

COUNTY COUNCIL
OF
TALBOT COUNTY, MARYLAND

2016 Legislative Session, Legislative Day No. : August 9, 2016

Bill No.: 1348

Expiration Date: October 13, 2016

Introduced by: Mr. Bartlett, Mr. Callahan, Mr. Pack, Ms. Price and Ms. Williams

A BILL TO AMEND CHAPTER 190 OF THE *TALBOT COUNTY CODE* TO DEFINE “PARCEL, PARENT” AND TO EXCLUDE ONE PARENT PARCEL FROM THE 200 FOOT SHORELINE DEVELOPMENT BUFFER FOR SUBDIVISIONS, AND TO REQUIRE THE SHORELINE DEVELOPMENT BUFFER OF QUALIFYING PARENT PARCELS TO BE AT LEAST 100 FEET WIDE

By the Council: August 9, 2016

Introduced, read first time, ordered posted, and public hearing scheduled on Tuesday, September 13, 2016 at 6:30 p.m. at the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland 21601.

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

A BILL TO AMEND CHAPTER 190 OF THE TALBOT COUNTY CODE TO DEFINE “PARCEL, PARENT” AND TO EXCLUDE ONE PARENT PARCEL FROM THE 200 FOOT SHORELINE DEVELOPMENT BUFFER FOR SUBDIVISIONS, AND TO REQUIRE THE SHORELINE DEVELOPMENT BUFFER OF QUALIFYING PARENT PARCELS TO BE AT LEAST 100 FEET WIDE

SECTION ONE: BE IT ENACTED BY THE COUNTY COUNCIL OF TALBOT COUNTY, MARYLAND, that Chapter 190 of the *Talbot County Code*, be amended as follows:

* * *

§ 190-139. Shoreline development buffer.

A. Establishment; measurement.

- (1) The shoreline development buffer shall be measured landward from the mean high-water line of tidal waters or the edge of tidal wetlands.
- (2) The shoreline development buffer shall be:
 - (a) At least 200 feet wide for subdivisions and site plans submitted after July 1, 2008, within the Resource Conservation Area, excluding, for subdivisions only, one Parent Parcel, which shall be subject to Subsection A(2)(b) below;
 - (b) At least 100 feet wide for all Parent Parcels, lots legally created prior to July 1, 2008, or lots for which subdivision plans were submitted before July 1, 2008, and final plats were recorded on or before July 1, 2010, within the Resource Conservation Area;
 - (c) At least 100 feet wide for lots within the Limited Development Area or Intensely Developed Areas; and
 - (d) At least 100 feet wide from the edge of tributary streams.

* * *

§ 190-208. Terms defined.

Insert between “Parcel, Original” and “Park”

* * *

PARCEL, PARENT (CA)

A lot created after November 12, 2016 that was improved at the time of subdivision with a principal single-family dwelling constructed prior to July 1, 2008 and located at least partially within 200 feet measured landward from the mean high-water line of tidal waters or edge of tidal wetlands.

* * *

SECTION TWO: 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 THREE: AND BE IT FURTHER ENACTED, that if any provision of this Bill 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 the Bill which can be given effect without the invalid provision or application, and for this purpose the provisions of this Bill are declared severable.

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, may make non-substantive corrections to codification, style, capitalization, punctuation, grammar, spelling, and any internal or external reference or citation included in this Bill, as finally adopted, that are 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.

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PUBLIC HEARING

Having been posted and Notice of time, date, and place of hearing, and Title of Bill No. 1348 having been published, a public hearing was held on Tuesday, September 13, 2016 at 6:30 in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland.

BY THE COUNCIL

Read the third time.

ENACTED: September 13, 2016

By Order 
Susan W. Moran, Secretary

Pack	- Aye
Williams	- Aye
Bartlett	- Aye
Price	- Aye (via absentee ballot)
Callahan	- Aye

EFFECTIVE DATE: November 12, 2016