

COUNTY COUNCIL
OF
TALBOT COUNTY, MARYLAND

2012 Legislative Session, Legislative Day No. : November 13, 2012

Bill No.: 1229

Expiration Date: January 17, 2013

Introduced by: Mr. Bartlett, Mr. Duncan, Mr. Hollis, Ms. Price

A BILL TO ADOPT A TIER CLASSIFICATION SYSTEM PURSUANT TO REQUIREMENTS ESTABLISHED IN *THE SUSTAINABLE GROWTH AND AGRICULTURAL PRESERVATION ACT OF 2012* (SB 236) ENACTED BY THE MARYLAND GENERAL ASSEMBLY AND TO IMPLEMENT POLICIES OF THE TALBOT COUNTY COMPREHENSIVE PLAN AND TO ADOPT A MAP TO CLASSIFY LAND IN THE COUNTY INTO ONE OF SEVEN TIER CLASSIFICATIONS THAT ESTABLISH THE TYPE OF SUBDIVISION AND THE KIND OF WASTEWATER TREATMENT SYSTEM PLANNED FOR EACH SUBDIVISION TYPE

By the Council: November 13, 2012

Introduced, read first time, ordered posted, and public hearing scheduled on Tuesday, December 4, 2012 at 2:30 p.m. at the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland 21601.

By Order 
Susan W. Moran, Secretary

A BILL TO ADOPT A TIER CLASSIFICATION SYSTEM PURSUANT TO REQUIREMENTS ESTABLISHED IN *THE SUSTAINABLE GROWTH AND AGRICULTURAL PRESERVATION ACT OF 2012* (SB 236) ENACTED BY THE MARYLAND GENERAL ASSEMBLY AND TO IMPLEMENT POLICIES OF THE TALBOT COUNTY COMPREHENSIVE PLAN AND TO ADOPT A MAP TO CLASSIFY LAND IN THE COUNTY INTO ONE OF SEVEN TIER CLASSIFICATIONS THAT ESTABLISH THE TYPE OF SUBDIVISION AND THE KIND OF WASTEWATER TREATMENT SYSTEM PLANNED FOR EACH SUBDIVISION TYPE

SECTION ONE: BE IT ENACTED BY THE COUNTY COUNCIL OF TALBOT COUNTY, MARYLAND, that the following *Tier Classification System* shall be and is hereby adopted, and the Map (in both digital and hard-copy formats) attached hereto as Exhibit "A" and incorporated by reference herein, shall be and is hereby adopted as the *Official Talbot County Tier Map* pursuant to the *Sustainable Growth and Agricultural Preservation Act of 2012*, enacted by the Maryland General Assembly (SB 236, Acts 2012).

Tier Classification System

- 1 General. In the unincorporated areas of the County subdivision of land shall comply with the
2 following Tier Classification System as determined by the *Official Talbot County Tier Map*.
- 3 I. Tier I. Areas that are now served or where public sewerage systems are available and that
4 are mapped by the County Comprehensive Plan as a designated growth area.
- 5 II. Tier II. Includes the following Sub-Tiers:
- 6 A. Tier II-A. Areas that are mapped by the County Comprehensive Plan within primary or
7 designated growth areas that are planned for growth and for public sewerage systems.
- 8 B. Tier II-B. Areas that are mapped by the County Comprehensive Plan within the
9 secondary growth area that are planned for growth and for public sewerage systems.

10 C. Tier II-C. Areas that are mapped by the County Comprehensive Plan within future
11 growth areas that are designated or reserved for future growth and where public
12 sewerage systems may be extended in the very long-term or distant future. These areas
13 are mapped as potential areas for possible future urban expansion through annexation,
14 contingent upon future decisions and demand for additional municipal growth at the
15 time.

16 III. Tier III. Tier III includes the following Sub-Tiers:

17 A. Tier III-A. Areas that are not planned for public sewerage systems in the County
18 Comprehensive Plan or Comprehensive Water and Sewer Plan, that are located in rural
19 villages or other existing rural communities, not dominated by agricultural or forest land
20 and which are planned for limited infill and peripheral development only.

21 B. Tier III-B. Rural villages or existing communities or neighborhoods designated as water
22 quality strategy areas, which have or are planned to have public sewerage systems to
23 address water quality and that are planned for infill and limited peripheral development
24 only.

25 IV. Tier IV. Areas that are not planned for public sewerage systems in the County
26 Comprehensive Plan or Comprehensive Water and Sewer Plan that are either planned or
27 zoned for and/or dominated by agricultural, resource protection, preservation, and/or
28 conservation areas.

29

- 30 V. For each Tier, the type of subdivision and the kind of wastewater treatment system
31 permitted for each type of subdivision shall be as follows:
- 32 a. Tier I – minor and major subdivisions served by public sewerage systems.
- 33 b. Tier II A, B, and C. – major subdivisions served by public sewerage systems; minor
34 subdivisions served by public sewerage systems or on-site septic systems, provided
35 that service by on-site septic systems is restricted to interim use only until public
36 sewerage becomes available.
- 37 c. Tier III
- 38 A – major and minor subdivisions served by on-site septic systems.
- 39 B – major and minor subdivisions served by public sewerage systems or on-site septic
40 systems.
- 41 d. Tier IV – minor and small scale subdivisions served by on-site septic systems.

SECTION TWO: BE IT FURTHER ENACTED, that if any provision of this Ordinance or the application thereof to any person or circumstance is held invalid for any reason in a court of competent jurisdiction, the invalidity does not affect other provisions or any other application of this Ordinance which can be given effect without the invalid provision or application, and for this purpose the provisions of this Ordinance are declared severable.

SECTION THREE: AND BE IT FURTHER ENACTED, that the title and a summary of this Bill shall be published once on the first publication date after enactment of the Bill in accordance with County Charter § 213 (c). The title is not a substantive part of this Bill. If the Bill is amended, the title may be administratively revised if required to conform the title to the content of the Bill as finally enacted.

SECTION FOUR: AND BE IT FURTHER ENACTED, that the Publishers of the Talbot County Code or the Talbot County Office of Law, in consultation with and subject to the approval of the County Manager, shall make non-substantive corrections to codification, style, capitalization, punctuation, grammar, spelling, and any internal or external reference or citation to the Code that is incorrect or obsolete, with no further action required by the County Council. All such corrections shall be adequately referenced and described in an editor's note following the section affected.

SECTION FIVE: AND BE IT FURTHER ENACTED, that this ordinance shall take effect sixty (60) days from the date of its passage.

PUBLIC HEARING

Having been posted and Notice of time, date, and place of hearing, and Title of Bill No. _____ having been published, a public hearing was held on _____ in the Bradley Meeting Room, South Wing, Courthouse, 11 N. Washington Street, Easton, Maryland 21601.

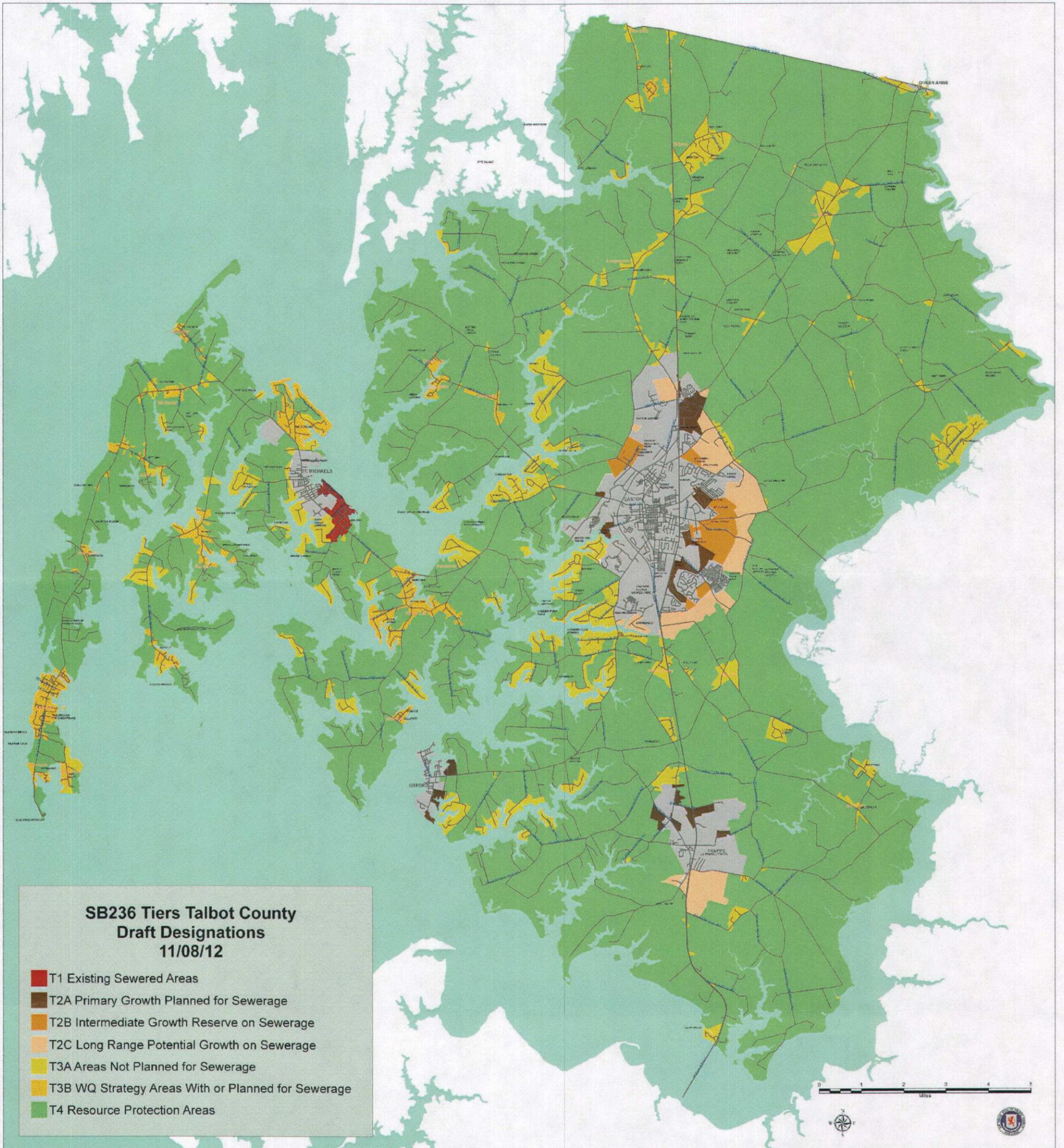
BY THE COUNCIL

Read the third time.

ENACTED _____

By Order _____
Susan W. Moran, Secretary

Pack _____
Hollis _____
Bartlett _____
Duncan _____
Price _____

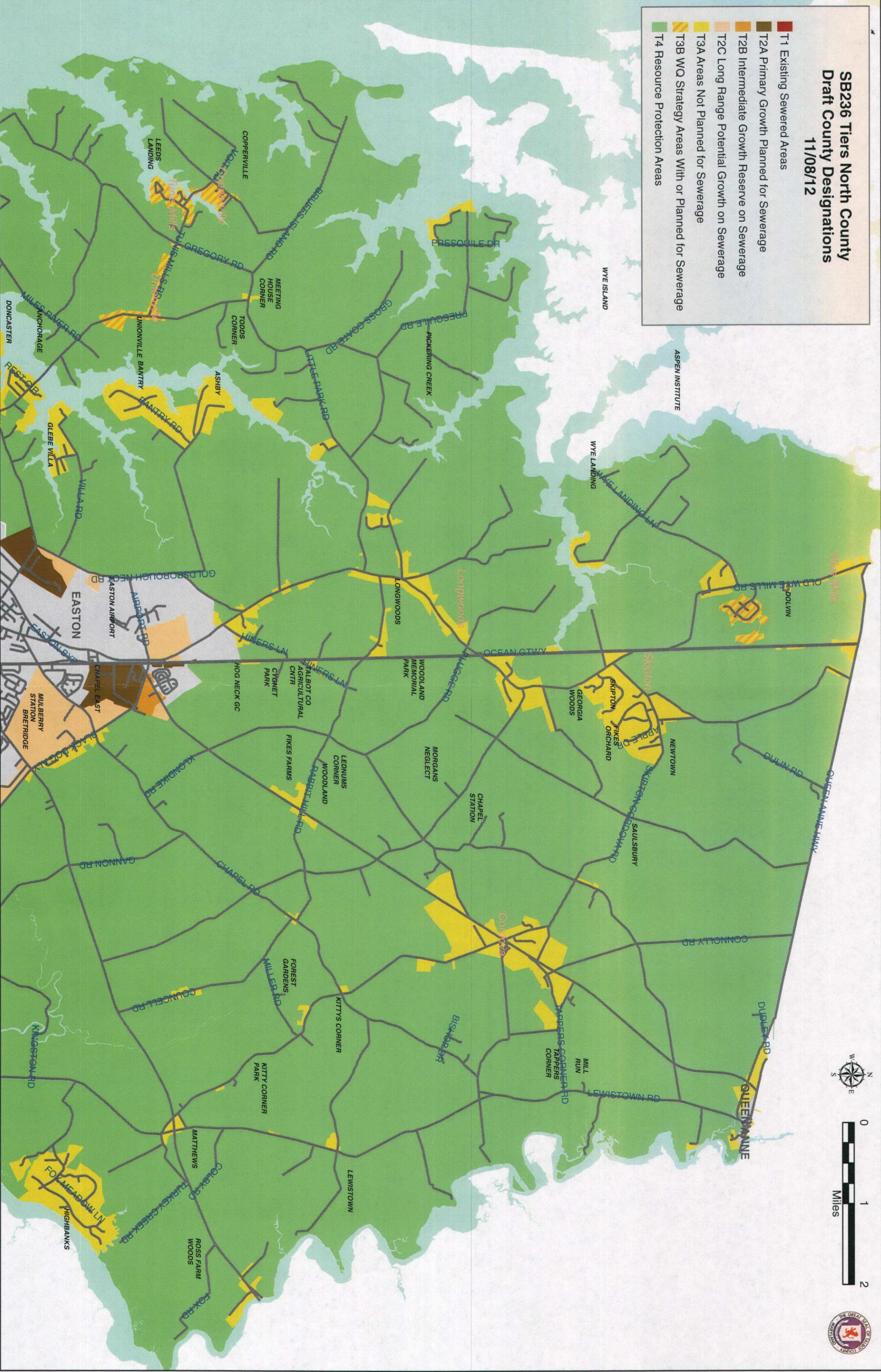


**SB236 Tiers Talbot County
Draft Designations
11/08/12**

- T1 Existing Sewered Areas
- T2A Primary Growth Planned for Sewerage
- T2B Intermediate Growth Reserve on Sewerage
- T2C Long Range Potential Growth on Sewerage
- T3A Areas Not Planned for Sewerage
- T3B WQ Strategy Areas With or Planned for Sewerage
- T4 Resource Protection Areas

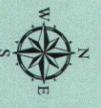
SB236 Tiers North County Draft County Designations 11/08/12

- T1 Existing Sewered Areas
- T2A Primary Growth Planned for Sewerage
- T2B Intermediate Growth Reserve on Sewerage
- T2C Long Range Potential Growth on Sewerage
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- T4 Resource Protection Areas



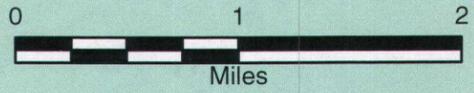
SB236 Tiers South County Draft County Designations 11/08/12

- T1 Existing Sewered Areas
- T2A Primary Growth Planned for Sewerage
- T2B Intermediate Growth Reserve on Sewerage
- T2C Long Range Potential Growth on Sewerage
- T3A Areas Not Planned for Sewerage
- T3B WQ Strategy Areas With or Planned for Sewerage
- T4 Resource Protection Areas



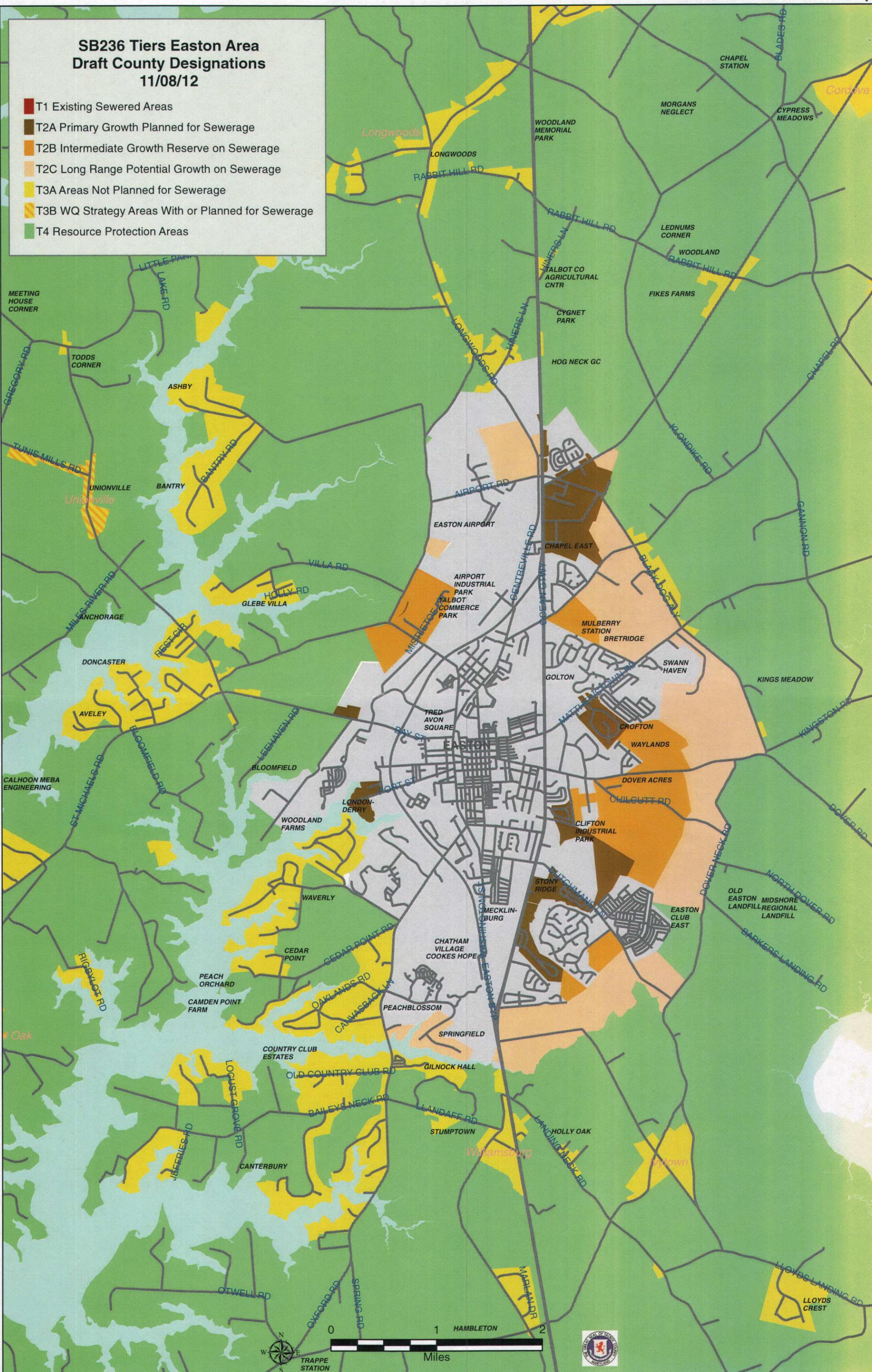
**SB236 Tiers Bay Hundred Area
Draft County Designations
11/08/12**

- T1 Existing Sewered Areas
- T2A Primary Growth Planned for Sewerage
- T2B Intermediate Growth Reserve on Sewerage
- T2C Long Range Potential Growth on Sewerage
- T3A Areas Not Planned for Sewerage
- T3B WQ Strategy Areas With or Planned for Sewerage
- T4 Resource Protection Areas



**SB236 Tiers Easton Area
Draft County Designations
11/08/12**

- T1 Existing Sewered Areas
- T2A Primary Growth Planned for Sewerage
- T2B Intermediate Growth Reserve on Sewerage
- T2C Long Range Potential Growth on Sewerage
- T3A Areas Not Planned for Sewerage
- T3B WQ Strategy Areas With or Planned for Sewerage
- T4 Resource Protection Areas



SB236 Tiers Royal Oak Area Detail
Draft County Designations
 11/08/12

- T1 Existing Sewered Areas
 - T2A Primary Growth Planned for Sewerage
 - T2B Intermediate Growth Reserve on Sewerage
 - T2C Long Range Potential Growth on Sewerage
 - T3A Areas Not Planned for Sewerage
 - T3B WQ Strategy Areas With or Planned for Sewerage
 - T4 Resource Protection Areas
-
- Village Center
 - Village PFA
 - Parcels

