

**Pertaining to the Implementation of Senate Bill 236**  
**RE: AMENDMENTS TO THE CALVERT COUNTY COMPREHENSIVE PLAN**  
**TO INCLUDE THE CALVERT COUNTY GROWTH TIER MAP**

**WHEREAS**, pursuant to the authority in Title 3 of the *Land Use Article* of the Maryland Annotated Code, as amended, the Board of County Commissioners of Calvert County, Maryland (hereinafter the “Board of County Commissioners”) has general powers to promulgate and amend comprehensive plans, and master plans;

**WHEREAS**, by Ordinance 45-10, the Board of County Commissioners has heretofore adopted the current Calvert County Comprehensive Plan;

**WHEREAS**, by Ordinance 17-17, the Board of County Commissioners adopted the Calvert County Growth Tier Map;

**WHEREAS**, after being notified by the Maryland Department of Planning that the Growth Tier Map is not valid unless adopted through the Comprehensive Plan process pursuant to the Maryland Annotated Code, *Land Use Article*, §1-207, the Acts of 2013, Chapter 521, Sections 3(a) & (b), the Calvert County Department of Planning & Zoning recommended to the Planning Commission of Calvert County, Maryland (hereinafter, the “Planning Commission”) and the Board of County Commissioners, amendments to the Calvert County Comprehensive Plan to include the Calvert County Growth Tier Map;

**WHEREAS**, after a 60-day review by adjoining jurisdictions and by the State of Maryland through the Maryland Clearinghouse Review process, and after due notice was published, the Planning Commission and the Board of County Commissioners conducted a joint public hearing on November 28, 2017, at which time the proposed plan amendment was discussed, staff's recommendations were considered, and public comment was solicited;

**WHEREAS**, at the conclusion of said public hearing the Planning Commission voted to recommend adoption of the amendments to the Calvert County Comprehensive Plan and conveyed its recommendation to the Board of County Commissioners by resolution; and

**WHEREAS**, upon due consideration of the comments of the public and staff, and the recommendation of the Planning Commission, and in furtherance of the public health, safety and welfare, the Board of County Commissioners determined it is in the best interest of the citizens of the County to adopt the amendments to the Calvert County Comprehensive Plan as set forth in Exhibit A, attached hereto and made a part hereof.

**NOW, THEREFORE, BE IT ORDAINED** by the Board of County Commissioners, the amendments to the Calvert County Comprehensive Plan **BE**, and hereby **IS**, adopted as shown in attached Exhibit A hereto and made a part hereof (Exhibit B depicts the amendments as they will actually appear in the Comprehensive Plan).

**BE IT FURTHER ORDAINED** by the Board of County Commissioners that, in the event any portion of this Plan is found to be unconstitutional, illegal, null or void, it is the intent of the Board to sever only the invalid portion or provision, and that the remainder of the Plan shall be valid.

**BE IT FURTHER ORDAINED** by the Board that the foregoing recitals are adopted as if fully rewritten herein.

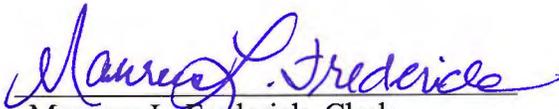
**BE IT FURTHER ORDAINED** by the Board that this plan shall be effective upon recordation.

DONE, this 28<sup>th</sup> day of November 2017 by the Board.

Aye: 5  
Nay: 0  
Absent/Abstain: 0

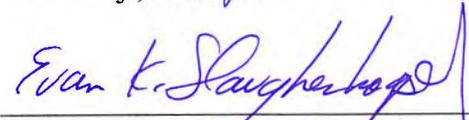
ATTEST:

BOARD OF COUNTY  
COMMISSIONERS OF CALVERT  
COUNTY, MARYLAND

  
Maureen L. Frederick, Clerk

  
Tom Hejl, President

Approved for legal  
sufficiency:

  
Evan K. Slaughenhaupt Jr., Vice-President

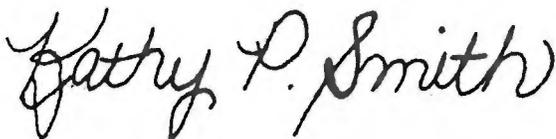
  
Mike Hart

  
John B. Norris, III, County Attorney

  
Pat Nutter

Received for Record December 8, 2017  
at 12:14 o'clock A. M. Same day  
recorded in Liber KPS No. 53  
Folio 72 COUNTY COMMISSIONERS  
ORDINANCES AND RESOLUTION.

  
Steven R. Weems



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In May 2012, Senate Bill 236 – Sustainable Growth and Agricultural Act of 2012 (the “ACT”) was passed. The purpose of the legislation is to decrease the future nutrient pollution to the Chesapeake Bay and other water resources and to reduce the amount of forest and agricultural land developed by large lot residential developments. This is accomplished by limiting major residential subdivisions served by onsite septic systems. The Act establishes four levels, or tiers, to identify the type and intensity of residential subdivision that may occur (minor or major), and the type of sewage disposal system to serve them. Four tiers are defined in SB236 as the following:

- Tier I – Areas that are served by public sewerage systems and mapped locally designated growth areas.
- Tier II – Areas that are planned to be served by public sewerage systems or mapped locally designated growth areas.
- Tier III – Areas that are not planned for sewerage service and not dominated by agricultural or forest land; area not planned or zoned by a local jurisdiction for land, agricultural, or resource protection, preservation or conservation; and are one of the following:
  - Rural Villages;
  - Mapped locally designate growth areas; or
  - Areas planned and zoned for large lot and rural development.
- Tier IV – Areas that are not planned for sewerage service and are:
  - Areas planned or zoned by a local jurisdiction for land, agricultural, or resource protection, preservation, or conservation;
  - Areas 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 easement for the benefit of, or held by a State agency or a local jurisdiction for the purpose of conserving natural resources or agricultural land.

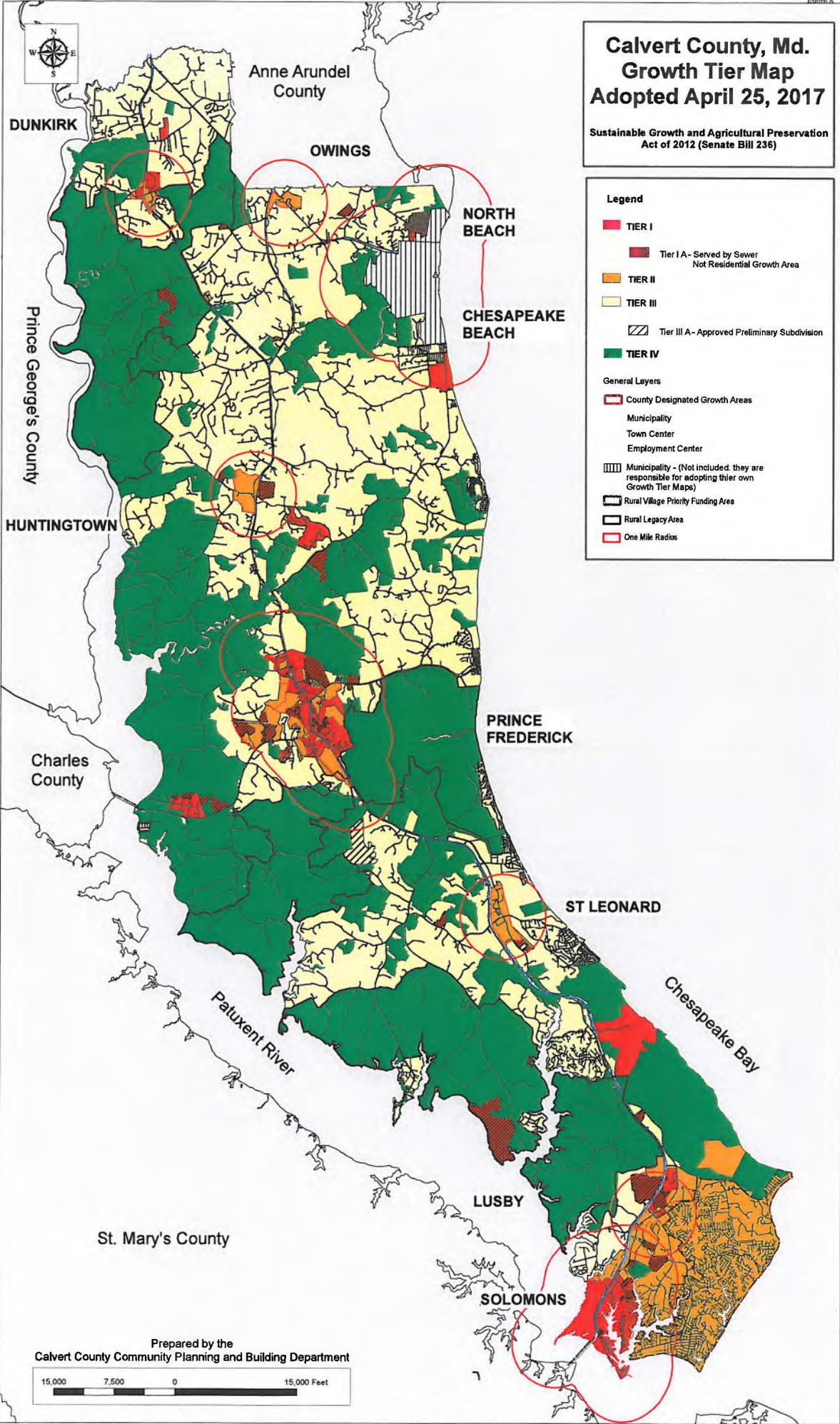
In order to satisfy the Act’s requirements, Calvert County modified the definition of minor subdivision. A text amendment to the Calvert County Zoning Ordinance was adopted via Ordinance 64-12 in December 2012, to revise the maximum number of lots in a minor subdivision from five (5) to seven (7) lots.

The map on the following page is Calvert County’s adopted Tier Map and is hereby incorporated into the Calvert County Comprehensive Plan. Developable land is limited in the county and decisions regarding land use must account for the Tier in which the subject property is located.

# Calvert County, Md. Growth Tier Map Adopted April 25, 2017

Sustainable Growth and Agricultural Preservation  
Act of 2012 (Senate Bill 236)

EM00053PG076



**Legend**

- TIER I
- Tier I A - Served by Sewer Not Residential Growth Area
- TIER II
- TIER III
- Tier III A - Approved Preliminary Subdivision
- TIER IV

**General Layers**

- County Designated Growth Areas
- Municipality
- Town Center
- Employment Center
- Municipality - (Not included, they are responsible for adopting their own Growth Tier Maps)
- Rural Village Priority Funding Area
- Rural Legacy Area
- One Mile Radius

Prepared by the  
Calvert County Community Planning and Building Department

15,000 7,500 0 15,000 Feet

**2010 Comprehensive Plan  
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- Tier I – Areas that are currently served by public sewerage systems and mapped locally designated growth areas.
- Tier II – Areas that are planned to be served by public sewerage systems’ or mapped locally designated growth areas.
- Tier III – Areas that are not planned for sewerage service and not dominated by agricultural or forest land; and are one of the following:
  - Rural Villages;
  - Mapped locally designate growth areas; or
  - Areas planned and zoned for large lot and rural development.
- Tier IV – Areas that are not planned for sewerage service and are:
  - Areas planned or zoned by a local jurisdiction for land, agricultural, or resource protection, preservation, or conservation;
  - Areas 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 easement for the benefit of, or held by a State agency or a local jurisdiction for the purpose of conserving natural resources or agricultural land.

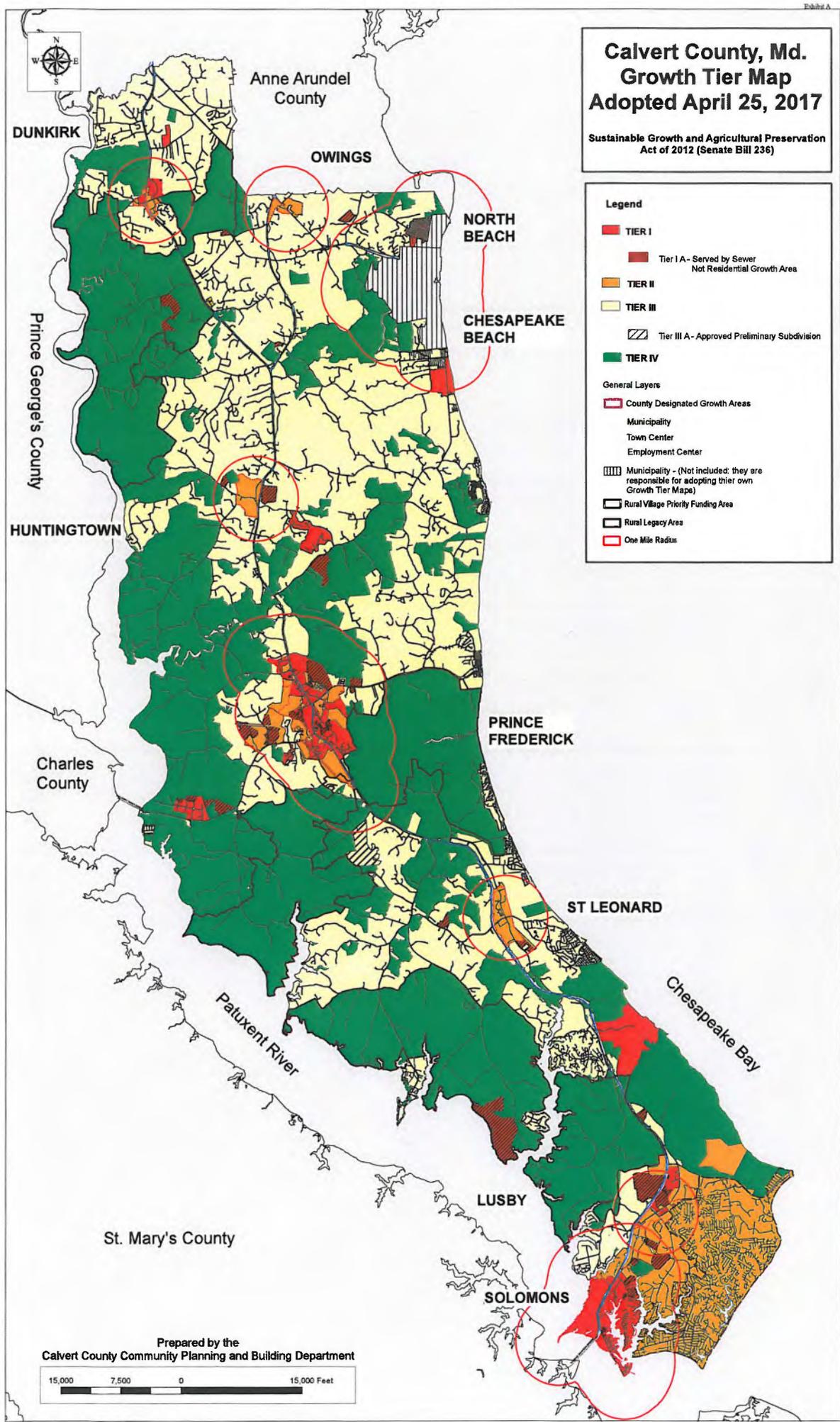
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# Calvert County, Md. Growth Tier Map Adopted April 25, 2017

Sustainable Growth and Agricultural Preservation  
Act of 2012 (Senate Bill 236)

PK000534079



**Legend**

- TIER I
- Tier I A - Served by Sewer Not Residential Growth Area
- TIER II
- TIER III
- Tier III A - Approved Preliminary Subdivision
- TIER IV

**General Layers**

- County Designated Growth Areas
- Municipality
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15,000    7,500    0    15,000 Feet