department
28 before the plan is adopted; and

29 **WHEREAS**, pursuant to Division I, Title 3, Subtitle 2, § 3-204 of the Land Use Article of the
30 Annotated Code of Maryland, the Planning Commission is required to hold a public hearing and make a
31 recommendation to the local legislative body regarding the modification to the part of the Plan; and

32 **WHEREAS**, the Planning Commission held a public hearing on December 21, 2020, and approved
33 the request to amend the land use designation of a property, located at 730 Craigtown Road, Port
34 Deposit, Maryland, of 60.102 acres, from Medium Density Growth area to Mineral Extraction District for
35 the purpose of removal of sand and gravel resources.

36 **NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE COUNTY COUNCIL OF CECIL COUNTY,**
37 **MARYLAND**, that land use designation of a property located at 730 Craigtown Road, Port Deposit,
38 Maryland, of 60.102 acres, is hereby amended from Medium Density Growth area to Mineral Extraction
39 District for the purpose of removal of sand and gravel resources.

40 **AND BE IT FURTHER RESOLVED BY THE COUNTY COUNCIL OF CECIL COUNTY, MARYLAND**, that
41 Table 3.5: Proposed Land Use be amended as follows:


- 42 1. Growth Areas **54,271** ~~54,331~~ acres
- 43 2. Low **15,065** ~~15,125~~ acres
- 44 3. Other Areas **10,144** ~~10,084~~ acres
- 45 4. Mineral Extraction **8,502** ~~8,442~~ acres

46 **AND BE IT FURTHER RESOLVED BY THE COUNTY COUNCIL OF CECIL COUNTY, MARYLAND**, that all
47 provisions of this Resolution shall take effect on the date of its passage.

INTRODUCED: January 19, 2021

ADOPTED: March 2, 2021

ATTEST:



President of the Council



Council Manager