



Sustainable Growth & Agricultural Preservation Act of 2012 (SB 236)

MSGIC Quarterly Meeting
July 16, 2012

Stephanie Martins, AICP
Maryland Department of Planning



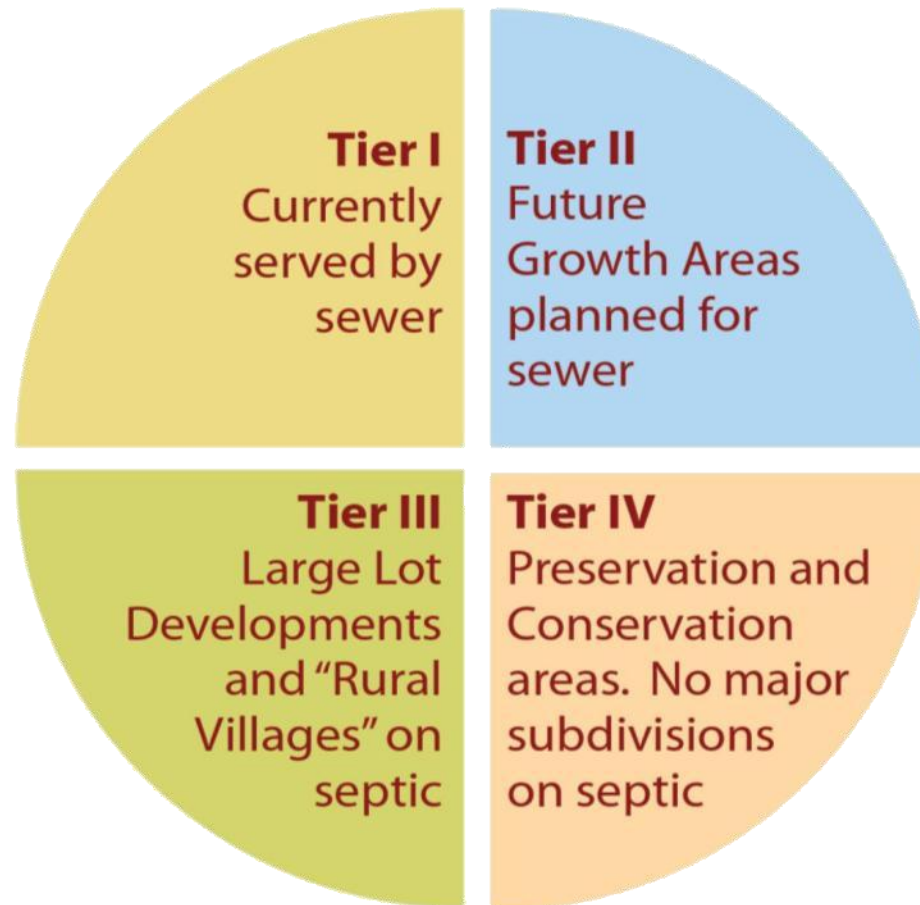
What does SB236 do?

- Establishes Mapped Growth Tiers
- Limits septic development
- Reduce a major source of nitrogen pollution into Chesapeake Bay and other waterways



Four Growth Tiers

Four Growth Tiers

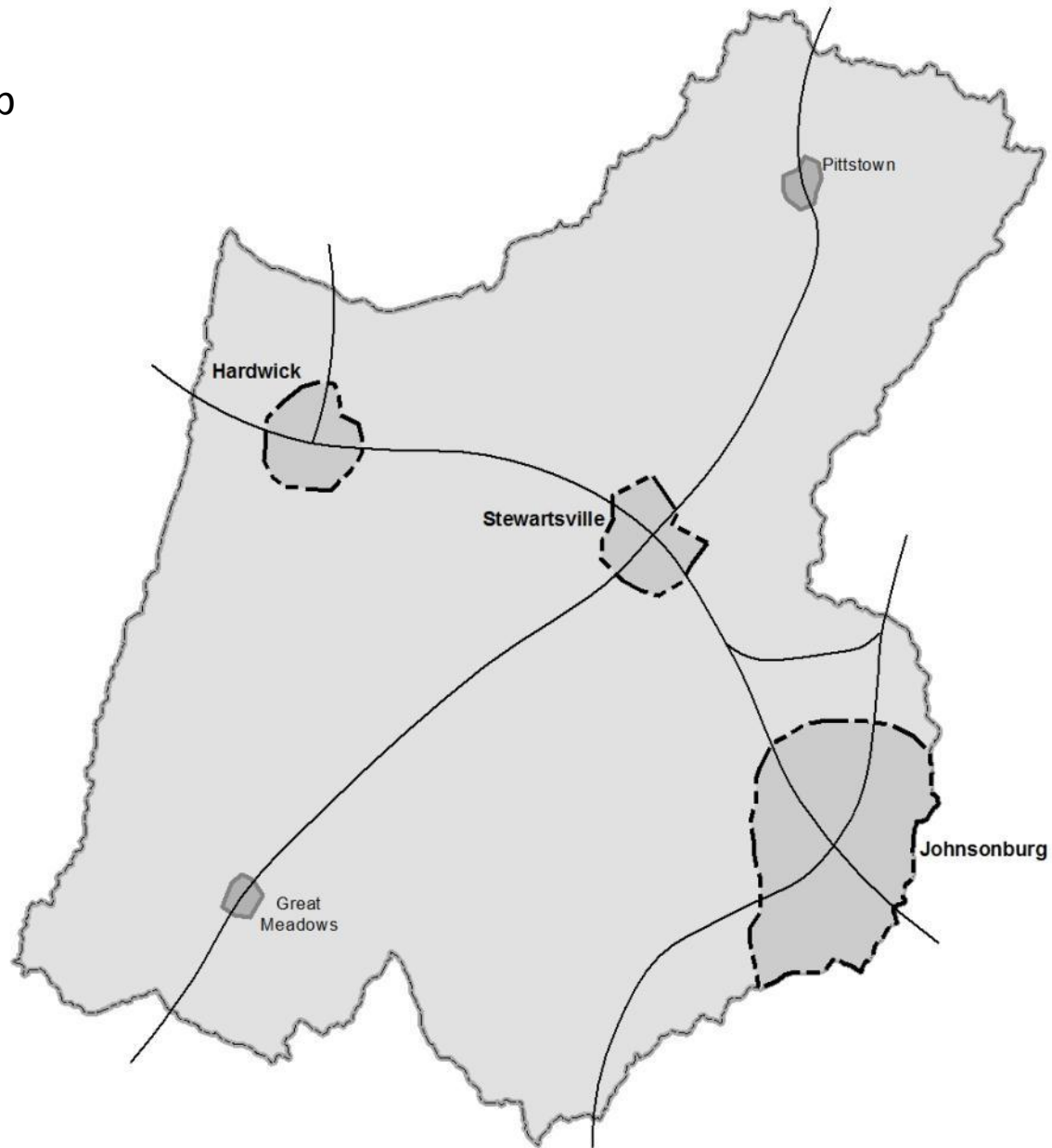




Developing the Tiers


- Geographic Information needed to develop tiers
 - Sewer service areas
 - Mapped locally designated growth areas
 - Existing and proposed land use
 - Zoning districts
 - Rural Village boundaries
 - Etc.

Crab County Political Boundaries Map



Legend

Boundaries

 Municipal Boundary

 Rural Village



0 2.5 5 10 Miles

Crab County

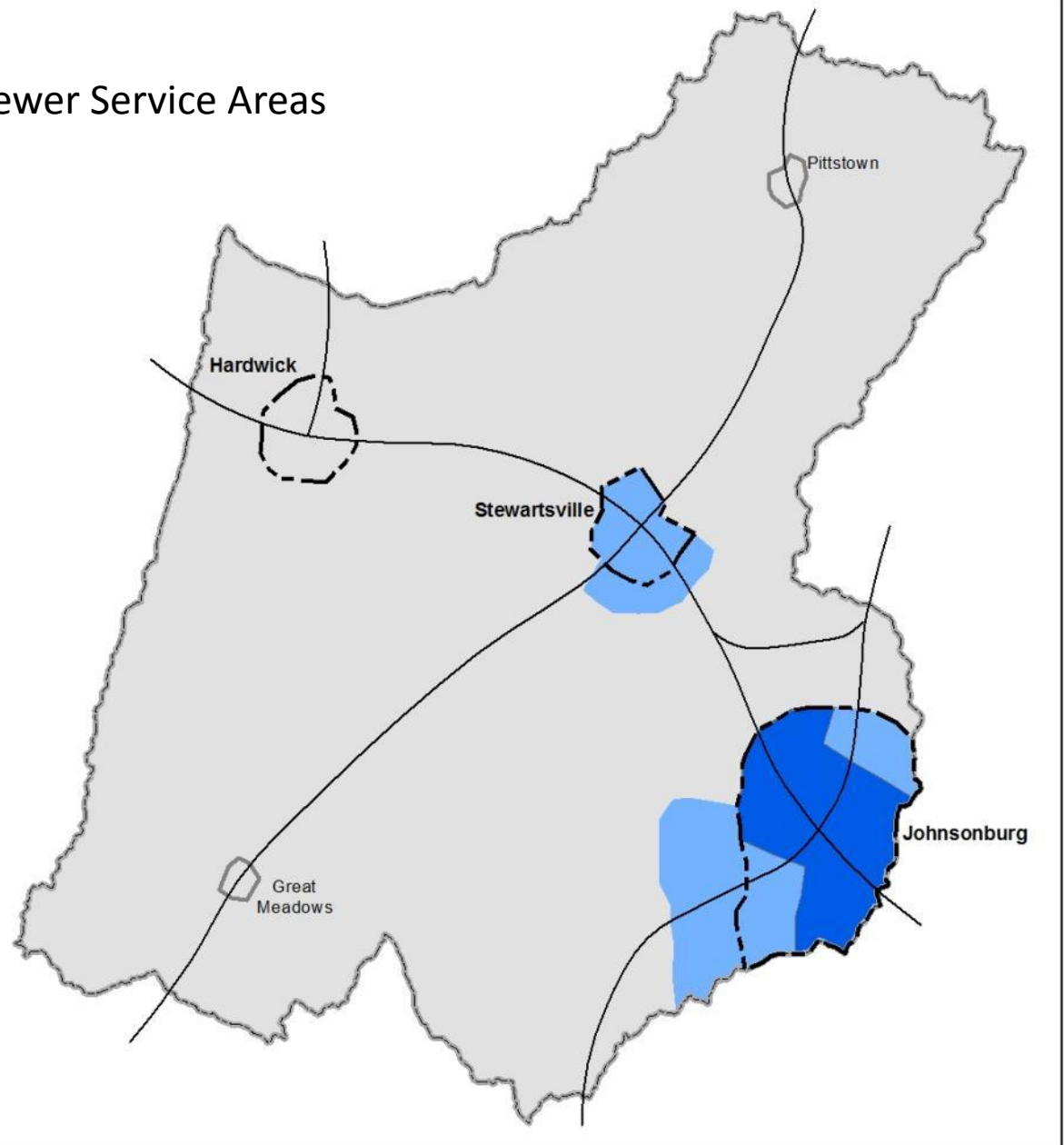
Local Growth Areas & Sewer Service Areas

Tier 1 Areas

- Served by Existing Public Sewerage Systems

Tier 2 Areas

- Planned to be served by Public Sewerage Systems



Crab County

Low Density Zoning & Sewer Service Areas



Tier 3 Areas

- No Planned Sewer Service
- Planned/Zoned for Large Lot Development
- Municipality without Public Sewerage System
- Rural Villages without Public Sewerage System



Legend

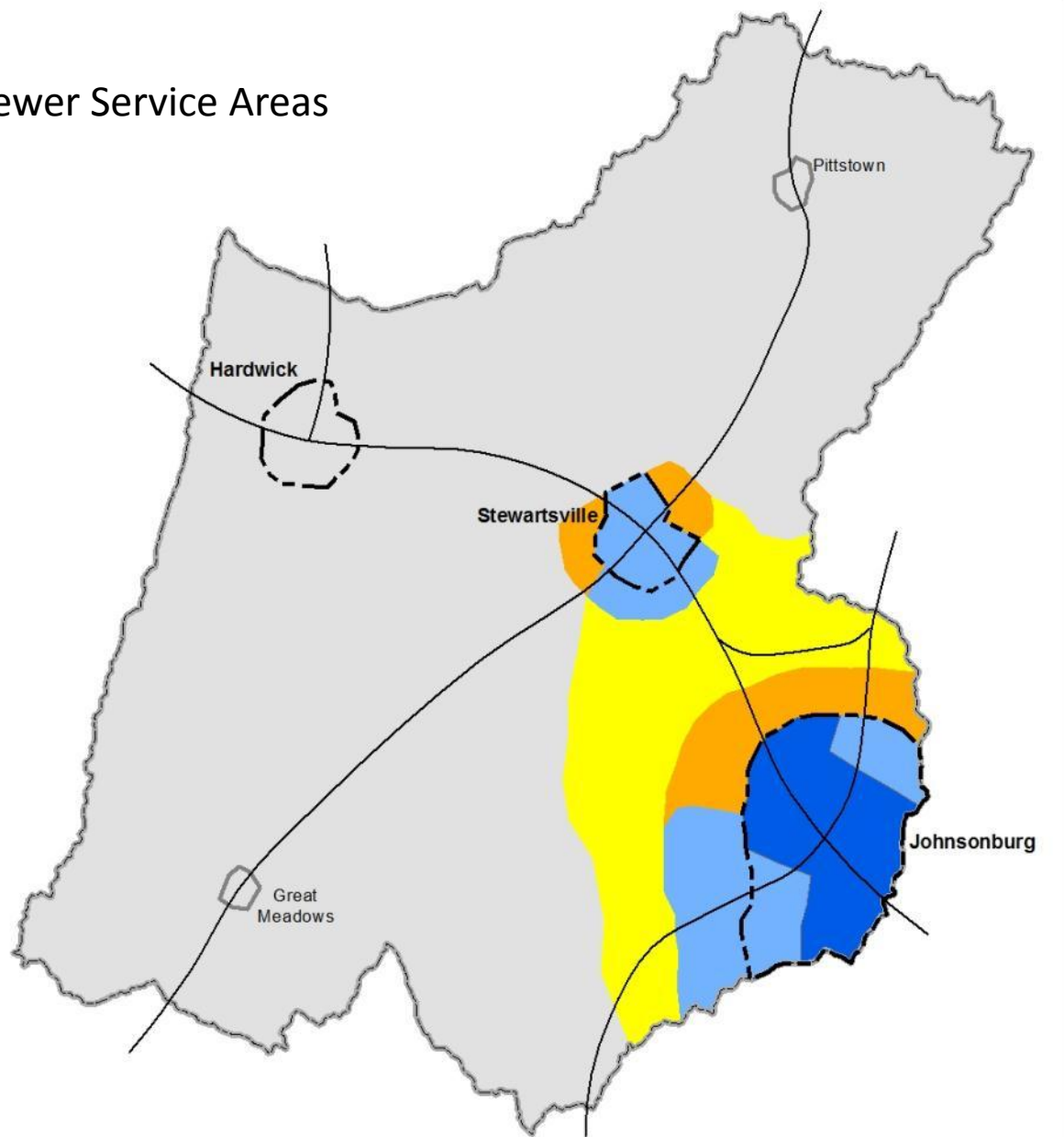
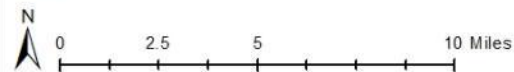
-  Municipal Boundary
-  Rural Village

Zoning

-  Very Low Density Residential
-  Low Density Residential

Sewer Service Areas

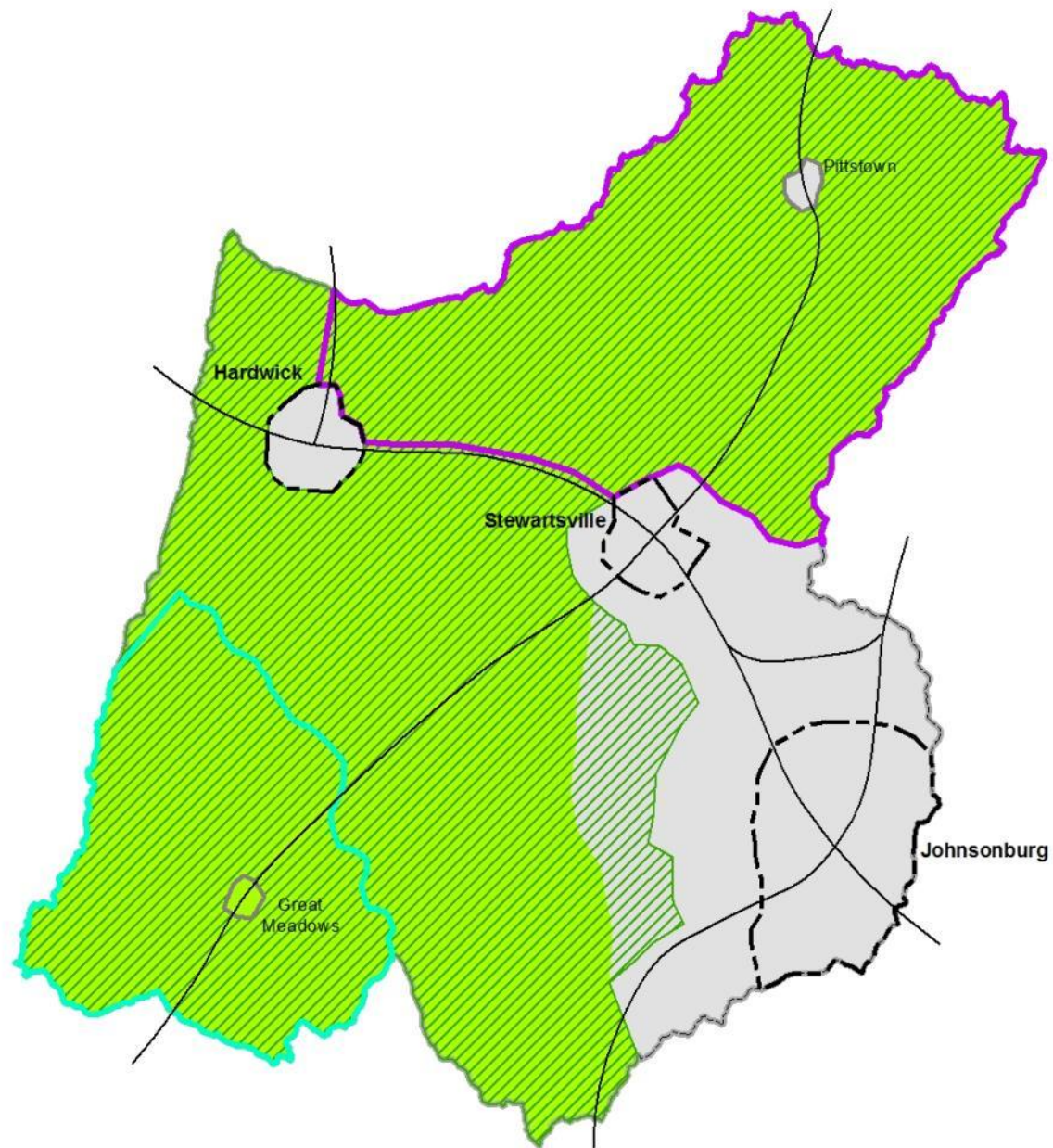
-  Existing Sewer Service
-  Planned Sewer Service



Crab County Preservation Areas

Tier 4 Areas

- No Planned Sewer Service
- Planned/Zoned for Ag/Resource Protection
- Dominated by Ag/Forest
- Rural Legacy Areas
- Priority Preservation Areas



Legend

Municipal Boundary

Rural Village

Targeted Preservation Areas

Priority Preservation Area

Rural Legacy Area

Areas Dominated by Ag/Forest

Zoning

Agricultural-Resource Protection

Crab County Growth Tier Map

Legend

 Municipal Boundary

 Rural Village

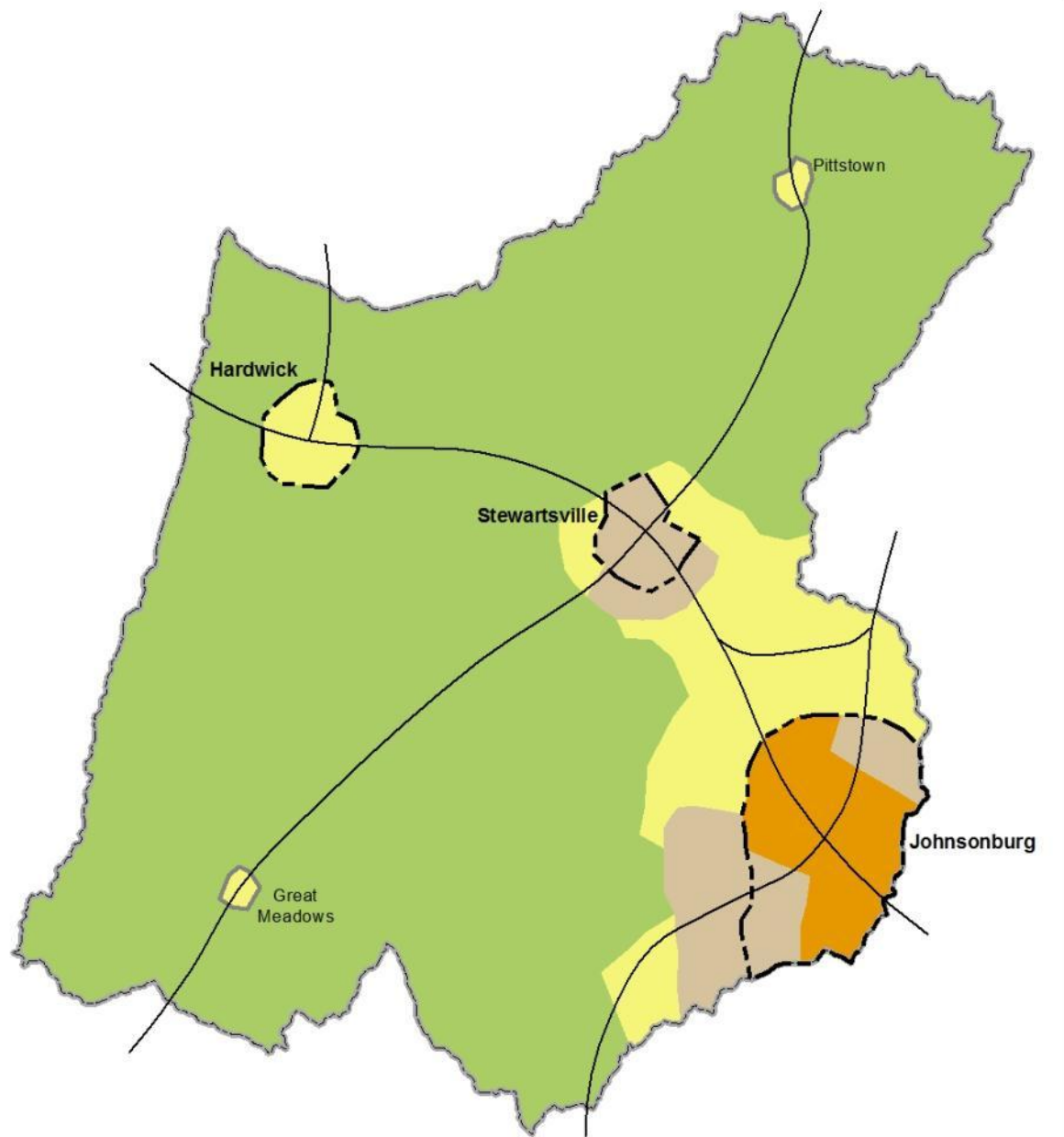
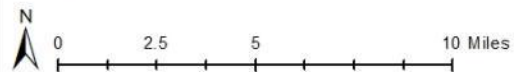
Septic Tiers

 Tier 1

 Tier 2

 Tier 3

 Tier 4





Adopting the Tiers

- Administrative adoption by December 31, 2012
- Incorporated into next 6-year review of comprehensive plan



Opportunity for MDP Comments

- After adoption, must submit Tiers and supporting documentation, including GIS layers, to MDP
- If MDP comments on the Tiers, local legislative body or planning board shall hold at least one public hearing on the comments



Other “Geographic” Provisions in SB236



Tracking Residential Subdivisions

- All jurisdictions, whether or not they adopt the Tiers, should track all major and minor residential subdivisions to determine grandfathering



Major/Minor Subdivision Definitions

- Use existing local definitions in effect on or before January 1, 2012
- Local jurisdictions may adopt a definition of major and minor subdivisions for the purposes of the bill by December 31, 2012
- New definitions of minor subdivisions may not exceed 7 new lots



Tier IV Exemption

- Counties must have subdivision and zoning requirements in their Tier IV area that result in a protection level of not more than 1 dwelling unit per 20 acres
- Developable land and how zoning and other tools apply to it



Changes to Tiers over Time

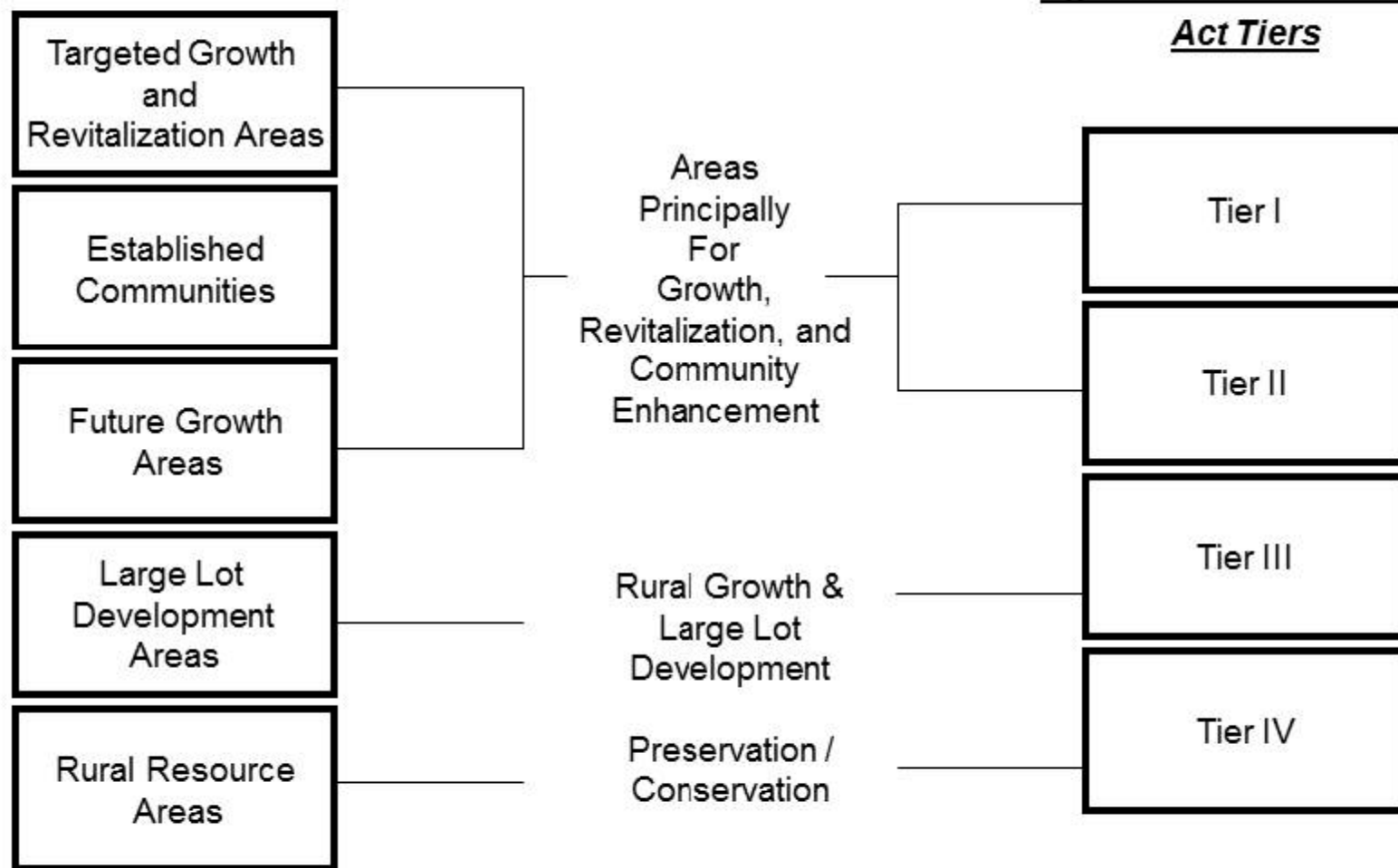
- Until Tiers are included in the comprehensive plan, a local jurisdiction can change the Tiers administratively
- Once the Tiers are included in a comprehensive plan, Tiers only can be changed through a local jurisdiction's comprehensive planning process.
- Rezoning, water/sewer plan amendments and other changes will change Tier designations

PlanMaryland Planning Areas and Corresponding Sustainable Growth and Agricultural Preservation Act Tiers

PlanMaryland Planning Areas

Purpose

Sustainable Growth and Agricultural Preservation Act Tiers





Technical Tools for SB236 Implementation

Graham Petto, AICP
Maryland Department of Planning



Providing Technical Assistance for SB236 Implementation

- SB236 Implementation Website
- Defining “Dominated by Ag/Forest”
- Mapping Growth Tiers: Composite Maps
- SB236 Guidance Map
 - Interactive Web Map
 - Downloadable MXD for GIS Users



SB236 IMPLEMENTATION WEBSITE



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Current Poll

For me, the selected trade-offs would be acceptable in applying smart growth principles to future development in Maryland. (check all that apply)

☐ Better public transit/less driving VS. More roads/more highway congestion

☐ Keeping farming viable VS. Large homes/big yards

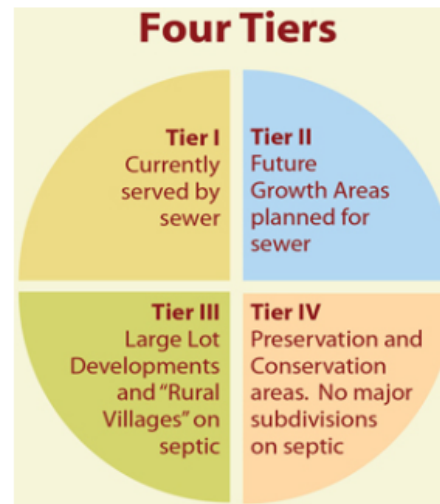
☐ More Main St. shopping VS. More strip shopping

Senate Bill 236 Implementation

Sustainable Growth & Agricultural Preservation Act of 2012 Implementation

[The Sustainable Growth & Agricultural Preservation Act of 2012](#) (Senate Bill 236, or SB 236) limits the spread of septic systems on large-lot residential development to reduce the last unchecked major source of nitrogen pollution into Chesapeake Bay and other waterways. By mapping future growth in "tiers," the law seeks greater accountability and predictability.

- ▶ [Implementation Guidance for SB 236 \(Version 2.0\)](#)
- ▶ [Mapping Areas "Dominated by Agricultural or Forest Land"](#)
- ▶ [GIS Shapefile for Use in ArcMap Dominated by Ag/Forest shapefile](#)



Senate Bill 236 Implementation Guidance Map

MDP is providing this web application as part of the department's technical assistance role that SB 236 describes. The web application provides the key components for local jurisdictions to create the tier map. MDP is available to help jurisdictions that might need guidance in compiling a composite Tier map from these data.

- ▶ [How to use the interactive map to identify possible growth tiers](#)

> Launch the Interactive Map <



Resources

[Task Force on Sustainable Growth and Wastewater Disposal](#)

[SB 236 Implementation Guidance for local government](#)

[Presentation: Implementation of SB 236](#)

[Senate Bill 236 \(53 pages\)](#)



Timeline

July 1, 2012
New law takes effect

Oct. 1, 2012
Recommended date for local adoption of tiers

Dec. 31, 2012
Tiers must be adopted by local jurisdictions by this date. Otherwise, no new major subdivisions outside of existing sewer areas are allowed

2012 - 2013
Public hearing on MDP tier comments

Feb. 1, 2013
MDP reports to General Assembly on tier map progress



Smart Growth Legislation



Areas Dominated by Ag/Forest

MDP recommends a review of the following areas (Section 2.2.2 of Guidance Document):

- Agricultural and Forest lands that adjoin or are contiguous to other Tier IV areas.
- Isolated areas 100 acres or larger of contiguous combined agricultural, forest, and other natural land covers.
- Isolated areas of contiguous combined agricultural, forest, and other natural land covers that are smaller than 100 acres in size that have stand-alone resource value identified by the State, local government or the private sector (often individual landowners).

NOTE: Small areas of development can be considered in larger context of areas dominated by ag/forest



Mapping Areas “Dominated by Ag/Forest”

- MDP 2010 Land Use/Land Cover
 - 2007 Aerial Imagery
 - Maryland PropertyView
 - Land Cover in Rural Landscapes
 - Land Uses in Developed Areas

Mapping Areas

“Dominated by Ag/Forest”

- 100 Acres of contiguous Ag & Forest





Areas Dominated by Ag/Forest

- MDP recommends the following datasets to assist in Ag/Forest area delineation:
 - Aerial Imagery (2010/2011 available through MDiMap)
 - Locally Developed Land Cover Data
 - DNR GreenPrint



MDP MAPPING ASSISTANCE

Mapping Growth Tiers

- MDP can assist local jurisdictions in developing composite growth tier maps
- These maps illustrate all of the components required to define the growth tiers
- The resulting composite map can be used by the local jurisdiction to determine growth tiers

Legend

	Municipal Boundary
	Rural Village
	Rural Legacy Area
	Priority Preservation Area
Sewer Service Areas	
	Existing Sewer Service
	Planned Sewer Service
Rural Resource Zoning	
	Agricultural-Resource Protection
	Area Dominated by Ag/Forest
Development Zones Outside Sewer Service	
	Medium Density Residential
	Low Density Residential
	Very Low Density Residential
	Other



SB236 GUIDANCE MAP MXD

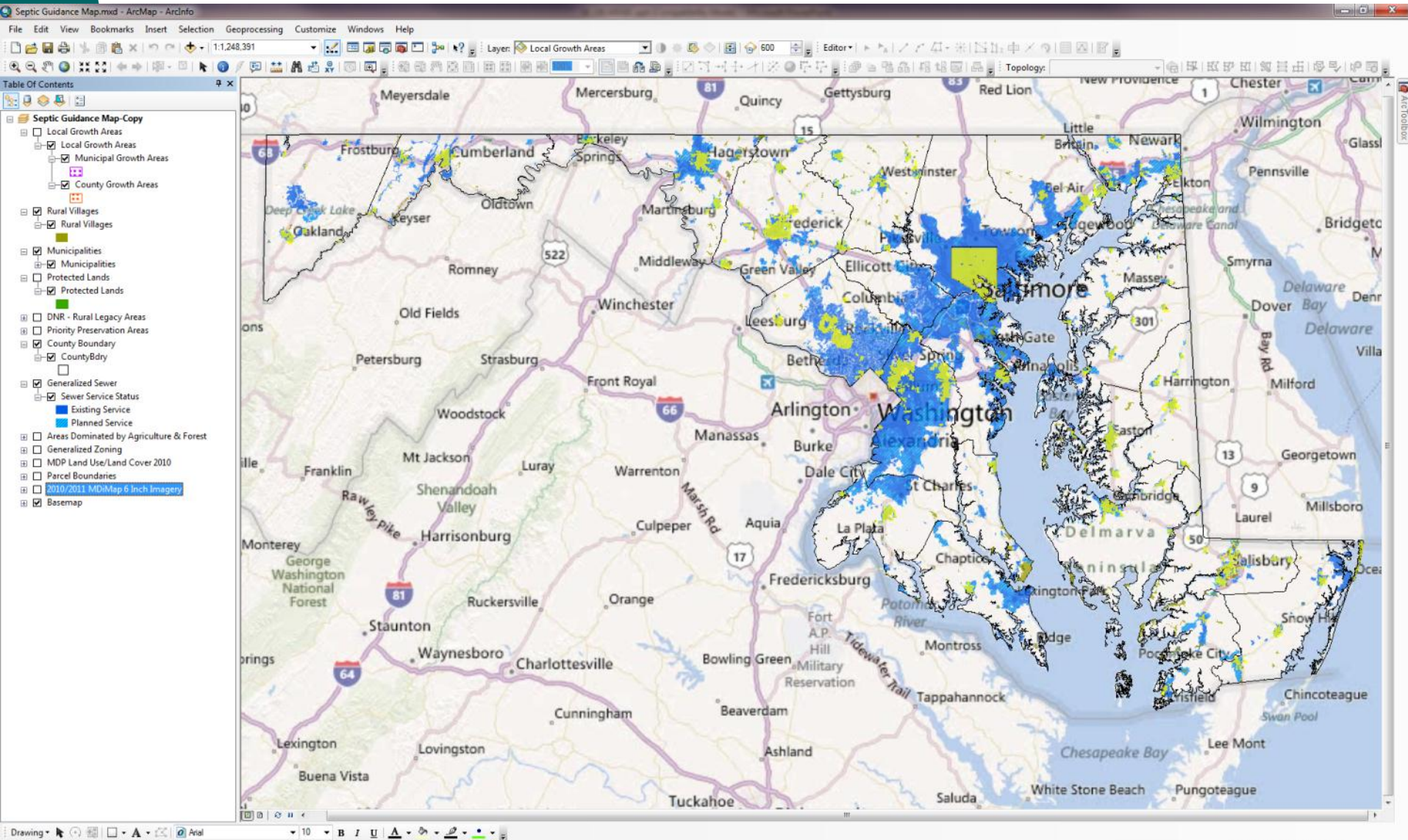


SB236 Guidance Map MXD

- Mix of services from
 - MD iMap
 - MDP GIS Server
- Contains all data layers necessary to draft growth tier maps
- Intended for GIS users; serves as a tool to support mapping

Downloadable ArcGIS Project Document

Enables Local GIS/Planning staff to digitize/draft maps in reference to multiple data sources, provided by MD iMap and MDP GIS servers





SB236 INTERACTIVE MAP



SB236 Interactive Map

- Developed Using ArcGIS.com
- Mix of services from
 - MD iMap
 - MDP GIS Server
- Contains all data layers necessary to draft growth tier maps
- Intended for non-GIS users; specifically jurisdictions with limited GIS capabilities



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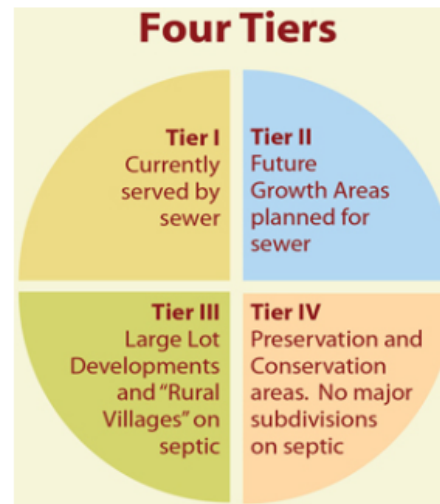
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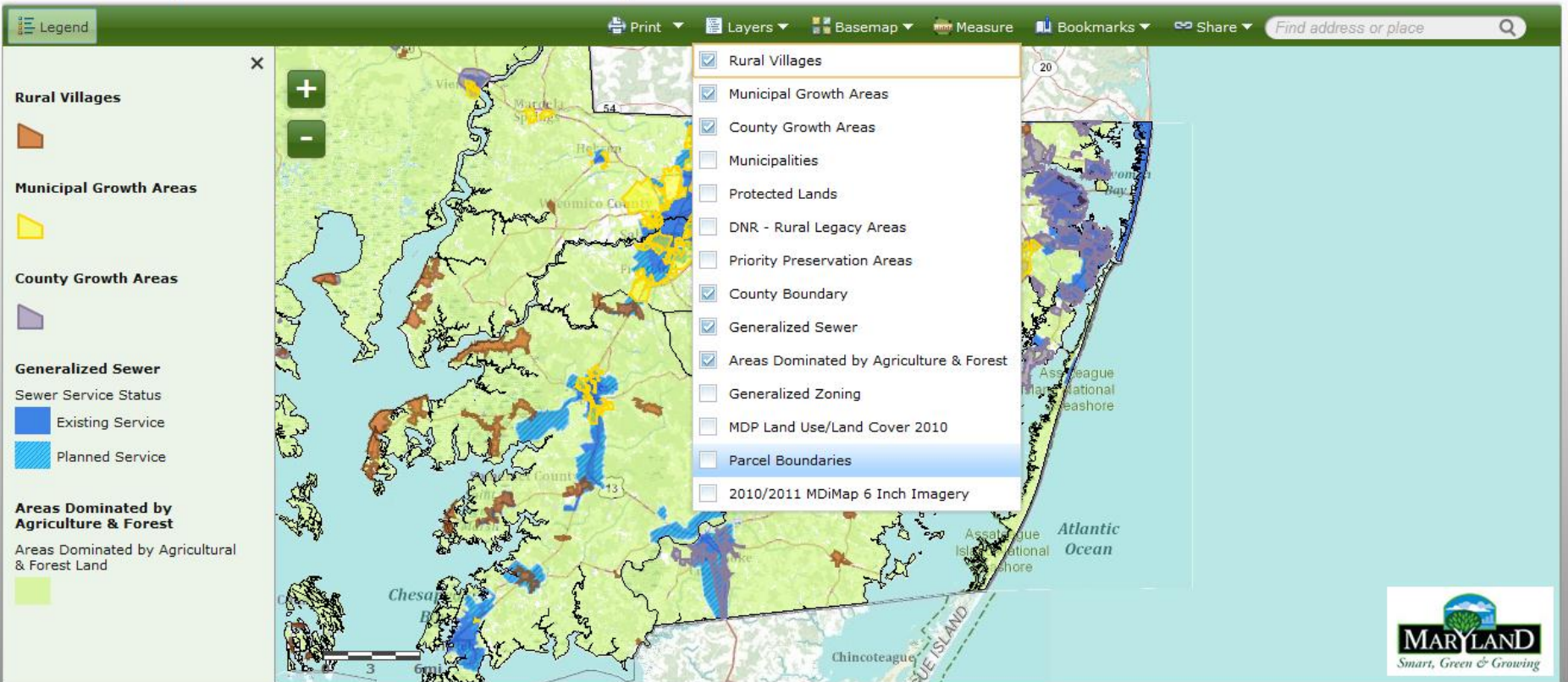
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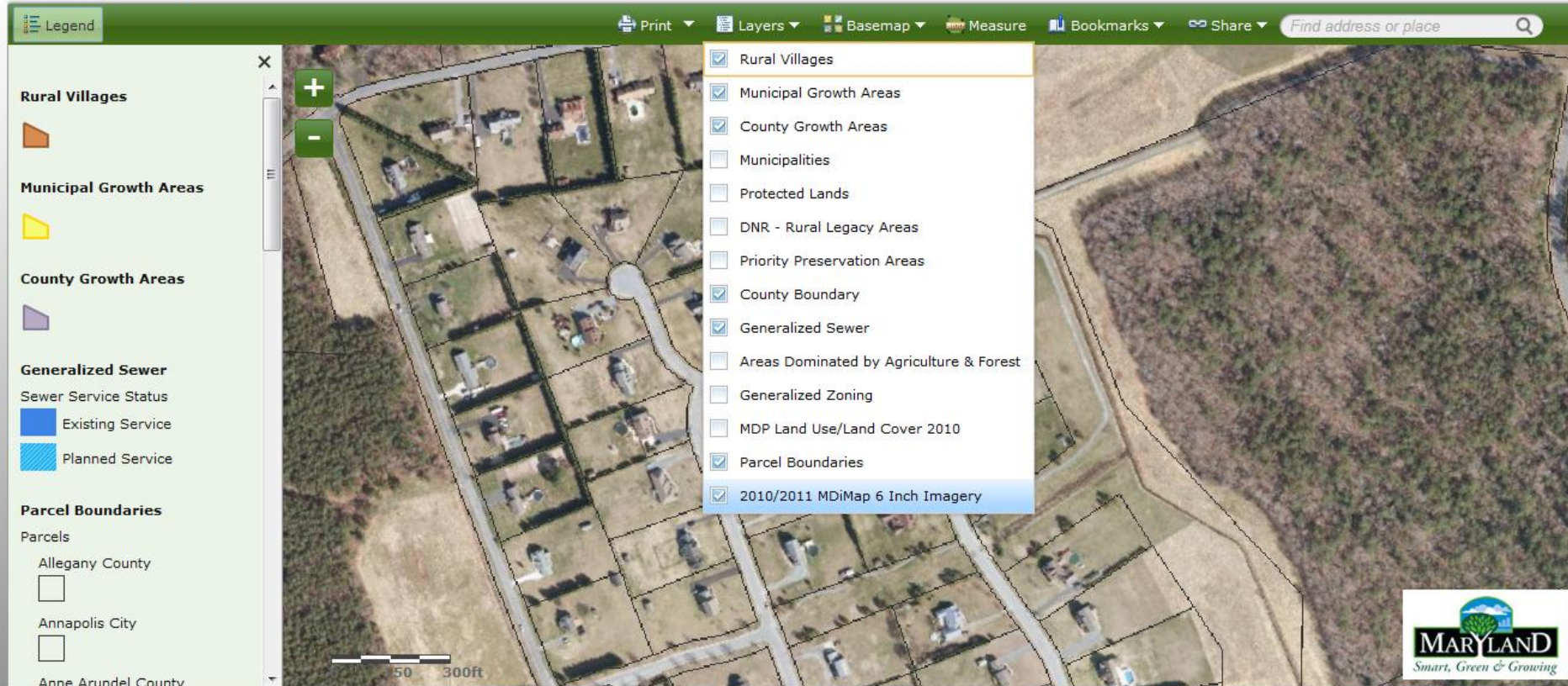


Smart Growth Legislation

SB236 Implementation Guidance Map



SB236 Implementation Guidance Map



[SB236 Map Link](#)



Questions?
