

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. and Tuesday, December 11, 2012 at 6:30 p.m. in 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

General. In the unincorporated areas of the County subdivision of land shall comply with the following Tier Classification System as determined by the *Official Talbot County Tier Map*.

- I. Tier I. Areas that are now served or where public sewerage systems are available and that are mapped by the County Comprehensive Plan as a designated growth area.

- II. Tier II. Includes the following Sub-Tiers:
 - A. Tier II-A. Areas that are mapped by the County Comprehensive Plan within primary or designated growth areas that are planned for growth and for public sewerage systems.

 - B. Tier II-B. Areas that are mapped by the County Comprehensive Plan within the secondary growth area that are planned for growth and for public sewerage systems.

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

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

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

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

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

- V. For each Tier, the type of subdivision and the kind of wastewater treatment system permitted for each type of subdivision shall be as follows:
- a. Tier I – minor and major subdivisions served by public sewerage systems.
 - b. Tier II A, B, and C. – major subdivisions served by public sewerage systems; minor subdivisions served by public sewerage systems or on-site septic systems, provided that service by on-site septic systems is restricted to interim use only until public sewerage becomes available.
 - c. Tier III
 - A – major and minor subdivisions served by on-site septic systems.
 - B – major and minor subdivisions served by public sewerage systems or on-site septic systems.
 - 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. 1229 having been published, a public hearing was held on Tuesday, December 4, 2012 at 2:30 p.m. and Tuesday, December 11, 2012 at 6:30 p.m. in the Bradley Meeting Room, South Wing, Courthouse, 11 N. Washington Street, Easton, Maryland 21601.

BY THE COUNCIL

Read the third time.

ENACTED: **December 11, 2012**

By Order *Susan W. Moran*
Susan W. Moran, Secretary

Bartlett - Aye

Hollis - Aye

Pack - Aye

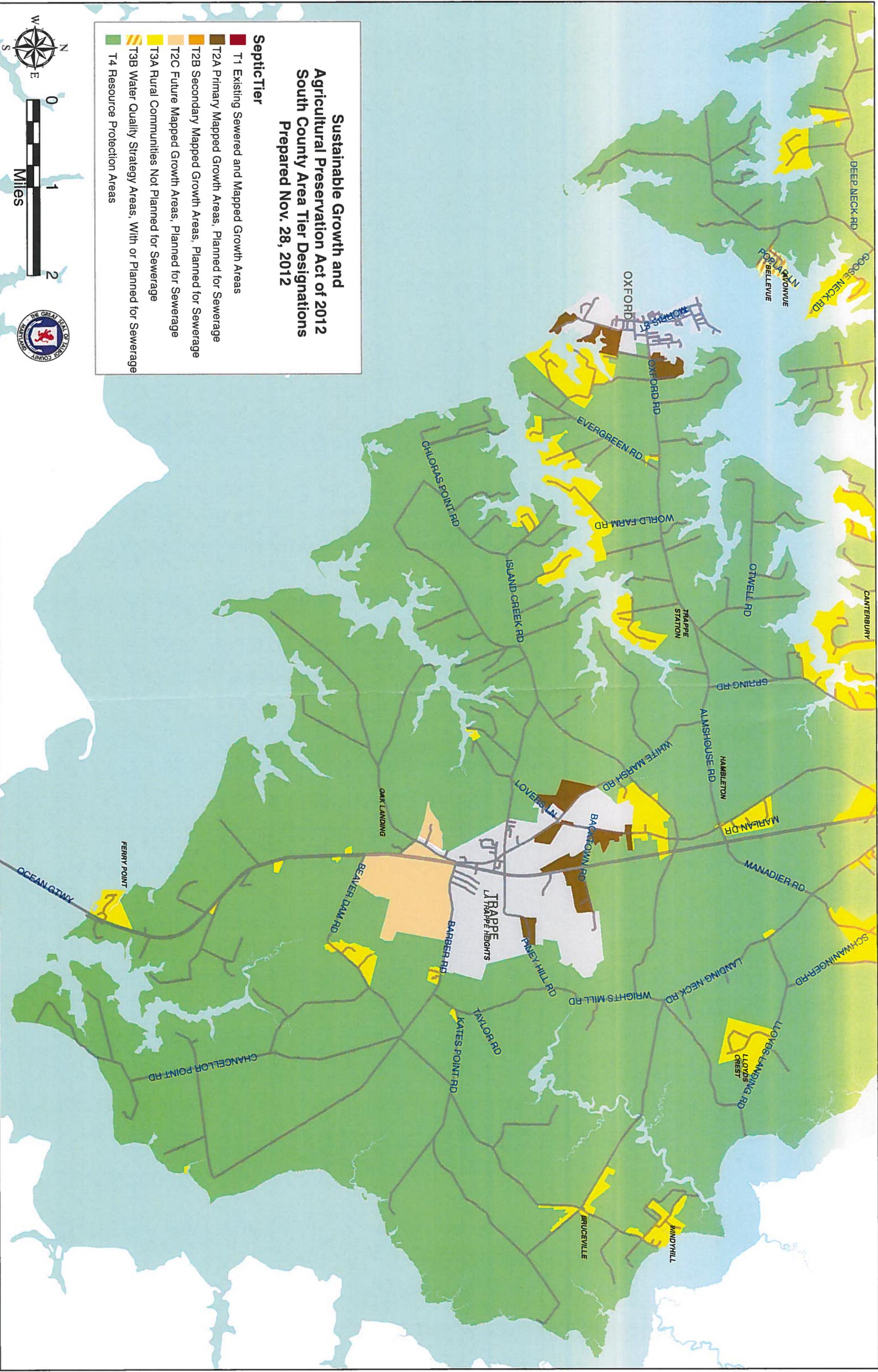
Price - Aye

Duncan - Aye

**Sustainable Growth and
Agricultural Preservation Act of 2012
South County Area Tier Designations
Prepared Nov. 28, 2012**

SepticTier

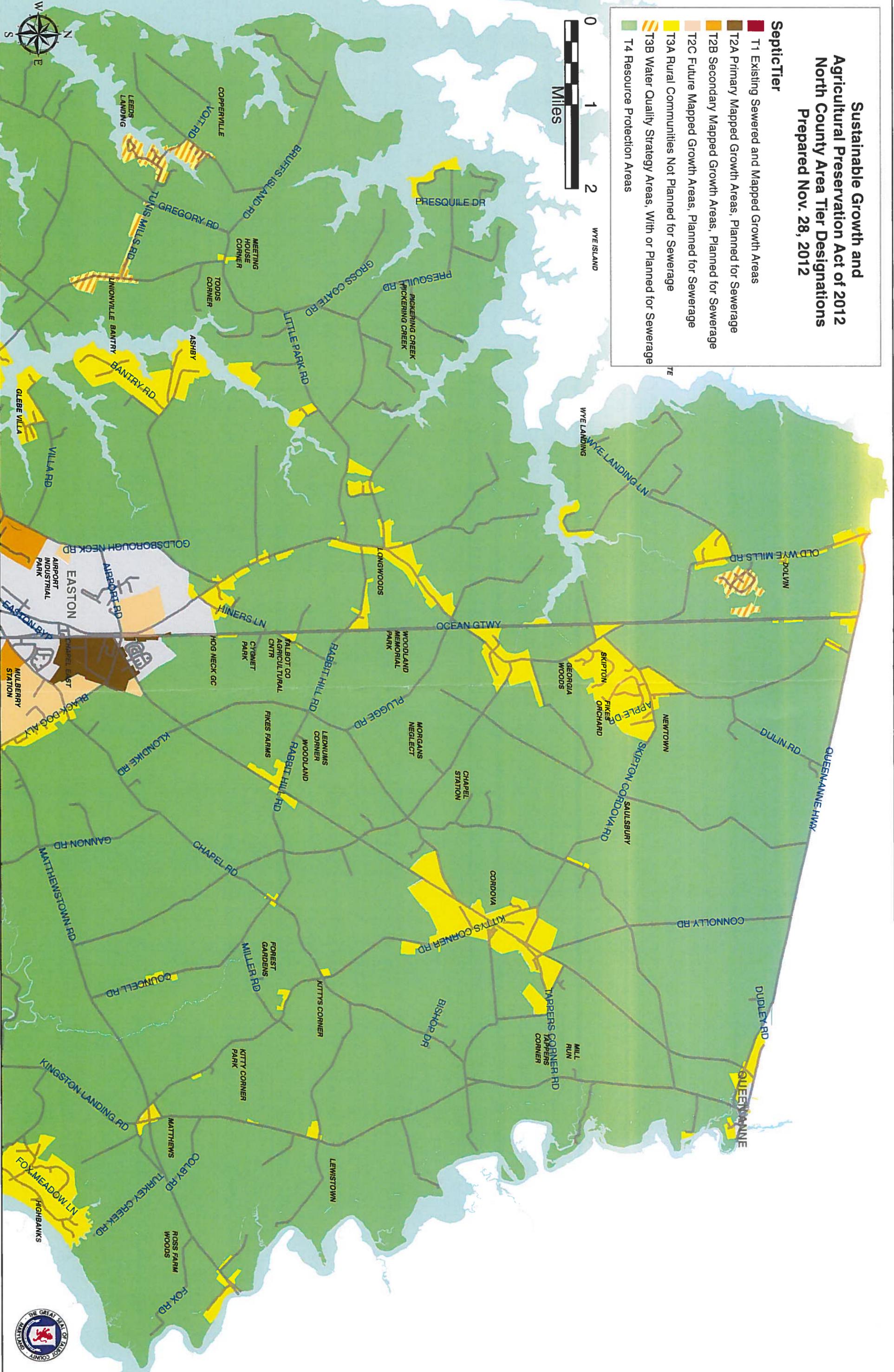
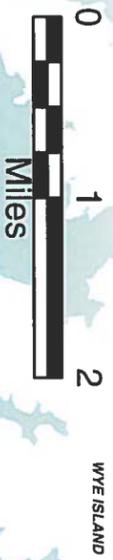
- T1 Existing Sewered and Mapped Growth Areas
- T2A Primary Mapped Growth Areas, Planned for Sewerage
- T2B Secondary Mapped Growth Areas, Planned for Sewerage
- T2C Future Mapped Growth Areas, Planned for Sewerage
- T3A Rural Communities Not Planned for Sewerage
- ▨ T3B Water Quality Strategy Areas, With or Planned for Sewerage
- T4 Resource Protection Areas



Sustainable Growth and Agricultural Preservation Act of 2012 North County Area Tier Designations Prepared Nov. 28, 2012

Septic Tier

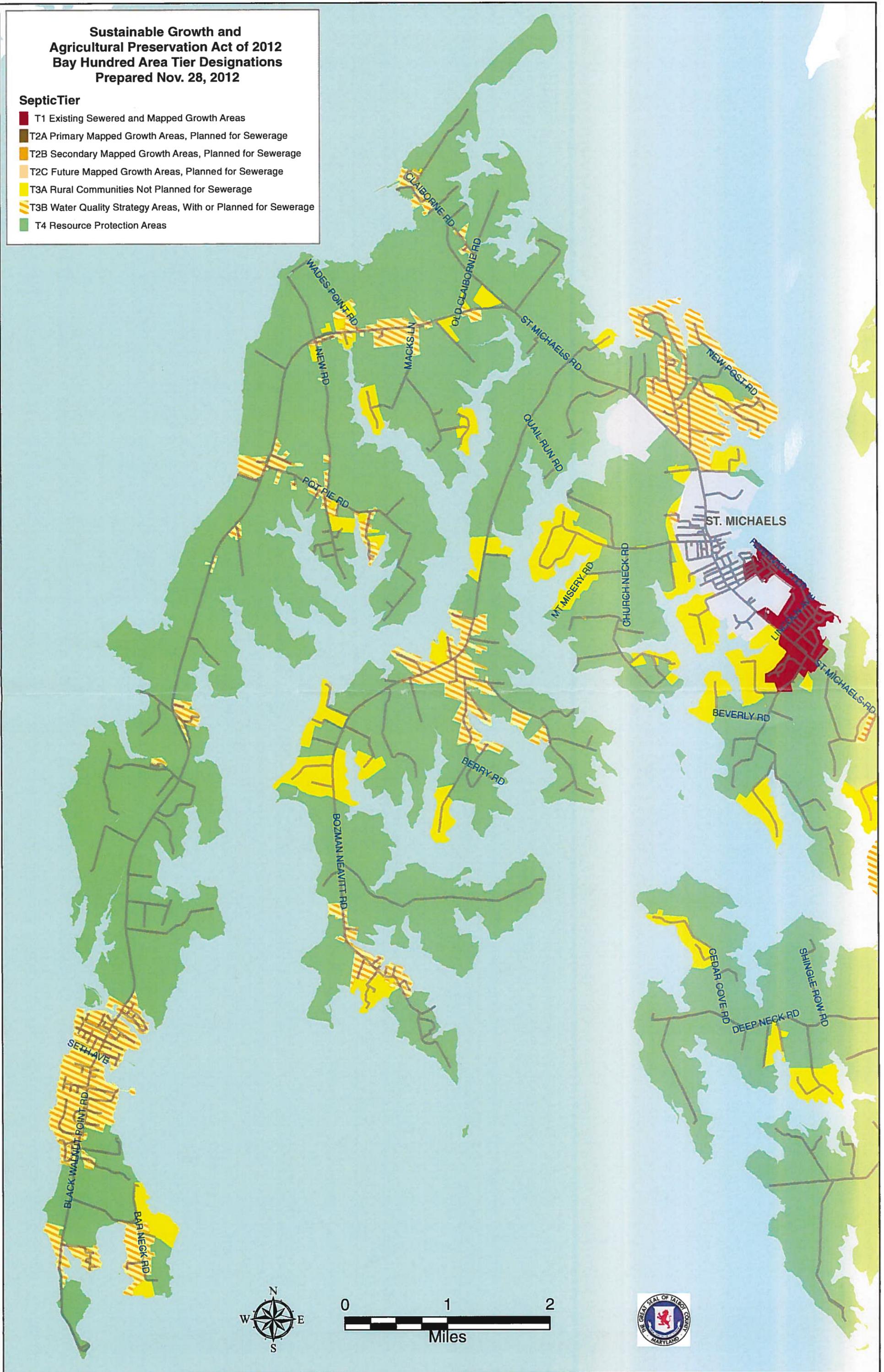
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- T4 Resource Protection Areas



**Sustainable Growth and
Agricultural Preservation Act of 2012
Bay Hundred Area Tier Designations
Prepared Nov. 28, 2012**

Septic Tier

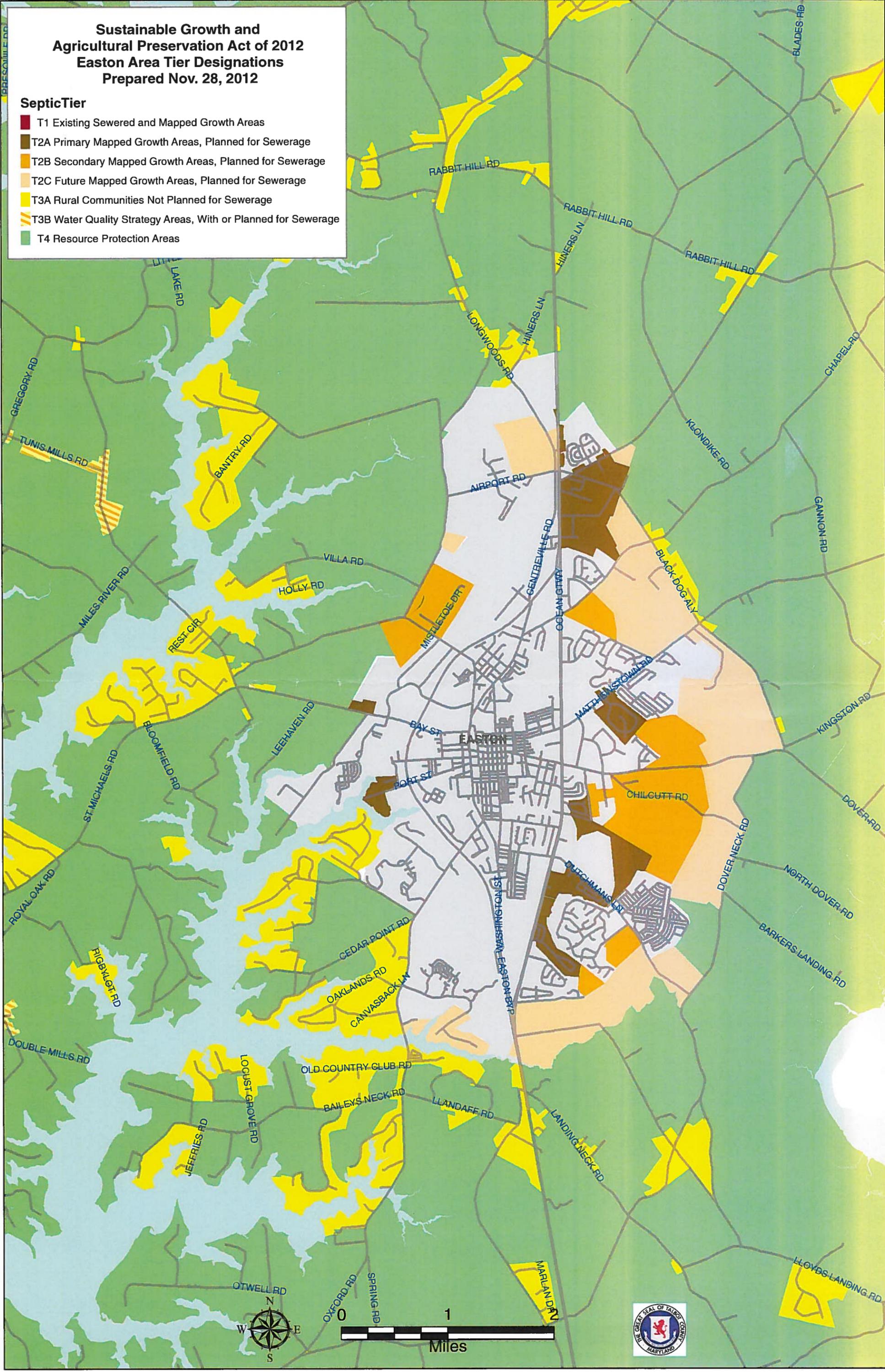
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- T3B Water Quality Strategy Areas, With or Planned for Sewerage
- T4 Resource Protection Areas



**Sustainable Growth and
Agricultural Preservation Act of 2012
Easton Area Tier Designations
Prepared Nov. 28, 2012**

SepticTier

- T1 Existing Sewered and Mapped Growth Areas
- T2A Primary Mapped Growth Areas, Planned for Sewerage
- T2B Secondary Mapped Growth Areas, Planned for Sewerage
- T2C Future Mapped Growth Areas, Planned for Sewerage
- T3A Rural Communities Not Planned for Sewerage
- T3B Water Quality Strategy Areas, With or Planned for Sewerage
- T4 Resource Protection Areas

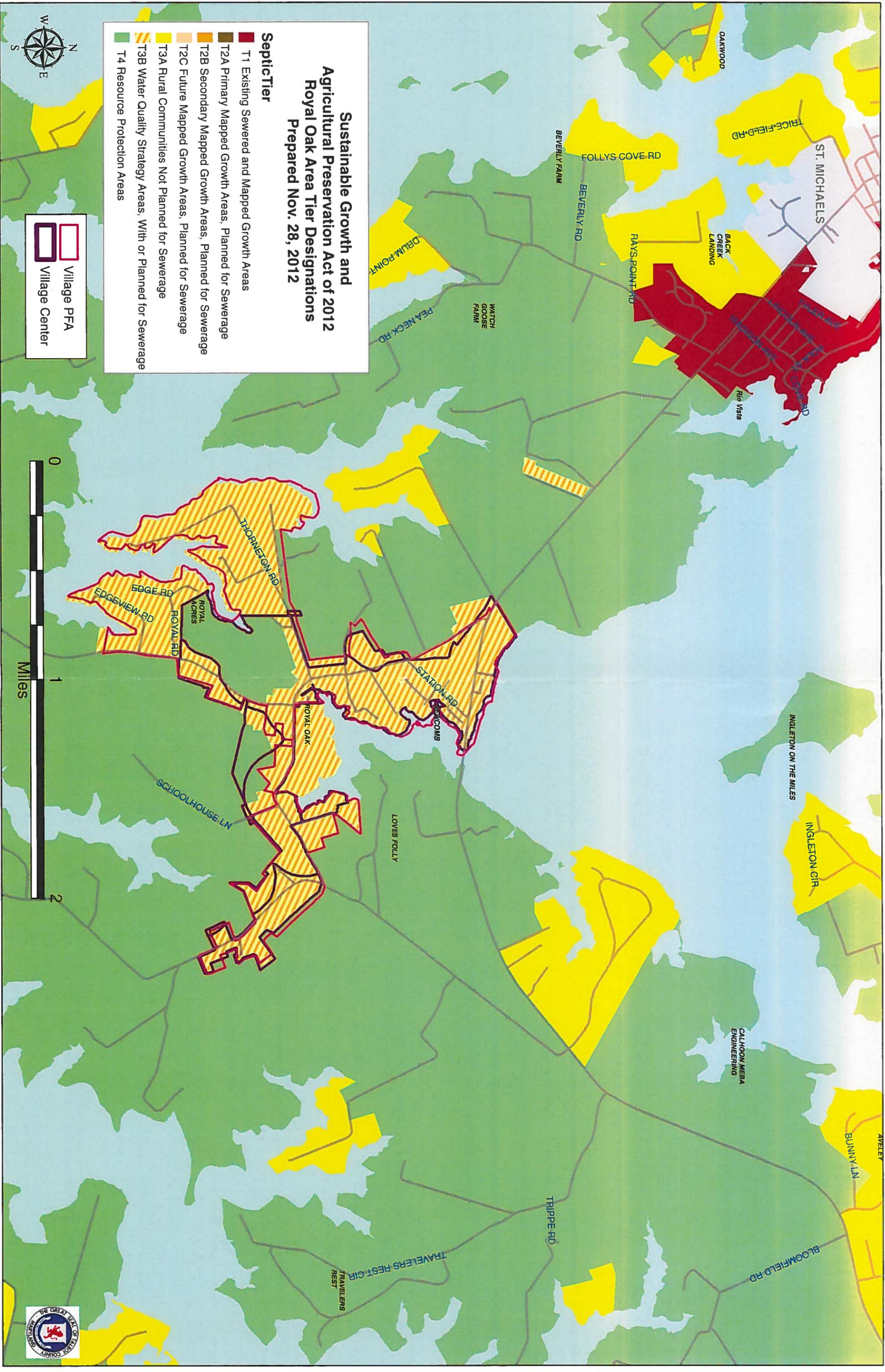
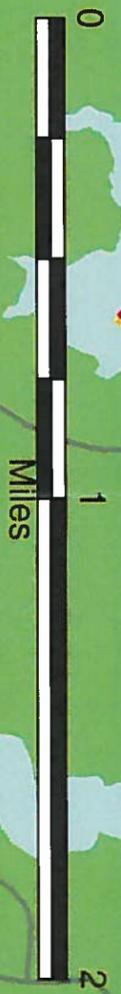


**Sustainable Growth and
Agricultural Preservation Act of 2012
Royal Oak Area Tier Designations
Prepared Nov. 28, 2012**

SepticTier

- T1 Existing Sewered and Mapped Growth Areas
- T2A Primary Mapped Growth Areas, Planned for Sewerage
- T2B Secondary Mapped Growth Areas, Planned for Sewerage
- T2C Future Mapped Growth Areas, Planned for Sewerage
- T3A Rural Communities Not Planned for Sewerage
- ▨ T3B Water Quality Strategy Areas, With or Planned for Sewerage
- T4 Resource Protection Areas

- Village PFA
- Village Center



**Sustainable Growth and
Agricultural Preservation Act of 2012
Detailed VC Area Tier Designations
Prepared Nov. 28, 2012**

SepticTier

- T1 Existing Sewered and Mapped Growth Areas
- T2A Primary Mapped Growth Areas, Planned for Sewerage
- T2B Secondary Mapped Growth Areas, Planned for Sewerage
- T2C Future Mapped Growth Areas, Planned for Sewerage
- T3A Rural Communities Not Planned for Sewerage
- T3B Water Quality Strategy Areas, With or Planned for Sewerage
- T4 Resource Protection Areas

- Village PFA
- Village Center

Longwoods

Wittman

