

SB 236 – “SEPTICS BILL”

*Carroll County Commissioners’
Presentation on
Mapping of Growth Tiers*

November 13, 2012

SUMMARY OF TIERS & MAPPING REQUIREMENTS

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APPLICABILITY & PURPOSE

- ▶ Applies to residential subdivisions only
- ▶ Exempts
 - ▶ Commercial, industrial, or other non-residential land
 - ▶ State or local conservation easements
- ▶ Grandfathers
 - ▶ Preliminary plans submitted before October 1, 2012, and approved by October 1, 2016
- ▶ Requires four Tiers to be identified..
 - ▶ Residential subdivisions locations: minor vs. major
 - ▶ Type of sewerage system

Source: *MDP Implementation Guidance*,
Version 2.0, August 1, 2012

MAPPING OF GROWTH TIERS

Mapping of Growth Tiers is required by State law as a result of SB 236:

- ▶ Map tiers by December 31, 2012
- ▶ Voluntary - if not mapped, no major subdivisions outside current public sewer service
- ▶ Map of adopted tiers to be provided to Maryland Department of Planning

Source: MDP Implementation Guidance,
Version 2.0, August 1, 2012
AND/OR Senate Bill 236

GROWTH TIER CRITERIA

▶ Tier I

- ▶ Public sewer + locally designated growth areas OR
- ▶ Municipality + priority funding area + public sewer

▶ Tier II

- ▶ Planned public sewer + in municipal growth element OR
- ▶ Locally designated growth areas AND
- ▶ Needed for long-term growth projections

Source: *MDP Implementation Guidance*,
Version 2.0, August 1, 2012

GROWTH TIER CRITERIA (CONTINUED)

▶ Tier III

- ▶ No planned sewer + not dominated by agricultural or forest
- ▶ Not planned or zoned for protection, preservation, or conservation AND
- ▶ One of following:
 - ▶ 1. Municipality with no public sewer
 - ▶ 2. Rural Villages
 - ▶ 3. Mapped locally designated growth areas OR
 - ▶ 4. Areas planned and zoned for large lot and rural development
- ▶ Strive to avoid Tier III surrounded by Tier IV

Source: MDP Implementation Guidance,
Version 2.0, August 1, 2012

GROWTH TIER CRITERIA (CONTINUED)

▶ Tier IV

- ▶ No planned public sewer AND
- ▶ Planned or zoned for protection, preservation, or conservation
- ▶ Dominated by agricultural lands, forest lands, or other natural areas OR
- ▶ Rural Legacy Areas, Priority Preservation Areas, or areas subject to covenants, restrictions, conditions, or conservation easements intended to conserve natural resources or agricultural land

Source: MDP Implementation Guidance,
Version 2.0, August 1, 2012

IF GROWTH TIERS ARE NOT ADOPTED BY DECEMBER 31, 2012

The septic system restrictions within State law per SB 236 include:

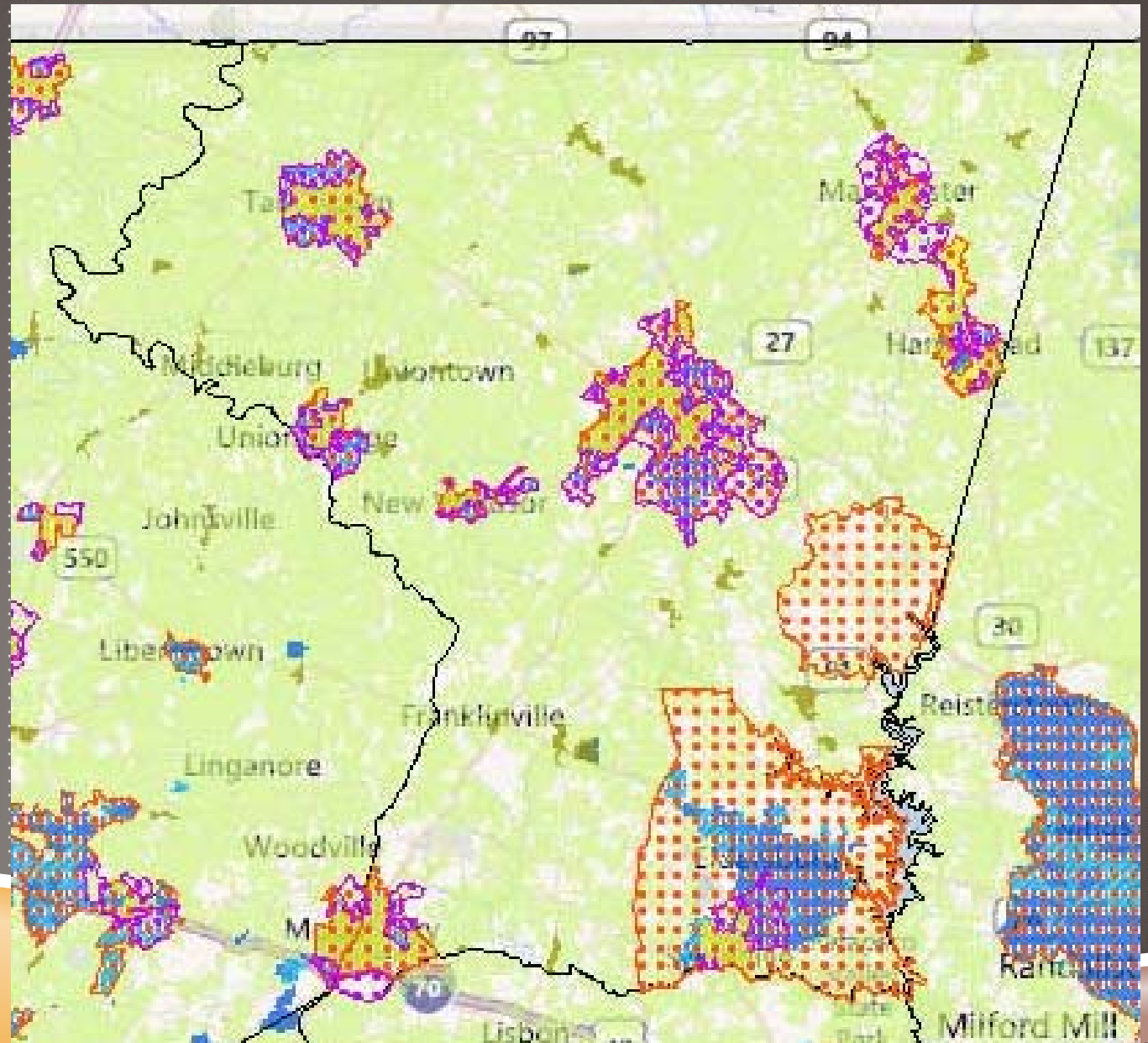
- ▶ *Existing sewer service areas:* residential subdivision permitted
- ▶ *Planned sewer service areas:* only minor residential subdivisions permitted; no major subdivision
- ▶ *No planned sewer service areas:* only minor residential subdivisions permitted; no major subdivision

IF GROWTH TIERS ARE ADOPTED

- ▶ **Tier I:** All residential subdivisions permitted on public sewer only
- ▶ **Tier II:**
 - ▶ Major residential subdivisions permitted on public sewer
 - ▶ Minor residential subdivisions permitted on public sewer or septics, as interim until public sewer available
- ▶ **Tier III:** Septics permitted for residential major and minor subdivisions
- ▶ **Tier IV:**
 - ▶ No residential major subdivisions
 - ▶ Septics permitted for minor residential subdivisions

Source: MDP Implementation Guidance,
Version 2.0, August 1, 2012

SB236 IMPLEMENTATION GUIDANCE MAP



Source: Maryland Department of Planning Website

STATUS & DECISION POINTS

Philip Hager

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STATUS & DECISION POINTS

- ▶ Previous efforts to oppose legislation
 - ▶ County
 - ▶ Delegation
- ▶ Staff recommendation to Board of County Commissioners
 - ▶ Map tiers as part of a comprehensive planning process
- ▶ Implications to property owners of mapping decision

QUESTIONS TO BE CONSIDERED TODAY...

- ▶ **When** should the tier mapping process occur? By December 31, 2012? Or as part of comprehensive planning process?
- ▶ **How** should it occur in terms of process?