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## Maryland DEPARTMENT OF PLANNING

October 28, 2020

B. Patrick Doordan, Chairman  
Cecil County Planning Commission  
200 Chesapeake Blvd., Ste. 2300  
Elkton, MD 21921

Dear Chairman Doordan,

Thank you for the opportunity to comment on the draft 2010 Cecil County Comprehensive Plan amendments, and your participation in the State agency plan review process. The Maryland Department of Planning (Planning) believes that good planning is important for efficient and responsible development that successfully addresses resource protection, adequate public facilities, community character, and economic development.

The amendment proposes to expand the Mineral Extraction Area (MEA) boundary by approximately 60 acres. Planning is supportive of the intent of this proposed change; however, the county should confirm it has met the requirements of Land Use Article § 3-201, and consider additional revisions to the comprehensive plan resulting from this amendment, as suggested in our attached comments. To date, we have not received any additional comments from the Departments of Environment, Housing, Transportation, Historical Trust, or Natural Resources. Any plan review comments received after the date of this letter will be forwarded upon receipt.

Please consider that Planning's attached review comments reflect the agency's recommendations and observations on ways to strengthen the county's plan, as well as satisfy the requirements and intent of the Land Use Article. Planning respectfully requests that this letter and accompanying review comments be made part of the county's public hearing record. Upon adoption of any plan amendments, please submit an electronic copy of the 2020 Comprehensive Plan to Planning.

If you have any questions, please feel free to contact David Dahlstrom, AICP, Regional Planner, at [david.dahlstrom@maryland.gov](mailto:david.dahlstrom@maryland.gov).

Sincerely,

Charles W. Boyd, AICP  
Director, Planning Coordination

cc: Eric Sennstrom, Director, Cecil County Land Use & Development Services  
Joseph Griffiths, AICP, Local Assistance and Training Manager  
David Dahlstrom, AICP, Planning



## Maryland DEPARTMENT OF PLANNING

### Maryland Department of Planning Review Comments October 28, 2020 Draft 2020 Cecil County Comprehensive Plan Amendment

The Maryland Department of Planning (Planning) has reviewed the Draft 2020 Cecil County Comprehensive Plan Amendment and offers the following comments for your consideration. These comments are offered as suggestions to improve the draft comprehensive plan amendment and better address the statutory requirements of the Land Use Article. No other state agencies as noted have contributed comments. Still others may have comments submitted under separate cover. If comments from other agencies are subsequently received by Planning, they will be forwarded to the county in a timely manner.

#### **Summary of the Draft Comprehensive Plan**

This is an amendment to the 2010 Cecil County Comprehensive Plan.

The amendment proposes to expand the Mineral Extraction Area (MEA) boundary by approximately 60 acres. The area is currently designated as Low Density Growth Area on Map 3.3, Future Land Use, of the Future Land Use Element. The subject site has been identified as containing mineral resources. The change is needed to allow for future mining activity. The site is adjacent to the existing MEA.

#### **Minimum State Law Requirements for Comprehensive Plans**

Maryland's Land Use Article sets forth the required components of a local comprehensive plan but does not mandate a specific format. As such, local governments have addressed these required elements in a manner that fits the needs of their community and the resources available to respond to the issues explored during the planning process. The Cecil County Comprehensive Plan includes the required Land Use Element and Mineral Resources Element, which are impacted by the proposed amendment.

#### **General Comments**

- The proposed amendment consists of a letter from the property owner and does not include a staff or Planning Commission analysis of the impact of the proposed change, including, a finding of consistency with the comprehensive plan; references to specific portions of the adopted comprehensive plan that would need to be changed to support the amendment; an analysis of the impacts of the proposed amendment on adjacent land uses; any public notice or discussion; or a recommendation of transmittal from the Planning Commission. Without this context, Planning can provide limited comments on the

consistency of the proposed amendment with the county's comprehensive plan or potential impact on state resources and infrastructure. Planning does suggest that the county confirm that it has met the requirements of Land Use Article § 3-201, which describes a Planning Commission's role in the development of a comprehensive plan, or amendment, prior to its submission to state agencies for 60-day review.

- The proposed amendment (letter) indicates that the property is located in a Medium Density Growth Area rather than the Low Density Growth Area.
- The proposed amendment (letter) indicates that the county would initiate a rezoning to Low Density Residential following the extraction of minerals, but there is no reference to this proposed scenario in the Mineral Resources Element, and such a change would appear to conflict with Section 3.5.3, page 3-18, that a special study and plan amendment would determine the future use of land, after the mineral extraction is complete.
- As noted in Section 3.5.3, one function of the MEA is to protect adjacent land uses from negative impacts that can result from mineral extraction activity. The amendment should indicate how this amendment will impact adjacent land uses.

### **Suggested Technical Edits**

- Before the amendment is adopted, the Planning Commission should hold a public hearing and submit specific recommendations for changes elsewhere in the comprehensive plan that this amendment would necessitate, as suggested below, to the County Council. In particular, the county should consider revising:
  - Map 2.2, Regional Planning Context, page 2-4; expand the Mineral Extraction Area and reduce the Development District for the proposed amendment area.
  - Table 2.1, Comprehensive Plan Projections, page 2-3; while not a significant change, the table should be adjusted for year 2030 to show the decrease in residential use of the property, for the Population, Households, and Housing Units, growth area rows. The associated text, in Section 2.6.1, and Unincorporated Area of the County and County (Excluding MEA) rows and column in Tables 2.2, 2.3, and 2.5, should be adjusted accordingly.
  - Table 3.5, Proposed Land Use, page 3-7; reduce the amount of the total acres in the Growth Area row and the Low Density Residential category row, by 60 acres. A corresponding increase, by 60 acres, is needed in the Other Areas row and in the Mineral Extraction category.
  - Map 3.3, Future Land Use, page 3-8, and Map 3.4, Growth and Rural Areas, page 3-10; expand the Mineral Extraction area boundary, while reducing the Low Density Growth Area and Designated Growth Area boundary for the amendment parcel.

END MARYLAND DEPARTMENT OF PLANNING COMMENTS