

THE EFFECTIVE DATE OF THIS RESOLUTION IS SEPTEMBER 20, 2022

RESOLUTION NO. 22-39

RESOLUTION OF
THE COUNTY COUNCIL
OF FREDERICK COUNTY, MARYLAND

RE: To extend the 90 day deadline for the Council to approve, modify, remand, or disapprove the recommended Sugarloaf Treasured Landscape Management Plan (“the Plan”)

RECITALS

WHEREAS, the Maryland Land Use Article §3-204(c)(4)(i) provides the County legislative body a 90-day period from the date the County Planning Commission “certifies an attested copy” of the recommended plan to the legislative body to take action to approve, modify, remand, or disapprove the recommended plan; and

WHEREAS, the Frederick County Planning Commission Resolution 2022-01 was voted on, passed, and was enacted effective July 13, 2022, and states that the Planning Commission “hereby certifies this attested copy of the Recommended Sugarloaf Plan to the Frederick County Council as of the 13th day of July, 2022”, but was not received by the Council until July 21, 2022; and

WHEREAS, the earliest 90-day period for the Council to take action will expire on October 11, 2022; and

WHEREAS, the Maryland Land Use Article §3-204(c)(4)(ii) provides that if the legislative body determines that there are exigent circumstances so that the legislative body is unable to act within the 90-day period, the Council may, by resolution, extend the 90-day deadline to act on the Plan for no more than one 60 day extension; and

WHEREAS, the Council has established a schedule and added meetings to its calendar to review, discuss, take public comment, hold a public hearing, and consider the Plan; and

WHEREAS, due to the complexity of the Plan, the volume of information, public hearing notice requirements, the number of other matters requiring Council action, and the limit on the number of legislative days the Council may have per year, the 90-day period will be exhausted before the Council is able to take final action on the Plan; and

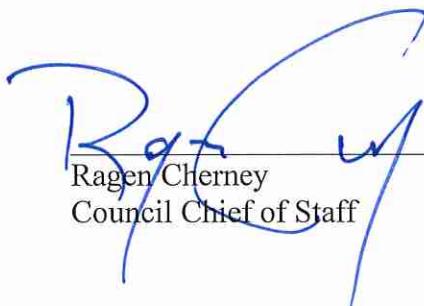
WHEREAS, the Council is prohibited by the County Charter from passing any Bill in the month of November during a Council Member election year, and but for the 90-day deadline in the Land Use Article, would have until October 31, 2022, to take action on the Plan.

NOW, THEREFORE, BE IT RESOLVED, that the County Council of Frederick County, Maryland finds that the exigent circumstances set forth in the recitals result in the Council being unable to act within the 90-day deadline and requires the extension of the deadline to act on the Plan; and

BE IT FURTHER RESOLVED, that the 90-day period for the County Council to act on the Sugarloaf Treasured Landscape Management Plan is hereby extended by an additional twenty (20) days to and including October 31, 2022.

The undersigned hereby certifies that this Resolution was approved and adopted on the 20th day of September, 2022.

ATTEST:



Ragen Cherney
Council Chief of Staff

COUNTY COUNCIL
FREDERICK COUNTY, MARYLAND



M.C. Keegan-Ayer (SEAL)
M.C. Keegan-Ayer, President