

TALBOT COUNTY PUBLIC NOTICE

NOTICE IS HEREBY GIVEN that a public hearing will be held by the County Council of Talbot County on Tuesday, February 10, 2009 at 2:00 p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland, for consideration of Bill No. 1162, and two proposed amendments. Bill 1162 is entitled:

A BILL TO (1) REPEAL TALBOT COUNTY CODE CHAPTER 168, "SUBDIVISION REGULATIONS" IN ITS ENTIRETY; (2) REPEAL TALBOT COUNTY CODE CHAPTER 190, "ZONING" IN ITS ENTIRETY; (3) ENACT AN ENTIRE NEW CHAPTER 190 TALBOT COUNTY CODE, ENTITLED "ZONING, SUBDIVISION AND LAND DEVELOPMENT"; AND, (4) AMEND CERTAIN SECTIONS OF CHAPTERS 20, 24 AND 73 TO IMPLEMENT ZONING CONTROLS AND REGULATIONS CONSISTENT WITH AND PURSUANT TO ADOPTION OF THE 2005 TALBOT COUNTY COMPREHENSIVE PLAN

Summary: Bill 1162 repeals existing Chapter 168 "Subdivision Regulations" and Chapter 190 "Zoning" in their entirety and is a complete rewrite, reorganization and consolidation of these two Chapters into a new Chapter 190 entitled "Zoning, Subdivision and Land Development." The Bill also amends certain sections of Chapter 20, "Board of Appeals,"; Chapter 24, Article IV, "Historic Preservation Commission"; and Article V, "Short Term Rental Review Board" and Chapter 73. The entire text and a summary of the Bill and the two proposed amendments are available online at <http://www.talbotcountymd.gov>. A summary of Bill 1162, appears below, followed by a summary of the two amendments. PLEASE NOTE THAT THIS SUMMARY IS NOT ALL-INCLUSIVE AND THERE MAY BE SPECIFIC ITEMS OF INTEREST THAT ARE NOT LISTED IN THE SUMMARY. ALL PERSONS HAVING AN INTEREST IN ZONING, SUBDIVISION AND LAND DEVELOPMENT ARE URGED TO REVIEW THE FULL TEXT OF THE BILL. IF THERE ARE ANY DISCREPANCIES BETWEEN THIS SUMMARY AND THE TEXT OF THE BILL, THE TEXT OF THE BILL CONTROLS.

Article I. General Provisions: §190-3. Purpose. Consolidates the purposes of the zoning regulations, subdivision regulations and Critical Area regulations; **§190-8.** Abolishes "Conforming special exception use(s)" and "conferred special exceptions" as those terms were used in the Talbot County Zoning Ordinance adopted November 24, 1974; **§190-12.** Provides a summary listing of responsibilities established in this Chapter 190 for the County Council, Board of Appeals, Planning Commission, Historic Preservation Commission, Short Term Rental Review Board, Agricultural Resolution Board, Technical Advisory Committee ("TAC") and Planning Officer.

Article II. Base Zoning Districts: §190-13.C.3 Redefine the Agricultural Conservation ("AC"), Countryside Preservation ("CP"), Town Conservation ("TC") and Western Rural Conservation ("WRC") Districts adopted by the County Council in 2007 by specifying in more detail the method of calculating density for cluster subdivisions; **§190-14. Residential, Village Center and other Rural Districts.** Proposed text provides more flexibility in average lot size requirements:

- Rural Conservation (“RC”): Omit the requirement that each subdivision have an average lot size of either 5 acres or less or 20 acres or more. Instead, the proposed regulations require that all lots created in the district must be either 5 acres or less, or 20 acres or larger. Both types of lots are permitted within a subdivision.
- Establishes density calculation procedures for subdivision of lots in the RC district created after August 13, 1989. Restricts revision of acreage to increase density.
- In the Village Center (“VC”) and Town Residential (“TR”) Districts, retain the maximum 2 acre average lot size, but allow the Planning Commission to approve a larger average lot size based on site constraints. This avoids the need for variances from the Board of Appeals.

§190-14.I.2. Intrafamily Transfers in RC District.

- Adds a requirement that the recipient of a lot created through intrafamily transfer must build a dwelling on the lot within 18 months of the lot creation.
- Prohibits conveyance of the remaining portion of the original parcel to a different owner until the primary residential structures on lots created through intrafamily transfer have been completed and occupied.
- Must be the owner of a qualifying lot as of March 1, 1989.

§190-14.C and 190-15.C. Setback requirements - Changes the way setbacks are measured. Currently, the setback is measured from the property line. In some cases, the property line extends to the centerline of a street or road. The proposed regulations revise the definition of “setback” to require measurement of the setback from the nearest edge of the road right-of-way or road easement. Article XI; also §190-15.C and 190-14.C.

Article III. Land Uses. The Land Use Table is reorganized. All uses are listed alphabetically rather than by categories of land use. Following are revisions to the Table of Land Uses (§190-16) and the requirements for specific uses in Article III.

Add the following new land uses:

- Auction House: Special exception in the AC District.
- Churches: Permitted use in commercial and industrial zones and a special exception in rural, residential and village zones. (Churches were previously removed in error)
- Farm Market: Permitted in AC and CP; special exception in WRC, RC and VC.
- Junkyard: Special exception in Limited Industrial (“LI”).
- Marine Contracting: Permitted in VC, Limited Commercial (“LC”) and General Commercial (“GC”); special exception in LI.
- Offices, General: Permitted in VC, LC, GC and LI.
- Restoration of Boats, Vehicles and Furniture: Limited to repair and restoration of antique furniture and antique or classic vehicles. Special exception in AC and VC; permitted in LC, GC and LI.

- Retail, Incidental: Allows limited retail space as an accessory use in the LI District.
- Shoreline Stabilization Measures: This is currently listed under “waterfront structures” as bulkheads or riprap.
- Stables, Accessory to Residential Use: Accessory use in all residential districts. This is currently included as one of the uses under “Accessory Residential Uses.”
- Storage, Accessory to Commercial or Industrial Use: Accessory use in VC, LC, GC and LI zoning districts; requires a simplified site plan so County staff can review for compliance with landscape, buffering and other requirements.
- Storage of inoperable or unregistered motor vehicles accessory to a dwelling: Limit to no more than 2 vehicles on a lot less than five acres if the vehicles are stored outdoors.
- Temporary uses: Permit in all districts subject to limitations. Require a use certificate. These can include portable storage units, carnivals, construction or sales offices on a building site, and other uses. Permits temporary anemometers and wind vane for purposes of gathering data for wind energy development. (§190-100.)

Revise requirements for the following land uses:

- Agriculture: Add “value-added processing” as an accessory use to agriculture. Also add value-added uses such as pick-your-own produce operations, corn mazes, cut-your-own Christmas trees farms and flower operations, sales of decorative plant materials, farm tours for fee, and petting zoos.
- Bed and breakfast: Add provision allowing weddings, receptions and similar events, subject to specified limits.
- Dwelling, Accessory Apartment (VC Zone only): In detached accessory structure, increase maximum size from 500 to 900 square feet.
- Home Occupations:
 - Add business and professional offices. Delete the separate “home-based office” use under accessory residential uses.
 - Requires renewal of use certificate every two years.
- Inns: Add provision allowing weddings, receptions and similar events.
- Landing Strips: Revise to prohibit helicopter landing facilities.
- Marinas and piers (§190-75):
 - Separate “marinas,” which have boat docking facilities with related uses, from private or community piers without other uses.
 - Encourage community piers (serving more than one dwelling) rather than private piers (serving only one dwelling). Community piers are an allowed accessory use, while private piers require a special exception. This is the opposite of the current regulations, which allow private piers by right and community piers by special exception.
 - Limit the width of piers.

- Limit the width and length of raised walkways over nontidal wetlands that are used for access to piers.
- Shooting Range, Indoor: Allow as a special exception in VC zoning district. This use is currently a special exception in AC, CP, WRC, LC, GC and LI zoning districts.
- Wireless Communication Towers (§190-105): Add requirements for:
 - The timing of the balloon test;
 - Annual reporting of services provided;
 - Provision of public notice before submittal of an application to the County; and,
 - A requirement that the application include information on the type of services to be provided by tower users and the expected date when services will commence.

Article IV. Overlay Districts

§190-110. Gateway Overlay District. Limit building height to 35-feet (current limit is 40-feet). Add a requirement that the design of new structures or additions be generally compatible in scale and bulk with existing development in the vicinity.

§190-111. Easton Airport Overlay District. Rewritten to reflect how applicants and the County need to respond to FAA requirements to limit hazards. Proposed language gives responsibility to County officials to notify Airport Manager to review and comment on proposed construction activity within the overlay district.

§190-112. Buffer Management Area Overlay District. Place the procedures for creation of a Buffer Management Area in Article IV, which contains standards for all of the County's overlay districts.

Article V. Development Standards

§190-113. Height. Include ornamental towers and other design features for residences under the 40-foot height limit. Lack of clarity in the current regulations has led to some design features exceeding the 40-foot residential height limit. Limit the height of residential accessory buildings to a maximum of 25-feet for lots of 2 acres or less and 30-feet for lots larger than 2 acres.

§190-114. Supplemental Setbacks. For through lots, requires compliance with front setback from both streets. Currently, rear setback can be applied to one street.

§190-115. Road Frontage, Access, Dedication and Layout. A fifty-foot minimum road frontage is currently required for AC, WRC, CP, RC, Rural Residential ("RR"), VC, TR and TC zoning districts. Proposed text applies the frontage requirement to LC, GC and LI as well. Proposed text also adds a requirement that the 50-foot frontage be maintained for the depth of the lot's front setback. Through site plan review, authorizes the County Engineer or Planning Officer to require improvement and consolidation of existing access points to a commercial, industrial or

institutional use. Places greater restrictions on the number of lots that can access an existing road when subdivisions are created in RC, RR, TC and TR zoning districts. §190-115.B(5).

Clarifies provisions for dedication of road right-of-way for new subdivisions. §190-115.C.

§190-116. Location of sewage disposal areas. Requires that sewage disposal areas be no more than 200-feet from the use that they serve unless a waiver is granted based on criteria listed in the text.

§190-117. Structures located across lot lines. Clarifies treatment of adjacent lots in common ownership that have been treated as one lot for purposes of locating a dwelling and other improvements.

§190-118. Accessory uses. The proposed text retains the provision allowing an accessory building on a site with no principal structure as a special exception. Proposed text adds provisions to allow accessory structures without a principal structure:

- As a temporary use prior to and during construction of a principal structure.
- If a proposed subdivision creates a lot with an existing private pier but no primary use or structure, the pier may be retained subject to approval of a waiver.

Fences

- Classifies fences as open or closed. Where the current regulations exempt any fence up to 4-feet high from the minimum front setback requirement, the proposed regulations exempt only open fences up to 4-feet high from the front setback.
- Exempts driveway entry features, limited to gates no more than 6-feet in height and supporting posts no more than 7-feet in height, from required setbacks.
- Limits fences for commercial, industrial or agricultural uses to 10-feet in height unless setbacks are met.

§190-120. Sidewalks and streetlights. Authorizes Planning Officer or Planning Commission to require sidewalks for nonresidential development and for residential subdivisions with lot sizes averaging two acres or less.

§190-122. Landscaping requirements for site plans. Differs from current regulations in the following:

- Specifies process for waivers of the landscaping requirements.
- Requires provision of landscaped area for expansion of commercial or industrial sites.
- Requires that parking areas have landscaped islands not less than 8-feet in width dividing the parking lot into bays with a maximum of 10 spaces per bay.
- Increases the minimum width of planting strips used for screening along the edge of a commercial or industrial use, parking area, or loading area or outdoor storage area from 5-feet to 10-feet.

- Encourages use of landscaped areas within parking lots for stormwater management.
- Adds definitions of landscaped area, landscape buffer, landscape plan and screening.
- Specifies the developer's responsibility to install and maintain landscaping.

§190-123. Buffers – Streams and Non-tidal Wetlands - Non-Critical Area. Adds a required 25-foot buffer from non-tidal wetlands, consistent with current state law. Clarifies the required expansion of buffers due to the presence of hydric soils, highly erodible soils, or steep slopes. Add a definition of “buffer expansion.”

§190-127. Subdivision design. Add the phrase “and provided that the subdivision complies with standards for preservation of environmentally sensitive areas” to current text requiring conservation of agricultural lands. Environmental regulations generally require that protection of these features take priority over protection of agricultural land.

Add standards for pipestem lots:

- Minimum pipestem width of 25-feet.
- No more than two pipestems can have adjacent frontage on a road.
- The pipestem area does not count towards minimum lot size.
- Lots outside the Critical Area shall not have pipestem connection through the Critical Area to create riparian access.

§190-128. Off-street parking. Current regulations allow the Planning Officer to approve variations from the parking standards. Proposed text states that this approval must be given by the approving authority for the plan, which would be either the Planning Officer or the Planning Commission. The text also lists information that must be provided if an applicant proposes to provide a number of parking spaces lower than required.

- Allows a reduction in required parking spaces for mixed use sites where the uses have peak parking demand at different times.
- Requires that parking spaces be in addition to spaces needed for company vehicles.
- Requires compliance with parking standards of the Americans with Disabilities Act (ADA).
- Revises the minimum parking standard for some uses and add standards for numerous uses listed in the Table of Land Uses that are not currently addressed.
- Requires provision of bicycle parking facilities for commercial, industrial or institutional uses.
- Requires that loading areas be screened and to the side or rear of buildings.

Article VI. Critical Area. This Article is substantially reorganized and revised to consolidate, clarify, and comply with COMAR Title 27. A detailed list is provided of forestry or clearing activities and the approvals required prior to undertaking activity. The County's Property

Maintenance Permit process is added to the Code. A definition and drawing of a required buffer expansion is added for clarification. Requirements for buffer expansion due to the presence of hydric soils, highly erodible soils or steep slopes are clarified. Text is revised where required by Maryland House Bill 1253, enacted in 2008. Key revisions include:

- In Article XI, add definitions of the Resource Conservation, Limited Development and Intensely Developed Areas.
- Defines “lot coverage” and uses this term in place of “impervious surface coverage.”
- Expands the Shoreline Development Buffer to 200-feet from the shoreline for newly created lots within the Resource Conservation Area. The current buffer measurement of 100-feet is retained from tributary streams and in the Limited Development and Intensely Developed Areas and all lots recorded in compliance with House Bill 1253 deadlines.

Article VIII. Nonconforming Lots, Structures and Uses. Provides a formal process whereby the Planning Officer confirms the legal existence of a nonconforming use. The process provides for defining the extent of the site or building occupied by the nonconforming use. Retains the current prohibition on construction of new boathouses and similar structures. Codifies current policy by specifying that these structures shall not be expanded or enlarged, but in-kind replacement of existing boathouses is permitted. Defines “in-kind replacement.” Provides new standards for nonconforming uses:

- Requires approval by the Board of Appeals for expansion of a nonconforming use, subject to the same procedures and standards as special exceptions. Expansions are limited to 20% or 1,000 square feet of area, whichever is less. (Currently, a nonconforming use can be expanded by 20% of building area or 10% of site area with no specified approval process.)
- Allows the Planning Officer to approve minor modifications that do not increase the area.
- Allows the Planning Officer to approve replacement of a nonconforming mobile home with a similar mobile home.
- Allows replacement of a destroyed nonconforming use in accordance with a permit issued within 12 months of the destruction.
- Provides for loss of legal nonconforming use status if the use ceases for 12 months or more.

For nonconforming lots, adds text required by House Bill 1253 stating that in the Critical Area, nonconforming lots will be consolidated whenever possible to allow compliance with Critical Area requirements.

For nonconforming structures, adds the following:

- Continues to use the term “administrative variance” to refer to limited expansion of structures within the Shoreline Development Buffer. Restrict the expansion that the Planning Officer can approve through administrative variances to 20 percent of the building’s gross floor area.

- Allows a “minor variance” approved by the Planning Officer for expansion of other nonconforming structures, for expansion up to 20 percent of the floor area.
- Allows in-kind reconstruction of destroyed nonconforming structures in accordance with a permit issued within one year of the destruction.
- Allows a minor variance or administrative variance for relocation of nonconforming structure, or demolition and reconstruction in a different location, if the new location lessens the nonconformity.

Article IX. Administration. §190-170. General application and review procedures. Provides submission procedures. All applications must use forms and lists of required materials published by the Office of Planning. This provision replaces the lengthy list of submission requirements currently in the Code for site plans, Critical Area site plans, and subdivision plans. Where specifically authorized within the Code, allows an agency, board or commission to obtain third party review of material submitted with an application, with the cost of such review to be paid by the applicant.

§190-176. Applications for use of growth allocation in the Critical Area. This section does not use the term “growth allocation district boundary amendment,” which is used extensively in the current regulations. Instead, the text refers to approval of zoning map amendments for which growth allocation is required. Adds a purpose statement to the section.

Requires a concept plan with the application. (The current Code requires a site plan or subdivision plan.) The concept plan would be reviewed for feasibility, but would not receive the detailed review required for a site plan or subdivision plan. Replaces the standards for location of new Limited Development Area (“LDA”) or Intensely Developed Area (“IDA”) areas as required by Senate Bill 751, effective June 1, 2006. Omits the current requirement that allocation requests be reviewed in October of each year. Requires preliminary comments from Maryland Dept. of the Environment, Dept. of Natural Resources, and US Army Corps of Engineers for specific resources to be define in growth allocation application in accordance with House Bill 1253. Retains from the current Code the limits on acreage that should be rezoned each year. Requires that annexation requests requiring growth allocation be reviewed for consistency with the Comprehensive Plan. In the current Code, this section refers to “Maps 1, 2 and 3” which reflect the annexation areas anticipated in 1991. These maps are no longer accurate.

§190-178. General procedures for Board of Appeals applications. Chapter 20 of the Code establishes authority and rules of procedure for the Board of Appeals. The revised text omits some procedural requirements currently in the Zoning Regulations that duplicate these provisions.

§190-179. Administrative appeals. Uses the term “administrative appeals” for applications that were previously called “allegations of error.” This is consistent with revisions to Chapter 21 of the County Code, enacted September 26, 2006.

§190-180. Special exceptions. Consolidates and shortens the General Standards for approval. Clarifies and codifies current practices by providing criteria for “minor amendments” to approved special exceptions that can be approved by the Planning Officer.

§190-182. Variances. Limits variances to relief from bulk requirements, defined as numerical requirements that govern the size or dimension of lots and the location or dimensions of uses or structures. Bulk requirements include setback, height, area, and coverage requirements.

Prohibits variances to:

- Density, lot size, or lot width requirements;
- Operational standards such as hours of operation and number of employees; and
- Requirements that are conditions under which a particular special exception may be granted by the Board of Appeals

Authorizes the Planning Officer to grant “minor variances.” These are variances that provide relief of no more than 10 percent of the requirement. Board of Appeals approval would continue to be required for other variances. Adds standards for variances to Critical Area requirements in accordance with State legislation, including Senate Bill 694 and House Bill 1253.

§190-183. Use Certificates. Provides procedures for “use certificates” issued by the Planning Officer. Article III requires a use certificate for produce stands, home occupations, temporary uses, and other uses permitted subject to specific requirements. In some cases, the “use certificate” replaces the general term “permit” used in the current regulations. Also see proposed definition of Use Certificate.

§190-184. Site Plans. Replaces the current terms “general site plan” and “simplified site plan” with “major site plan” and “minor site plan.” Adds the term “administrative site plan” to provide an efficient method of reviewing proposed changes in use from one permitted use to another.

Places new limits on what is considered a minor site plan. Eliminates the current provision allowing a simplified site plan for additions larger than the 300 square foot limit if the Planning Officer determines that the necessary review can be accomplished through the minor site plan process. Limits the cumulative total of additions to 300 square feet, to avoid numerous minor site plans resulting in extensive expansion without major site plan review.

Adds more detailed procedures that explain the role of the Planning Officer, Planning Commission, Technical Advisory Committee meetings and Compliance Review meetings. For major site plans, authorizes the Planning Officer or Planning Commission to require the applicant to hold a community meeting. For major site plans, requires review by the Historic Preservation Commission if a recognized historic resource would be affected.

Provides specific, detailed criteria for determining whether a revision to a major site plan is a minor change that can be approved by the Planning Officer. Extends site plan resubmittal time period from six to nine months.

§190-185. Developer agreements. Creates the term “developer agreements” and specifies procedures for these agreements to ensure provision by developers of landscaping and other required improvements. Omits the term “subdivision improvement agreements” and deletes outdated text on these agreements, which were to ensure completion of road and other improvements that are now administered by the Department of Public Works.

§190-186. Waivers. Creates a clearly defined process and approval criteria for waivers from certain requirements such as landscaping and design requirements. Waivers are approved by the Planning Officer or the Planning Commission through the site plan or subdivision plan process. Waivers can only be granted if the regulations specifically state that relief can be granted from a certain requirement through the waiver process. The current regulations use the term waiver in several places but provide no process or clear authority.

§190-188. Enforcement. The current text on enforcement procedures is deleted. The proposed text refers to Chapter 58 of the Code.

Article X. Procedures for Subdivision of Land. This Article substantially revises the subdivision procedures in Chapter 168 of the Code to make them consistent with an existing Resolution adopted by the Council in 2005. It also revises the approval process to provide that major subdivisions are approved by the Planning Commission. This is in accordance with current procedures and the County Charter. The current subdivision regulations, which provide that the Planning Officer approves subdivisions, were not previously updated to reflect the Charter Amendment. The procedures proposed in Article X follow the “Talbot County Plat/Site Plan Review and Approval Process,” dated March 31, 2005 and approved by Resolution of the County Council on April 5, 2005. They specify the role of the Planning Officer, Planning Commission, Technical Advisory Committee meetings and compliance review meetings.

New provisions include:

- Revisions to the definitions of major and minor subdivisions. (See Article XI.) A cumulative limit is placed on the number of lots that can be subdivided before a subdivision is considered “major,” to ensure that large subdivisions are not created in a piecemeal fashion, one lot at a time through the minor process.
- Clarification that a subdivision plan cannot be substantially modified as it proceeds from the sketch to preliminary stage and from the preliminary to final stage. If a plan is modified it must repeat the review process.
- Provision for review of a master plan allowing applicants to receive input on a plan before sketch plan submission. For major subdivisions, the Planning Commission would review the Master Plan as an informal agenda item not requiring a decision.
- A requirement for Historic Preservation Commission review of sketch plans for subdivisions containing, or contiguous to a property containing a historic resource.
- Authority for the Planning Officer or Planning Commission to require the applicant to hold a community meeting on the sketch plan for a major subdivision.
- A limit of 9 months as the time period within which a plan must be resubmitted if substantial revisions are needed after the TAC review. After 9 months a new plan

application, including fees, would be required. This time period is proposed for the sketch, preliminary and final plat stages. The Code currently has no time requirement for resubmission if a plan is disapproved

- A reduction of the required time after the TAC meeting within which the staff must transmit agency comments from 15 days to 10 days. Also, the 30-day time limit for Planning Officer action on minor subdivision sketch plans is deleted.
- Expansion of the provisions for revision plats to more clearly explain the purposes of revision plats and to define the difference between a minor and major revision plat.
- A definition and procedures for creation of "common space," which is land within a subdivision that is dedicated for park or open space purposes and will generally be owned by a homeowners or property owners association, although it could be dedicated to the County for parks or recreation.
- Requirement for a title search prepared by a qualified professional for all major subdivisions.
- Uses the term "Reserved Land Agreement" to refer to agreements requiring permanent protection of land. "Reservation of Development Rights" refers to restrictions that expire after a stated time period.

Article XI. Definitions. Provides that the Planning Officer may refer to the APA Dictionary to define words used and not otherwise defined. Several new definitions added for consistency with text of Code. Illustrations added for "Buffer Expansion" and "Height, building or structure."

Amendments to other sections of the Code:

Chapter 20, Board of Appeals. The Board of Appeals will be given authority to hear applications for expansions of nonconforming uses, and requests for expansions of nonconforming uses will be referred to the Planning Commission and the Planning Officer for their review and recommendation.

Chapter 24, Boards, Committees and Commissions. Existing provisions for the Historic Preservation Commission and the Short-Term Rental Review Board will be relocated to Chapter 24.

Chapter 73, Forest Conservation. Changes to nomenclature only to reflect the new title of Chapter 190.

Bill 1162, Proposed Amendments: Two amendments have been proposed to Bill 1162, summarized as follows:

Amendment 1: Add § 190-118 C, to establish size limits for buildings accessory to residential uses as follows: (1) on lots less than 5 acres, all non-residential accessory buildings would be limited to a cumulative total of 1,200 square feet of gross floor area, or 2½ percent of lot size, whichever is greater; (2) on all lots, nonresidential accessory buildings totaling 3,000 square feet or more, individually or cumulatively, would be required to be screened if they were located within 200-feet of the property line.

Amendment 2: Add §190-133 B, to provide that landowners shall establish and maintain a vegetated filter strip of not less than 25-feet along tidal shorelines, (striking "tributary streams") of agricultural fields utilizing no-till farming practices. The filter strip shall be increased to 60-feet long tidal shorelines on those fields utilizing conventional tillage methods. All agricultural fields shall maintain a 25 foot vegetated filter strip along tributary streams. The vegetated filter strip shall be maintained until such time as the landowner is implementing, under an approved Soil Conservation and Water Quality Plan, a program of best management practices for the specific purposes of improving water quality and protecting plant and wildlife habitat; and provided that the portion of the Soil Conservation and Water Quality Plan being implemented achieves the water quality and habitat protection objectives of the vegetated filter strip.

Copies of the Bill and proposed amendments are available for review in the Office of the County Manager during regular office hours. Additionally, the entire text of the Bill and the amendments and a summary are available online at <http://www.talbotcountymd.gov>. If you require communications assistance, please contact the County Manager's Office at (410) 770-8010 or TTY (410) 820-9377 by Friday, February 6, 2009.

All interested parties are hereby notified, invited to attend and to comment.

COUNTY COUNCIL OF TALBOT COUNTY