

## Chapter 2 Land Use Plan



### *Vision*

*Land use decisions preserve and enhance the rural character and natural resources of Talbot County and are based on full participation of our citizens. The desirable Talbot County growth rate is identified in a County growth policy and maintains or improves our quality of life. Growth management in the County recognizes the fragile nature of our unique geography. Sustainable growth is related to the adequacy of resources and infrastructure.*

*Business and residential development is located primarily within the planned urban growth areas consistent with the principles of Smart Growth. Countryside Preservation Areas surround towns and villages.*

*On the borders between towns and County, each respects the values of the other and strives for harmonious land use and growth management decisions. County and town planners work together to achieve these goals ensuring that we remain a rural community.*

*Land use policies recognize that the western portion of the County, consisting of a series of narrow peninsulas with single road access in and out, is environmentally sensitive to the impact of growth. Agricultural land is protected to preserve our farms.*

### **Goal**

To promote and maintain a well-planned pattern of land and water resource use through which compatible and efficient development is concentrated in areas where environmental impacts will be minimized.

Talbot County's rural landscape evolved from its rich history as a farming and maritime community. The landscape is dotted with classic towns and villages that developed at crossroads, ports and mill sites to serve the seafood, boat building and agriculture industries.

This plan seeks to maintain Talbot County's rural pattern of settlement by guiding urban development to population centers where public infrastructure exists and by discouraging development in the County's most rural and environmentally sensitive areas.

Growth management is not a new idea for Talbot County. The 1973 *Comprehensive Plan* contained the objective to “Encourage new development to locate in and around existing population centers.” However, the efforts to accomplish this objective fell victim to a growing demand for permitted two-acre rural lots.

In the late 1980s and early 1990s, two important actions significantly strengthened policies to maintain the County’s rural character. In

1989, the Talbot County Critical Area Program was adopted, establishing the Rural Conservation (RC) zoning district within the Critical Area. This effectively converted 57,498 waterfront acres from 2 and 5-acre residential lots to a one dwelling unit per 20 acre density.

Following the 1990 comprehensive plan update, which reaffirmed core land conservation goals, the County adopted a Resource Agricultural Conservation (RAC) zoning district. The RAC replaced a 2-acre per lot zoning density with a residential development density closer to one dwelling unit per 20 acres.

The se zoning changes reduced development density over more than 87% of the County. The 1990 Comprehensive Plan also made significant changes to County development ordinances and policies, which were reinforced by the 1997 Plan update .

The 2005 Comprehensive Plan built on the goals and policies of prior plans, that is; strengthening the growth management policies that guide development in and around existing population centers and limiting the outward expansion of those centers into the rural areas. Countryside Preservation (CP) zoning districts were

established around the towns, defining the ultimate extent of urban development.

As an organizing framework for land use policy, the County is divided into three primary sectors; Sensitive Areas, Rural Resource Areas and Development and

Growth Areas. Land use management strategies have been focused on limiting development in environmentally sensitive and rural areas, and encouraging growth in the incorporated towns and

their adjacent designated growth areas. A pattern, scale, and mix of land uses define each sector. Community character can be categorized within these policy areas.

Some communities outside the County’s designated growth areas have been identified as Priority Funding Areas (PFAs), areas where the State will focus its economic development investments to encourage and support sustainable development. Future development in PFAs should be compatible with the pattern, scale and mix of land uses proposed in this Comprehensive Plan.

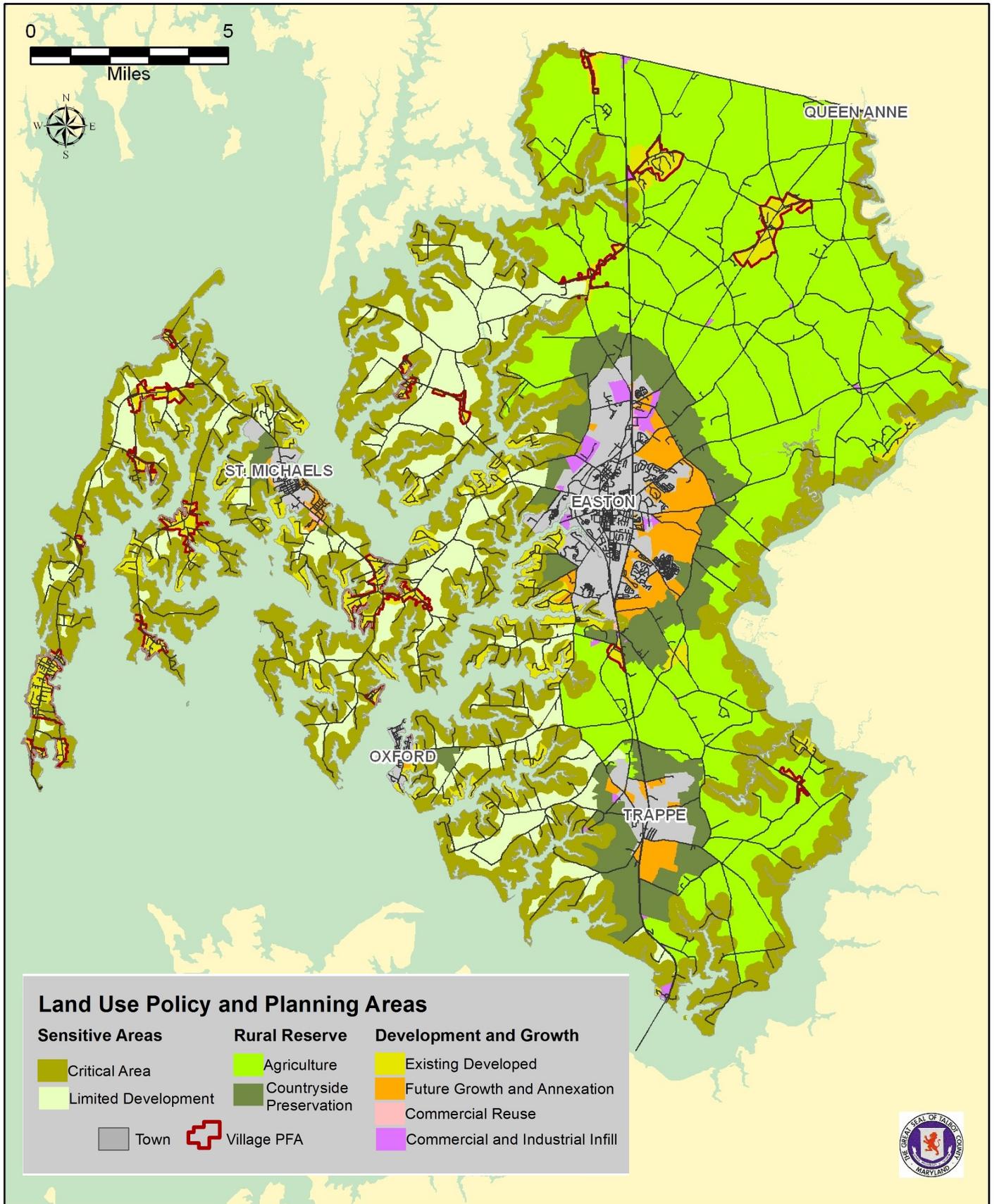
## General Land Use Plan

The strategy for keeping the County’s rural character depends on preserving rural lands and open space, and encouraging future residential, commercial, and industrial growth to occur in proximity to the incorporated towns. Development in rural areas will be limited to low density residential and low intensity uses that preserve open space and supports conditions for farming to continue. Farmland accounts for most of the County’s open space and scenic character.

The Land Use Policy and Planning Area map on the facing page graphically represents the desired pattern of land use for the County.

The County’s land use policy areas are:

- Sensitive Areas
- Rural Reserve
- Development and Growth



The map and plan are the basis for delineating zoning districts developing public works plans and establishing development standards. Future growth and development in the County should generally conform to this map and the accompanying planning area policies.

### Planning Areas

Within the three policy areas are more detailed planning areas with specific recommendations and zoning designations as described below.

### Development and Growth

Four of the County's five incorporated towns (Easton, St. Michaels, Oxford and Trappe) are the County's principal residential, commercial and industrial centers. Traditionally, about 40% of all County residents have settled within the incorporated towns. The majority of County businesses and employment are also located in the towns.

The Town of Queen Anne, with its population of 220, lacks public infrastructure and is more akin to the County's villages than the other towns. The Town anticipates limited growth and does not plan on providing public sanitary facilities, so it has not been assigned an adjacent County growth area.

Talbot County's other towns possess adequate public facilities and services. Also, additional facilities can most efficiently be provided in these towns. The four full-service towns therefore are the logical locations for compact development and future investments in municipal infrastructure. Concentrating residential, commercial and industrial growth in four towns should relieve development

pressure in the County's agricultural and environmentally sensitive areas.

The four towns discussed above have their own planning and zoning authority and infrastructure potential to support growth.

The County must continue to support these town efforts to plan for and provide the infrastructure necessary to accommodate their planned portion of the County's residential and business growth. Doing so will further this plan's objectives to direct growth to the County's existing population centers.

### County planning areas include:

- Future Growth and Annexation
- Existing Developed Areas
- Commercial Reuse Areas
- Commercial and Industrial Infill
- Agriculture
- Countryside Preservation
- Limited Development
- Chesapeake Bay Critical Area

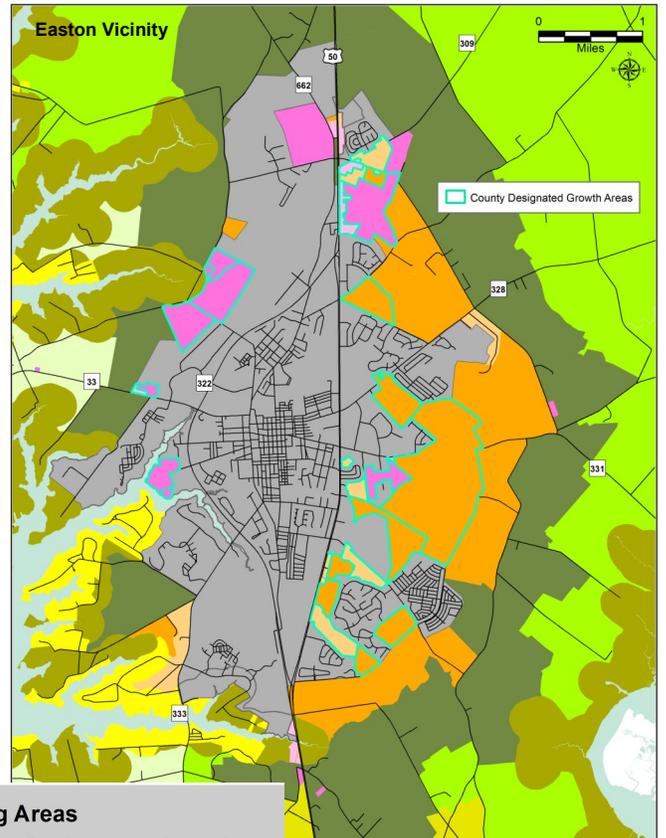
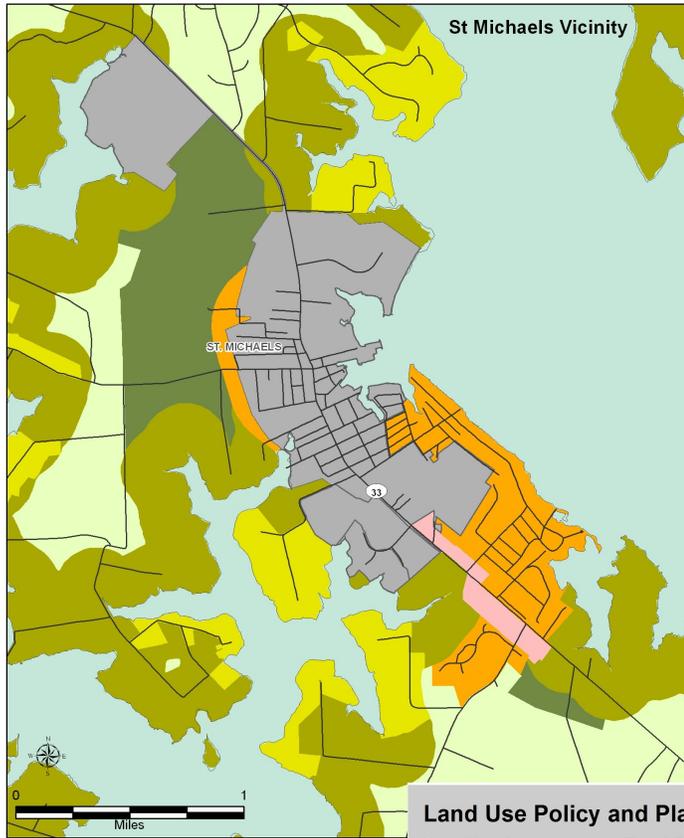
### Growth and Annexation

Along with the town conservation districts, growth areas were located adjacent to the incorporated towns by mutual agreement with the towns (see maps on facing page). The growth areas encompass or are adjacent to existing urban and suburban development and delineate the ultimate physical limits of urban scale improvement.

Growth area development is anticipate to occur only after annexation into the adjacent town. Such development will then be regulated by municipal regulations, ideally creating compact mixed-use neighborhoods.

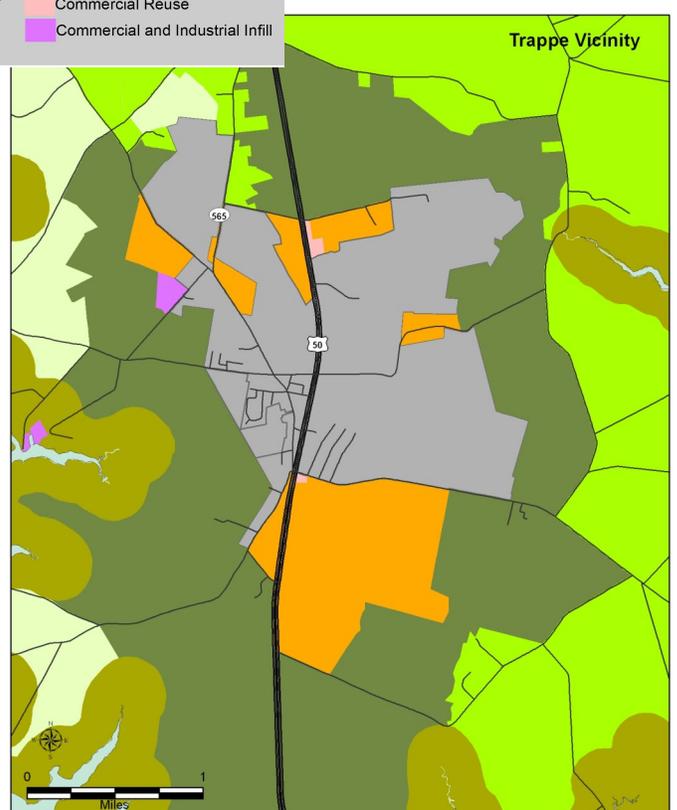
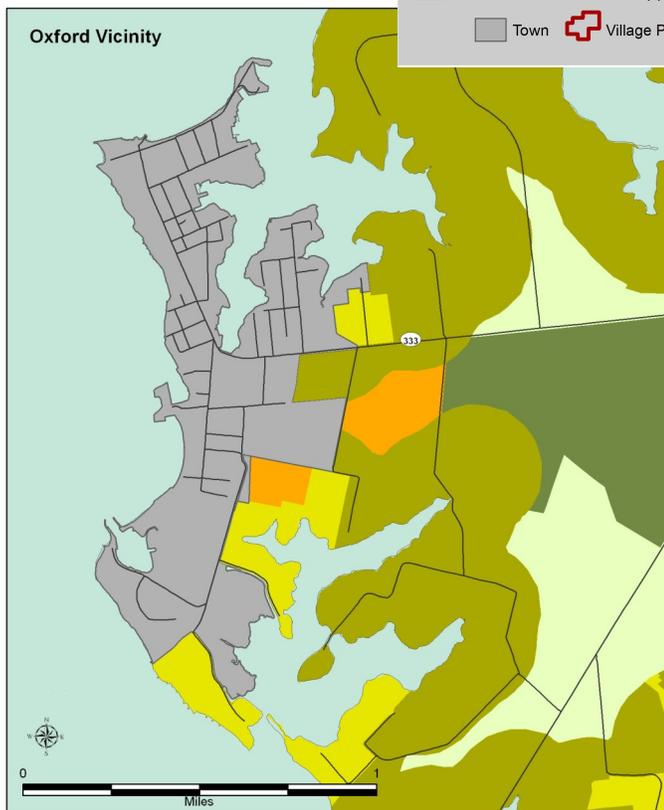
**Annexation and development within growth areas should occur incrementally, with properties on the inner ring receiving the higher priority for annexation and development. "Leapfrog" development of properties on the growth area's outer perimeter at low densities shall be avoided.**

The County supports the orderly town



**Land Use Policy and Planning Areas**

<b>Sensitive Areas</b>	<b>Rural Reserve</b>	<b>Development and Growth</b>
Critical Area	Agriculture	Existing Developed
Limited Development	Countryside Preservation	Future Growth and Annexation
Town	Village PFA	Commercial Reuse
		Commercial and Industrial Infill



expansion and discourages premature development of the growth areas.

The County will coordinate with towns to see that growth areas are developed with adequate public facilities and services, proper quality community design and appropriate environmental safeguards. Each of the four towns with associated growth areas are discussed below and their special circumstances are identified.

#### Easton Growth Areas

The Town of Easton's 2010 Comprehensive Plan identifies an urban growth boundary that corresponds to this plan's Town Conservation zoning designation. The land located between the existing Town boundary and the inner edge of the Countryside Preservation zoning designation are delineated by Easton's comprehensive plan as Priority 1,2, and 3 growth areas.

The first priority is Easton's 'Boundary Refinement' areas, i.e., properties expected to be annexed within five years to 'clean up' the Town boundary or for health and safety reasons.

Priority 2 areas are anticipated to be annexed within the Town's planning period. Lands designated Town Conservation by County zoning are limited in development density until these areas are annexed by the Town. Generally, Priority 2 and 3 areas are identified by the state as priority funding 'comment areas', and are not automatically eligible for development funding.



The Priority 3 (future) growth areas include all other land between the County's Countryside Preservation Area and the town boundaries. These areas are identified in Easton's long-range plan (20 years or later) for urban expansion. These areas are not designated growth areas in County plans.

Easton plans to permit future residential growth at urban densities, consistent with priority funding area densities of 3.5 dwelling units or more per acre. The proposed land use patterns in the Town's designated growth areas include well-

defined, connected neighborhoods with an integrated mix of residential, neighborhood-scale commercial, civic, and open space uses. This is designed to encourage functioning neighborhoods complete with recreation and opportunities for social interaction, rather than single-use suburban style subdivisions.

#### Other Town Growth

The Town of Trappe's Future Growth Area lies mainly to the south of the incorporated town. During the upcoming six years, the Town of Trappe does not intend to annex this area, though it is included in Trappe's Comprehensive Plan as an area planned for urban expansion. County zoning limits the intensity of development in the growth areas until such time as they are annexed into the Town.

St Michaels and Oxford have identified only limited expansion areas with no specified timeframe or plans for annexation. Growth areas for all towns are shown on page 2-5.

### Commercial and Industrial Areas

Future commercial development is encouraged to locate within the towns or as infill and redevelopment of existing commercial areas. Large-scale commercial uses, including shopping centers and 'big box' retail will not be permitted in the county's identified growth areas, but may be developed upon annexation into incorporated towns.

Business and industrial uses will also be encouraged to locate within the towns but may be located in

appropriate County zoning districts. Commercial and industrial planning areas are the parcels zoned for such activities. The purpose of these sites is to provide for appropriate and adequate areas for future employment and they are not appropriate locations for large-scale retail uses. At present there are approximately 500 acres zoned for industry and commercial uses surrounding the Town of Easton.

### Existing Developed Areas

Notable among the County's residential areas are its Village Center areas, unincorporated population centers scattered throughout the County. Village Centers are low or moderate density residential communities with limited neighborhood commercial and other uses or services, recognized for their heritages and special characteristics. Talbot County's villages are an important component of rural character, providing a pleasingly scaled and textured contrast to the County's more urban areas.



Several village communities experience problems with failing septic systems due to combinations of small lot sizes, poor soil conditions and a high groundwater table. Connections to existing wastewater treatment facilities or local shared facilities are the most practical approaches for correcting existing

problems without promoting excessive new development and will be pursued through comprehensive sewer and water plans to address public health concerns.

Villages should maintain their sense of place as identified by their existing architectural character, scale, mix of uses and density of development. Infill and redevelopment in Village Centers should be required to maintain these attributes. Village Center planning is discussed in greater detail in Chapter 9 of this plan, *Community Design and Appearance*.

Other moderate density residential communities are designated as Limited Development Areas (LDA) in the County's Chesapeake Bay Critical Area Plan. Though these areas are largely developed, some infill and redevelopment is anticipated.

Development in the County's Critical Area is regulated to insure water quality and to reduce habitat impacts. The primary emphasis in the moderate density residential areas is to insure that infill and redevelopment is done in an environmentally sensitive manner. To this end the County will encourage context-sensitive development that is located outside of habitat protection areas.

## Rural Reserve

### Countryside Preservation

Talbot County, to maintain its rural character, has established zoning districts which permanently preserve agriculture, forest, wetlands, countryside and other large open spaces at the periphery of the town's designated growth areas. These Countryside Preservation (CP) zoning areas include existing rural residential communities and other low-density developed land.

By defining the limits of urban growth around the towns, these areas ensure that towns will be properly bounded to help maintain their identity in the landscape and that urbanization is not permitted to erode the County's rural character.

The CP zoning district is a priority area for land preservation measures such as conservation easements. **Additional implementation techniques, such as inter-jurisdictional transfer of development rights and purchase of development rights programs may be considered in order to insure permanent preservation.**

### Agriculture

The Agriculture planning areas encompasses the bulk of rural land in the eastern half of the County. These areas are characterized by farms, forestry, open space, low-density single-family homes, and agriculturally related commercial and industrial establishments. Agricultural and forestry activities are the preferred land uses within these areas. Conservation of open space and

retention of a land base necessary to support the County's agricultural industry are of primary importance in these areas.

Future residential development in the Agriculture planning area should be designed

to preserve productive agricultural lands, woodlands, open space, environmentally sensitive resources and rural character. In-fill development of existing residential subdivisions shall be limited to the density allowed when the subdivision was approved.

Clustering is required for the majority of lots in new residential subdivisions

permitted in this planning area. **Clustering shall be designed to maintain agricultural use on the remaining nonresidential portion of the parcel.** Conservation of agricultural lands and open space through purchase of development rights (PDR) programs is encouraged in this region, which is identified as a Priority Preservation Area for agriculture (see Chapter 5, Agriculture ).

The Maryland Agricultural Land Preservation Program (MALPF) is a PDR program established by the State in 1977. It is one of the most successful programs of its kind in the nation. The County and State co-administer the program to meet local and State preservation goals. As of 2012, some 11,000 acres of farm and forest land has been permanently protected by MALPF easements. **The County should continue its participation in this program to meet its agricultural land preservation goal.**

Through adoption of the 2005 Comprehensive Plan, the County permitted the transfer of development rights (TDR)



between parcels for the purpose of land preservation. While TDR programs have been successful in other Maryland counties and across the country, **Talbot’s program was not considered a success and was deleted from the Zoning Ordinance in 2007.** Subsequent legislation and the escalating cost for purchase of development rights may lead to re-examining the utility of a TDR program.

Permanent land preservation, mandatory clustering and lower residential densities have successfully conserved valuable agricultural land and open space, while allowing landowners to retain a degree of development potential and equity. **This approach should be continued.**

**Sensitive Areas**

Limited Development

The upland portions of Talbot County’s western narrow necks are zoned Western Rural Conservation (WRC) in recognition of the high concentration of sensitive natural areas in close proximity to tributaries of the Chesapeake Bay. This planning area features a mix of agriculture, low-density residential and natural resource areas. Also, these areas have few routes to inland areas of the County, raising evacuation concerns in the event of tropical storms or other hazardous events.

Conserving the rural character of these areas is a high priority for the County. The WRC zone will be targeted for development controls and resource enhancement programs designed to protect natural resources while providing for limited, low-density residential development with appropriate safeguards for water quality and natural resource protection.

Critical Area

The County has adopted a Chesapeake Bay Critical Area Plan pursuant to State regulations. This plan and corresponding zoning regulations affect all waterfront areas

of the County 1,000 feet landward from the shoreline or the inland edge of tidal wetlands.

**In the Critical Area, Talbot County zones land consistent with its Critical Area designation.**

The Resource Conservation (RC) zoning district corresponds to the Resource Conservation Area (RCA) designation in the Critical Area Program. These areas are characterized by natural environments, agriculture, forestry and fisheries and it is the County’s intent to retain these areas in such

The specific purposes of the Talbot County Critical Area Plan and the development standards it contains are:

- The protection of water quality by reducing pollution and its effects, whatever the sources;
- ◆ The conservation of fish, wildlife and plant habitats;
- ◆ The establishment of land use policies that allow for limited growth while maintaining or improving environmental conditions;
- ◆ The promotion of the most environmentally sensitive plans and practices where development is allowed in shoreline areas;
- ◆ The conservation of all types of wetlands so that they can continue to function in their natural capacities as marine nurseries, filters, and absorbers of flood and erosive impacts; and
- ◆ The restoration of both shellfish and finfish productivity, through protection and cultivation of submerged aquatic vegetation beds.

uses. Only low-density residential development is permitted, provided such development is located outside of habitat protection areas and can demonstrate that water quality and habitat have been maintained or improved.

Within the Critical Area, detailed regulations have been adopted which direct, manage and control residential, commercial and industrial development to minimize adverse impacts of growth. The County has established zoning districts that correspond to Critical Area designations and are detailed in the County Zoning Ordinance.

Critical Area law makes some provision for growth allocation, or re-designating land for more intense development. The total amount of land that may be re-designated is limited to 5% of Talbot's RCA lands. Growth allocation should only be permitted where it advances the land use policies and objectives of this comprehensive plan.

### Implemented Recommendations

The 2005 Comprehensive Plan recommended specific land use and other policies that have been implemented through adopted regulations, ordinance, and programs. The following section outlines the management tools that have subsequently been implemented.

#### Urban Growth Boundaries or Development Districts

Talbot County has adopted urban growth boundaries in the form of Countryside Preservation zoning areas to delineate the boundary between urban growth and rural areas of the County.

#### Density/Intensity Regulations

Density regulations control growth by regulating the number of units that may be built per unit area of land (for example one dwelling unit per acre). Intensity regulations

may limit the floor area or bulk of a building to a percentage of the site, establish impervious surface ratios, limit lot coverage, hours of operation, or total vehicle trips per acre per day. Both density and intensity regulations are used in Talbot County.

Density limits in the County's Zoning Ordinance were developed with the preferred character of planning areas in mind. For example Sensitive Area and Rural Reserve zoning districts limit the allowable base density for development consistent with the stated purpose of preserving rural character and natural resources.

Following the 2005 Plan, the County adopted the Town Conservation (TC) zoning designation which retains a rural density (**one unit per 20 acres**) in order to discourage suburban style development in areas identified for eventual annexation and urban scale development. **Also, density trade-offs or incentives in or near sensitive areas have been eliminated through zoning text amendments.**

#### Open Space or Conservation Development

These are regulatory strategies designed to cluster or concentrate permitted development on a parcel to retain larger contiguous areas **for agriculture**. As a bonus, clustered development on smaller sized lots may also reduce development costs and requires less infrastructure investment.

Clustering had been a voluntary subdivision option in the Rural Reserve planning districts, permitting density increases from one dwelling unit per 20 acres to one unit per 10 acres. Transfers of Development Rights had permitted additional density increases to a maximum of one unit per 5 acres. These density bonuses were used to protect over 3,800 acres of land through Reservation of Development Rights agreements.

However, zoning ordinance revisions following the 2005 Plan eliminated voluntary clustering in favor of mandatory clustering of a portion of available lots in a subdivision. Open space is still conserved from and is simply recorded as 'remaining land' after development rights are assigned.

### Overlay Zones

Overlay zones impose a set of requirements in addition to those of the underlying zoning district. Such zones are typically applied when there are additional planning considerations within a larger zoning district (e.g. the presence of sensitive natural features or notable scenic qualities).

Highway corridor overlay zoning is an example of an overlay establishing design standards for new development and redevelopment in a commercial corridors that serve as gateways to communities.

In response to a recommendation in the 2005 Plan, Gateway Overlay Zones were established for commercial areas at the major approaches to the four incorporated towns.

## Remaining Recommendations

The tools noted below are additional regulatory and non-regulatory approaches to achieving plan objectives that were outlined in the 2005 Plan, but have not been adopted.

### Transfer of Development Rights (TDR)

TDR programs, or density exchanges, are used to transfer development potential from lands targeted for preservation to areas designated for growth. A TDR is typically a market-driven, incentive-based mechanism facilitating the purchase and sale of development rights separate from the land itself.

The County and towns should mutually explore the concept of inter-jurisdictional transfer of development rights as one means

of implementing the County's objectives for Greenbelt preservation. Development rights originating in the CP zone could be transferred to designated receiving areas within the adjacent town. If practicable, such a program could provide an effective and equitable means of directing growth to appropriate locations and supporting rural conservation objectives.

### Purchase of Development Rights (PDR)

PDR programs purchase and extinguish the development potential of privately held land through a voluntarily transaction. In exchange the seller of development rights agrees to permanent development restrictions placed on the land by deed of easement. Land can be transferred normally, though the easement runs with the land, restricting any further development to that provided for in the easement.

The Maryland Agricultural Land Preservation Foundation (MALPF) is the main PDR program available to Talbot County landowners. Other transaction programs arrange conservation easements in exchange for tax consideration and are managed by the Maryland Environmental Trust and Eastern Shore Land Conservancy. Organizations such as the Nature Conservancy and the Conservation Fund hold easements here but are less active in new acquisitions.

Talbot County should follow the lead of other counties in Maryland and develop a locally funded PDR program, which could be dedicated to the purchase of development rights in the Countryside Preservation zoning district.

### Greenways

Greenways are hubs of natural land linked together by a network of corridors. Greenways often have scenic qualities,

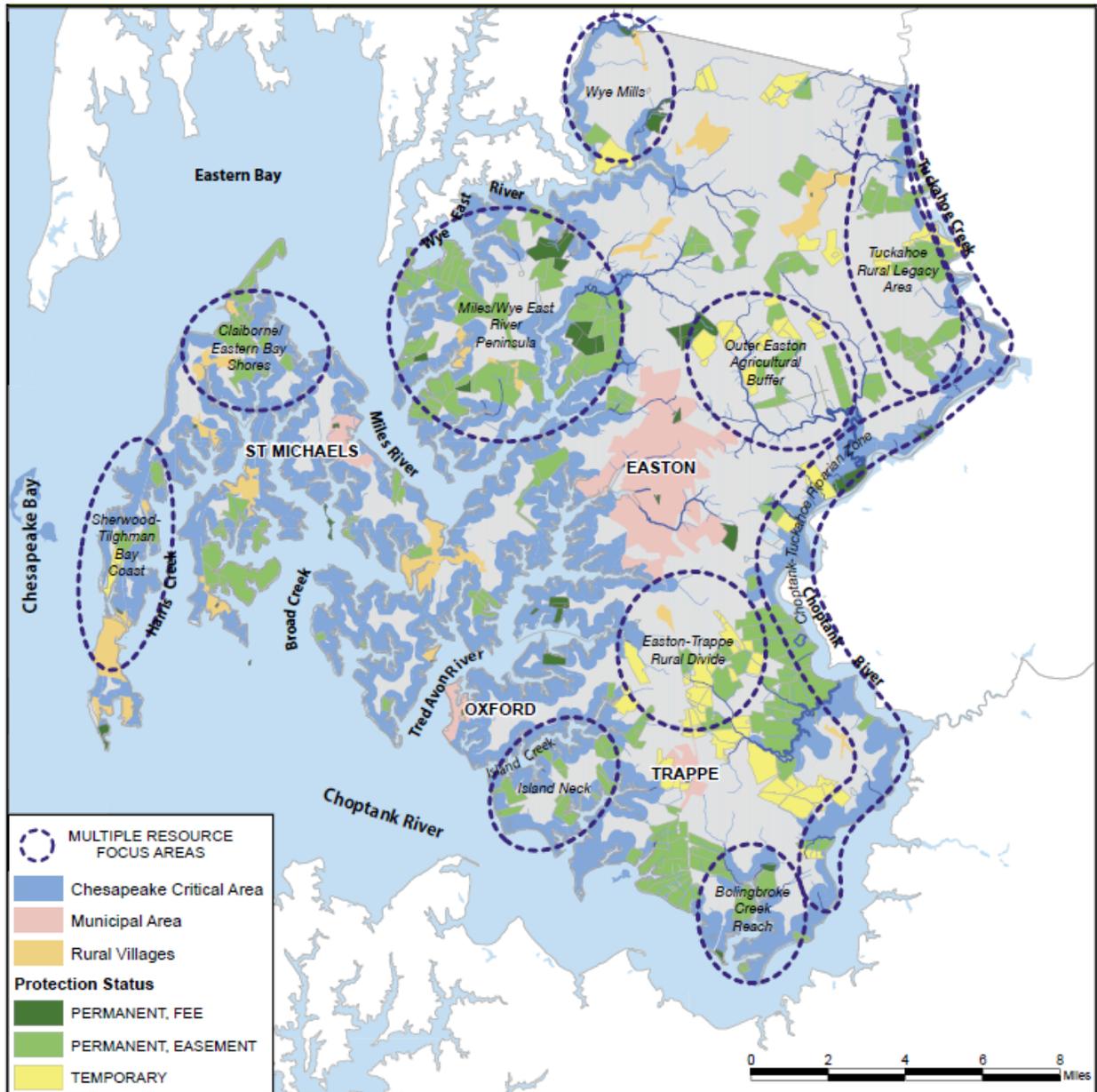
emphasize cultural and historic resources and include places or trails with historic and cultural values providing educational, scenic, recreational or economic benefits to the community.

Appropriate areas include shorelines, natural corridors, abandoned rail beds or other public right-of-ways that provide for wildlife migration. Greenway hubs are significant areas that provide for wildlife habitat and

biodiversity. Streams and forests are prime ecological greenways.

Talbot County’s Green Infrastructure plan, which has been adopted as an addendum to the Comprehensive Plan, identifies potential greenways throughout the County (see map below).

Performance Standards for Environmental Protection



Performance standards can be used to protect environmentally sensitive areas by establishing specific levels or percentages of various site resources to be protected. For example, the County limits the amount of impervious surface in most of the Chesapeake Bay Critical Area to no more than 15 percent of the gross site area. Given the sensitive nature of land located in the Western Rural Conservation planning area, the County should consider additional environmental protection standards outside the Critical Area.

#### Infill and Community Redevelopment

The purpose of community redevelopment is to revitalize substandard neighborhoods by improving existing buildings and blighted or underutilized properties. These strategies can foster stronger communities or neighborhoods, promote businesses revitalization, increase the supply of affordable housing on existing infrastructure, and reduce the consumption of resource lands to support growth.

This tool has not been considered for the County since most re-development opportunities are within the corporate limits of towns. The County should encourage cooperative strategies with towns to better utilize existing infrastructure and reduce demand for development in rural areas.

#### **Additional Planning Tools**

In addition to the implementation recommendations described above, the following planning tools were outlined in the 2005 Plan but not considered for use.

#### Bonus (Incentive) Zoning

Conventional zoning places limitations on the intensity of property use. Alternately, incentive zoning is a trade between the community and the property owner. In exchange for providing community benefit

(e.g. affordable housing, parkland, public parking facilities, or higher quality development), a developer is given a density bonus.

#### Small Area Plan

Small Area Plans or Master Plans are similar to planned unit development (PUD) site development plans. They essentially provide a preplan of the development types, roads and other public facilities/amenities desired for a particular site or area. The term Small Area Plan was used in the 2005 Plan in relation to Village Center Planning, though it may not have been the appropriate tool.

#### Performance Standards and Development Guidelines

Performance standards regulate the specific design or result of development. Uses are permitted, provided pre-set performance standards are met. Examples include standards to control site access, to maintain the capacity of a road system or requirements that limit the scale of structure.

Talbot County currently uses a number of performance standards that must be met as conditions of development approval. Most of these standards are environmental protection performance standards. Fewer performance standards relate to the quality of development.

Performance standards and design guidelines may be appropriate for Village Centers and development guidelines could be crafted to improve the quality of site design in the Designated Growth Areas. There are recommendations to update the County's 1991 *Design Manual* and some standards and guidelines are outlined in the Community Design chapter of this Plan.

#### Population Cap and Growth Rate Controls

These controversial strategies may not be desirable or legal, but were included in the 2005 Plan.

A population cap would literally set a numerical limit either on population itself or on the number of housing units in the County. No statutory authority exists to establish a maximum population for a jurisdiction. Authority might conceivably derive from a broad interpretation of the basis for regulation; public health, safety and welfare.

## Recent Annexations

A significant change in assumptions from the previous Comprehensive Plan concerns the Memorial Hospital in Easton. The hospital, as part of Shore Health System, merged with the University of Maryland Medical System (UMMS) in 2006.

Shortly afterwards the System began investigating sites for a larger hospital campus. Since Memorial Hospital is such a large employer in the area and its services span a broad range, the Talbot County Council and other local leaders worked to retain the facilities in Talbot County and in a central and sustainable location. A site was secured and in 2008, UMMS, Talbot County and the Town of Easton executed a memorandum of understanding to provide land and public facilities for hospital relocation.

Three parcels of land north of Easton were subsequently annexed into the Town in order to qualify for the extension of sewer and water lines. The Town and County comprehensive plans were both amended to accommodate a Health Care District, a new category. The annexation also included the site of the Talbot Community Center, which adjoins the hospital site. This was followed by the annexation of the Hyde Park community to take advantage of the availability of sewer

lines to address a failing community sewerage system.

Several other small annexations have occurred but have little impact on County land use policy.

## Recent State Law

### Amendments

In compliance with the Sustainable Growth and Agricultural Preservation Act of 2012, the Talbot County Council adopted septic tier designations for land in Talbot County. This system is designed to improve water quality and to encourage smart growth through the limitation of major growth on individual on-site septic systems.

Tier locations are depicted on the following page. The tier system is described below with its land use implication for each tier.

### Tier 1

#### Existing Sewered and Mapped Growth Areas

This tier consists of properties presently served by an existing sewer system for the purpose of growth and development. Private systems in areas not planned for growth and areas served by public sewer primarily for environmental health, safety and water quality improvement are not designated as Tier 1.

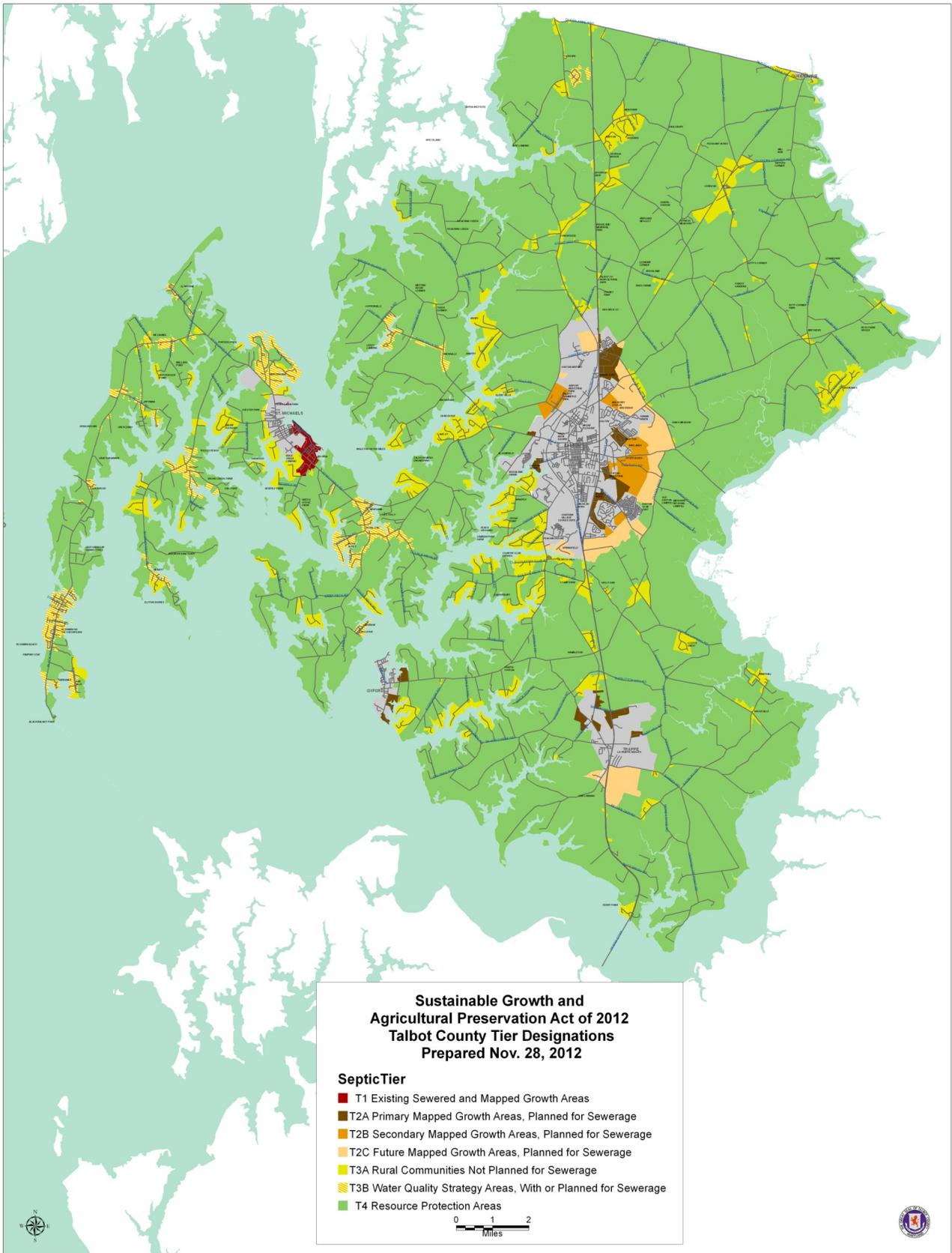
### Tier 2

#### Mapped Growth Areas Planned for Sewerage

This Tier has been subdivided into sub-tiers A through C for consistency with County and Municipal growth as outlined in the respective comprehensive plans. Tier 2C areas are not planned for sewer in County Water and Sewer Plans.

### Tier 3A

#### Rural Communities



Not Planned for Sewerage

This sub-tier consists of existing settlements within areas designated for resource protection, developed on septic systems. This tier designation recognizes existing communities and their limitations in local plans which are not intended to become growth areas. Infill development is the only planned development and sewer service is not anticipated. Also, several small, commercially or industrially zoned parcels are included in this designation.

Tier 3BWater Quality Strategy Areas,  
With or Planned for Sewerage

This designation reflects existing or anticipated plans to exclusively relieve failing systems by extending sewer service. Such areas are not intended for growth other than infill and limited peripheral development. Tier 3B areas are not growth areas. The County's Comprehensive Water and Sewer Plans must be amended to include these areas for future sewer service. As Bay Restoration Funds become available and Watershed Improvement Plans are implemented, these areas will be provided service under strict limits in order to maintain a sustainable growth pattern.

Tier 4Mapped Resource Protection Areas

This tier covers over 113,000 acres, which exceeds 80 percent of the land area in Talbot County and more than 88 percent of the non-municipal land area. This land is designated for limited development in the County Comprehensive Plan and Zoning Ordinance and has been identified for preservation under applicable state programs and regulations.

**Other Land Use Amendments**

The 2005 Comprehensive Plan has been

amended twice to comply with State mandates, and once to create a new land use category:

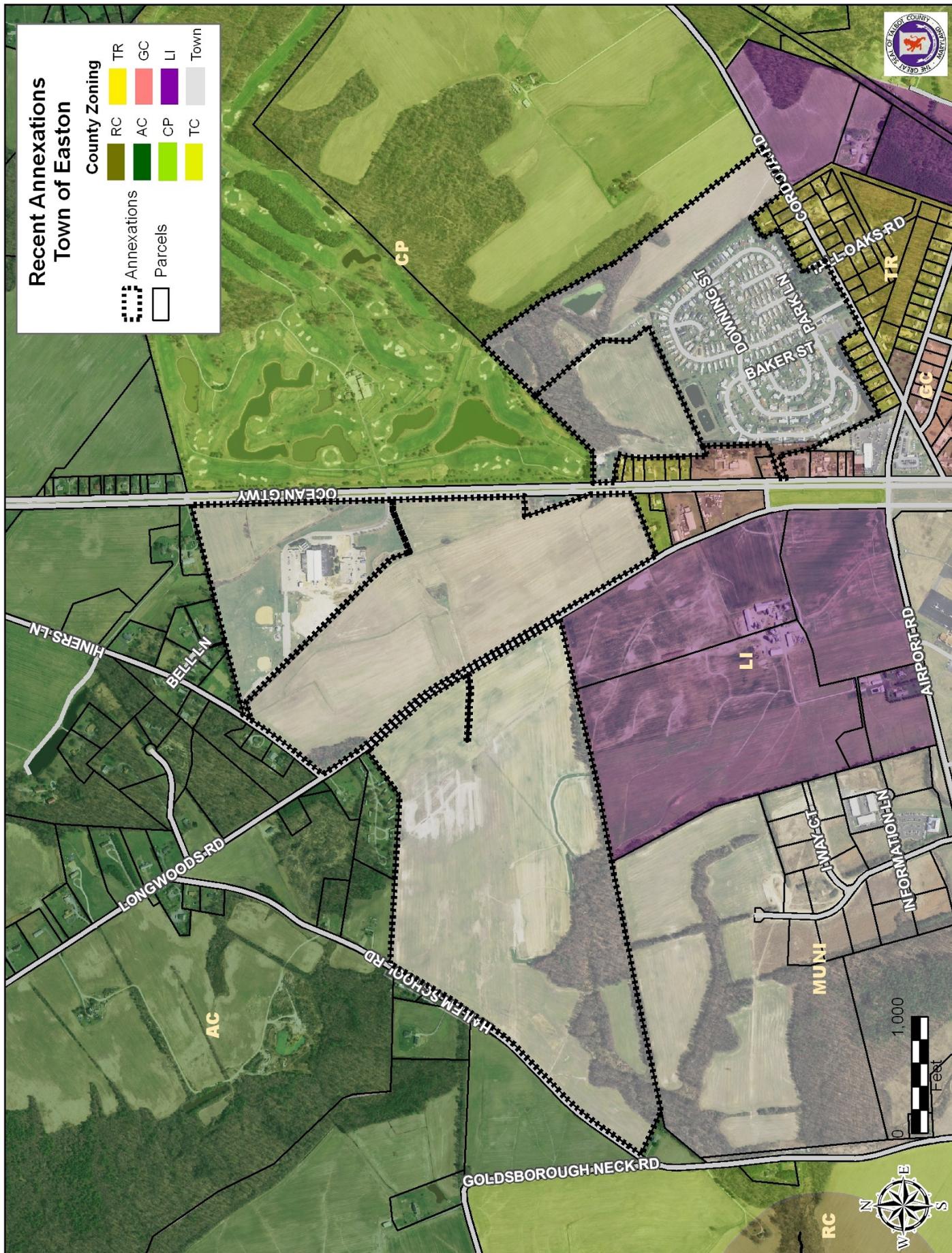
- An amendment to adopt a Priority Preservation Area Plan was adopted in March, 2010. The plan is incorporated into the Agriculture chapter of this plan.
- A Water Resources Element was adopted in April of 2010. The amendment has been updated where new information is available and incorporated into the Natural Resources chapter of this plan.
- In December of 2008, a Resolution was adopted to amend the County land use map and Easton growth area map to incorporate a regional healthcare facility into a new growth area. The amendment is discussed above in the Recent Annexations section, and shown in the map on the facing page.

**Summary**

Growth management has been the foundation for Talbot County's comprehensive plans since the first plan in 1973. This plan carries forward the objective of maintaining the County's rural pattern of settlement, by guiding urban development those areas where public infrastructure exists and by discouraging development in the most rural and environmentally sensitive places.

Talbot County has retained its historic rural character and land use patterns have changed very little over time. Policies implemented over the past few decades have maintained a reasonable balance among land uses.

Land use plans continue to recognize the value of farmland and the importance of judicious growth management strategies. No substantial changes to the County's tradition of land use planning are suggested.



## Summary of Policies and Actions

Topic	Citation	Policy	Action
<b>General Land Use</b>	Zoning §190-3(B)(3) §190-3(B)(14) §190-3(B)(15) §190-3(C) §190-13(A) Code §5 Ag. Land Preservation Code §73 Forest Conservation	The County should preserve its unique rural landscape through conservation of farmland, forestlands, and environmentally sensitive lands by application of land use regulations and easement programs that conserve open space in rural areas. The County shall prohibit strip development along County and State roadways.	Done:  See Agriculture, Natural Resources and Community Design Chapters.
	Zoning §190-3(B)(9) §190-3(B)(19)	The County should continue a restrictive approach toward the use of land over which it has zoning authority, and new development should be of a controlled nature and channeled into the most appropriate areas and discouraged in others.	Done:  The Zoning Ordinance and Zoning Maps have been revised to reflect the Plan's policies.
	Zoning §190-3(B)(7) §190-3(B)(8) §190-14(A)(3)	Most new residential, institutional, commercial, business and industrial development should be located in the designated growth areas and incorporated towns. Large-scale commercial uses, including shopping centers/districts and big box retail shall be limited to the incorporated towns. County development regulations for designated growth areas support the orderly expansion of the towns by discouraging premature development in these areas.	Done: See Community Design Chapter  To do: The County should reevaluate the existing PFA boundaries.  Within designated growth areas, PFA boundaries should correspond to the desired limits of urban expansion and be consistent with other potential growth management tools.
	Zoning §190-127(C) Code §73 Forest Conservation	Sensitive environmental areas shall be protected where they occur to the greatest extent possible.	Done:  See Chapter 8
	Zoning §190-170  §190-184	The County should continue to implement appropriate environmental performance standards relating to stormwater and flood plain management, forest conservation and sediment and erosion control.	Done:  See Chapter 8

## Summary of Policies and Actions

Topic	Citation	Policy	Action
Residential Growth Areas		The County should coordinate with the towns in the review and approval of development projects adjacent to the towns and in matters of town annexations.	To do: Regularly scheduled meetings among Councils and Planners should become an official policy of the County.
		The County and Towns should explore implementation of an inter-jurisdictional transfer of development rights program to encourage development in the Towns and designated growth areas, and encourage implementation of the Countryside Preservation Area.	See Agriculture and Economic Development Chapters To do: The County should revisit using Transfer of Development.
	Zoning §190-111(D)	Future residential subdivision development around the Easton Airport should be prohibited.	To do: Airport Overlay Zone should be updated in the zoning maps to reflect more recent studies and FAA regulations. <b>Inappropriate Development heights should be prohibited.</b>
	Zoning §190-14(A)(3) §190-14(F)	County development regulations in the Easton and Trappe Future Growth Areas should prohibit premature urban or suburban development until such time as these areas are annexed into the Town of Easton.	Done
Other Growth Areas	Zoning §190-15	Concentrations of commercial and industrial uses should be located in well-planned centers or parks within the towns, or as infill and redevelopment of existing commercial/industrial areas.	See Economic Development Chapter
	Zoning §190-14(A)(5)	Industrial uses in village centers should be limited to those that support agriculture, forestry and commercial maritime uses. Commercial agriculture related uses should not be limited to village centers.	Done: See Community Design Chapter and Agriculture Chapter

## Summary of Policies and Actions

Topic	Citation	Policy	Action
Village Centers	Council Bill 1205 (June 28, 2011).	The County will re-examine permitted land uses in the VC zoning district to insure that only those uses compatible with village character are allowed. The County will prepare development standards requiring new non-residential development be compatible with the scale and architecture in village centers.	See Community Design Chapter  To do:  The County should consider village development standards in conjunction with the review of zoning ordinance standards.
	Council Resolution 127 (2005)	<b>Village growth shall be limited to infill and peripheral development.</b> Residential infill development and redevelopment should be compatible with existing character and density of the village.	See Community Design Chapter Done: Undertake master planning processes for each of the Village Centers. To Do: <b>Amend zoning density and minimum lot size to ensure development is in scale and character with existing village composition and historic growth pattern.</b>
Infill and Redevelopment	Zoning §190-184 (I)(5)	Infill development and redevelopment of existing residential subdivisions, and existing neighborhoods in rural areas should be compatible with existing character and density.	To do:  Update or revise the 1991 Talbot County Design Manual
	Zoning §190-14(A)(2)	New buildings or redevelopment of existing buildings on existing lots should be located outside of the habitat protection area.	Done
Rural Reserve Areas	Zoning §190-13(A)(2)  §190-14(D)	A definitive countryside preservation area shall be established at the outer perimeter of the designated growth areas. Encourage clustering to preserve open space.	To do: Designate the Countryside Preservation Area as a TDR sending areas, giving priority to Towns and Designated Growth Areas as receiving areas.  Develop design guidelines that encourage appropriately sited development to preserve the view from the road.
	Zoning §190-176	Developments utilizing Growth Allocations must be in compliance with the policies and objectives of the Comprehensive Plan.	Done To do: Growth allocation should be managed as an incentive to fulfill some public purpose in exchange for the benefit resulting from the granting of the allocation.

Summary of Policies and Actions

Topic	Citation	Policy	Action
<b>Rural Reserve Areas</b>	Zoning §190-13(A)(3)  §190-13(F)	Open space, agriculture, forestry, and low density single-family detached residential uses are the preferred uses in the Western Rural Conservation Planning Area.  Cluster development is encouraged to conserve open space.	Done:  The County adopted development standards for the WRC that limits total impervious surfaces to no more than 15 % of the site area, and a density of one dwelling unit per 20 acres. Clustering is required on lots over six acres.
	Zoning §190-14(A)(1)  §190-14(G)	Future development in the RC zoning district should result in areas primarily characterized by open space, agriculture, forestry, and low-density single-family detached homes.	Done
	Zoning §190-13(D)	The County should provide incentives to cluster development and preserve open space to maintain or enhance the rural character of rural areas.	Done
		Sensitive environmental areas shall be protected where they occur to the greatest extent possible. Discourage use of tradeoffs or incentives that increase overall density in or near sensitive areas.	Done  See Natural Resource Chapter
		The County encourages the preservation of the rural lands of Talbot County as a permanent rural landscape. Within the rural and agricultural planning areas, agriculture and forest cover should remain the dominant land uses.	Done  See Agriculture Chapter  To do: Strengthen the current countywide farmland and resource land protection PDR programs. Additional public and private funding sources should be sought to expand the program.
	Zoning §190-13(A)  §190-14(A)(5)	The County’s preferred options for residential development in the Agricultural areas are: cluster development, large lot low-density subdivisions, and additions to existing rural villages.	Done  See Ag Chapter

## Land Use Resources

Maryland Department of Planning, *Priority Funding Areas*

<http://www.mdp.state.md.us/OurWork/1997PFAAct.shtml>

Critical Area Commission

<http://www.dnr.state.md.us/criticalarea/>

Transfer of Development Rights, *PowerPoint, includes Cecil County study*

<http://landuselaw.wustl.edu/ceciltr.pdf>

Green Infrastructure

<http://www.dnr.state.md.us/greenways/gi/gi.html>

Town of Easton, 2010 Comprehensive Plan

[http://www.town-eastonmd.com/PlanningZoning/Comp\\_Plan.html](http://www.town-eastonmd.com/PlanningZoning/Comp_Plan.html)

Talbot County Smart Growth Successes

[http://www.mdp.state.md.us/PDF/OurProducts/Publications/OtherPublications/SG\\_Successes\\_Talbot.pdf](http://www.mdp.state.md.us/PDF/OurProducts/Publications/OtherPublications/SG_Successes_Talbot.pdf)

MDP, *Sustainable Growth and Agricultural Preservation Act of 2012*

<http://www.mdp.state.md.us/OurWork/2012Legislation.shtml>