

COUNTY COUNCIL OF WICOMICO COUNTY, MARYLAND

2011 Legislative

Legislative Day No. 17

Resolution No. 108-2011

Introduced by: The President of the Council

A RESOLUTION REQUESTING SUPPORT FROM THE MARYLAND ASSOCIATION OF COUNTIES TO JOIN IN A REQUEST TO INDEFINITELY DEFER PLANMARYLAND.

WHEREAS, each county and municipality within Maryland is responsible for planning within its own jurisdiction according to State Law; and

WHEREAS, local Planning is the responsibility of local elected officials, and it appears PlanMaryland would place a greater degree of responsibility into the hands of non-elected boards and agency officials; and

WHEREAS, the lengthy and deliberative process involved in planning encompasses county and municipal governments, economic interests and citizens, and is not performed without serious time commitments from all interested parties within a jurisdiction; and

WHEREAS, PlanMaryland took years to develop, but local jurisdictions have had only a few months to analyze this plan and its potential effects on planning and development processes; and

WHEREAS, a Maryland Department of Planning community meeting overhead stated, "[the] plan will be implemented by a combination of admin, regulatory, and potential legislative actions."; and

WHEREAS, the Plan has cultivated reasonable and legitimate concerns on matters related to degrees of freedom; span of control; and local autonomy on future land use decisions; and

WHEREAS, State determinations of Highest and Best Use must be implemented in a way so as to minimize potential exposure to "takings" litigation by affected property owners; and

WHEREAS, there are innumerable ambiguities in the Plan on matters related to premises; collaborative processes; respective responsibilities; remedies, etc.; and

WHEREAS, local governments need more time to evaluate, discuss, understand, and analyze this Plan.

NOW, THEREFORE, BE IT RESOLVED, the County Council of Wicomico County, Maryland, requests support from the Maryland Association of Counties to join in a request to indefinitely defer PlanMaryland.

ATTEST:

COUNTY COUNCIL OF WICOMICO COUNTY, MARYLAND

Matthew E. Creamer, Council Administrator

Gail M. Bartkovich, Council President

CERTIFICATION

This Resolution was Adopted [checked], Adopted with Amendments \_\_\_\_, Failed \_\_\_\_, Withdraw? \_\_\_\_, by the County Council on August 16th, 2011.

Certified by Matthew E. Creamer, Council Administrator