

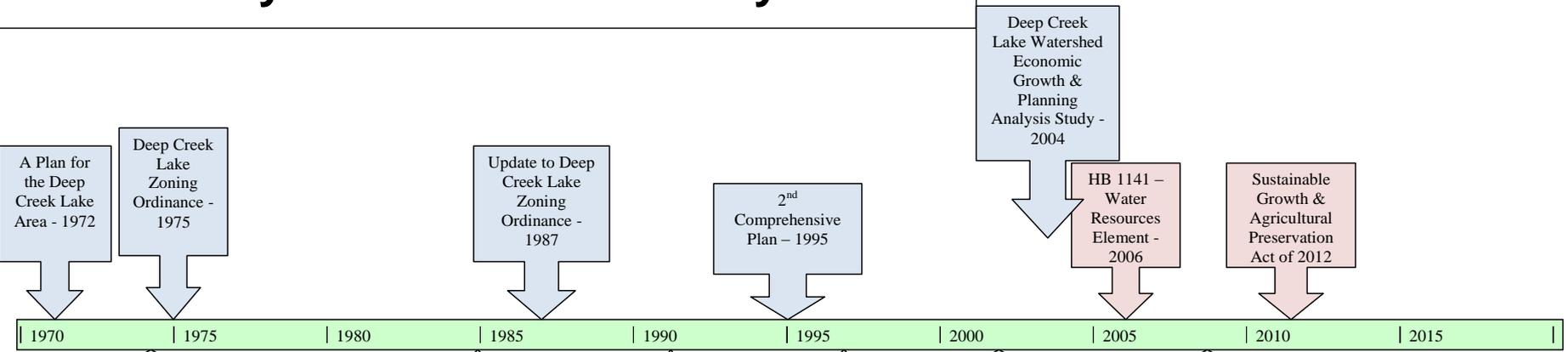
LAND USE PLANNING IN GARRETT COUNTY

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GARRETT COUNTY PLANNING & LAND DEVELOPMENT

COMPREHENSIVE PLANNING ENCOMPASSES:

- Impacts of Growth
 - Transportation
 - Water Resources
 - Sensitive Areas
 - Community Facilities
 - Subdivision of Land
 - Drinking Water & Wastewater Assessments
 - Housing
 - Mineral Resources
 - Economic Development
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A Timeline of Planning Regulations in Maryland & Garrett County



A Plan for the Deep Creek Lake Area - 1972

Deep Creek Lake Zoning Ordinance - 1975

Update to Deep Creek Lake Zoning Ordinance - 1987

2nd Comprehensive Plan - 1995

Deep Creek Lake Watershed Economic Growth & Planning Analysis Study - 2004

HB 1141 - Water Resources Element - 2006

Sustainable Growth & Agricultural Preservation Act of 2012

1st Comprehensive Plan - 1974

Interim Deep Creek Lake Zoning Ordinance

Update to A Plan for the Deep Creek Lake Area - 1985

1992 Economic Growth, Resource Protection and Planning Act

1997 Priority Funding Areas Act

Major Revision to Deep Creek Lake Zoning Ordinance - 2002

3rd Comprehensive Plan including the Water Resources Element - 2008

Garrett County Subdivision Ordinance (amended in 2010 & 2012) & Garrett County Sensitive Areas Ordinance (amended in 2010) - 1997

Update to Deep Creek Lake Zoning Ordinance - 1997

County Document

State Document

Eight towns have their own planning authority and can adopt their own comprehensive plans, zoning and subdivision regulations. Because of their size, they do not have staff available to administer the ordinances. Staff in the Garrett County Planning & Land Development office fill that role.

- Other Documents of Relevance**
- 2000 - Tax Credit Ordinance - to incentivize participation in Agricultural Preservation
 - 2003 - Garrett County Heritage Plan
 - 2005 - Garrett County Land Preservation, Parks & Recreation Plan
 - 2006 - Garrett County Transient Vacation Rental Unit Licensing Ordinance
 - 2009 - Garrett County Agricultural Land Preservation District Ordinance
 - 2011 - Garrett County Heritage Management Plan
 - 2012 - Update to Land Preservation, Parks & Preservation Plan
 - 2013 - DRAFT Garrett County Water & Sewerage Master Plan (currently under review) - updated from 1997

GARRETT COUNTY'S LAND USE GOALS & OBJECTIVES

- Conserve forest resource land
- Conserve agricultural resource land
- Encourage growth in designated growth areas
- Provide land in appropriate locations for growth & expansion of economic development opportunities
- Continue to encourage growth & development around Deep Creek Lake & it's associated resort activities
- Provide land in appropriate locations and densities for a variety of housing types and choices
- Provide land in appropriate locations to allow for the development of affordable housing
- Improve the layout & design of residential subdivisions to conserve resource land and rural character
- Discourage strip commercial development
- Encourage high quality building and site design

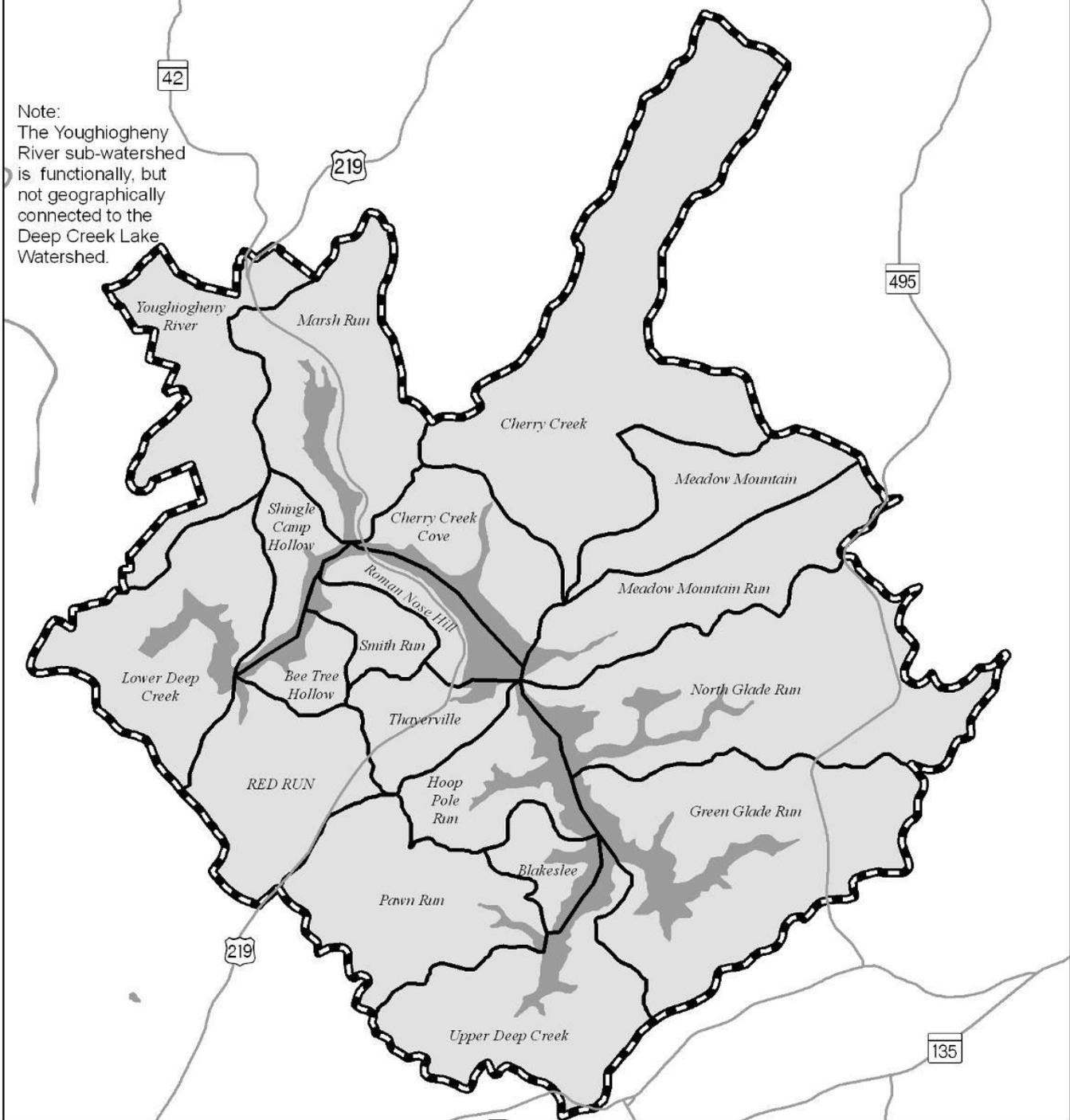
2008 COMPREHENSIVE PLAN

Garrett County has conducted its land use planning by major watershed since the 1974 Comprehensive Plan. Watersheds are often logical separators of both physical and cultural geographies and as such form practical planning units.

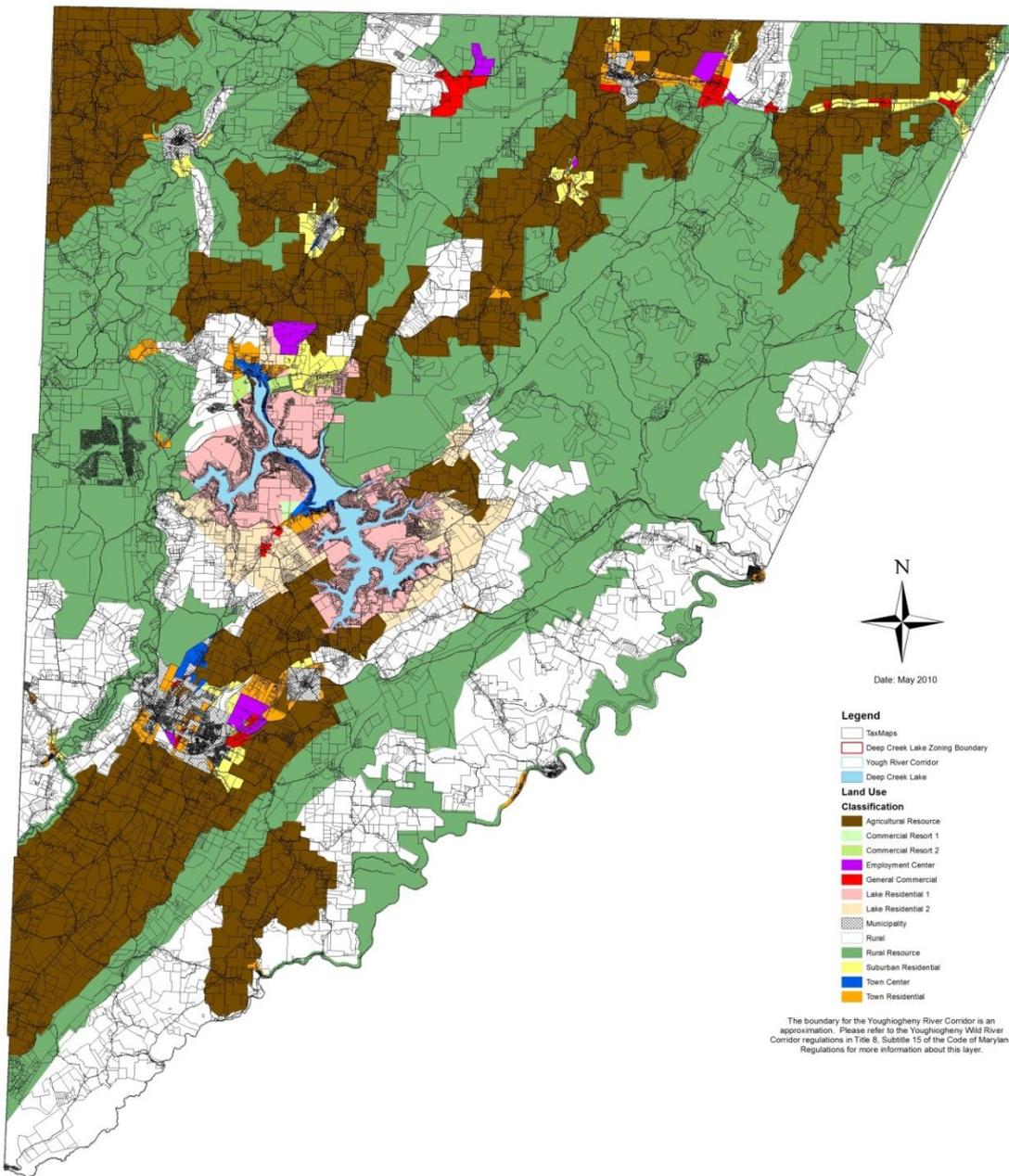
2008 Comprehensive Plan points of interest:

- Deep Creek Lake Influence Area – Chapter 4
- Water Resources Element – Chapter 5
- Expands Rural Resource area (~43% of the county)
- Expands Agricultural Resource area (~25% of the county)
- Expands growth areas of some towns (as per their Comprehensive Plans)
- In the Deep Creek Lake watershed specifically – eliminated Rural Development and changed it to a combination of Agricultural Resource and Rural Resource, and expansion of the McHenry growth area

Note:
The Youghiogheny River sub-watershed is functionally, but not geographically connected to the Deep Creek Lake Watershed.



Subdivision Ordinance Map

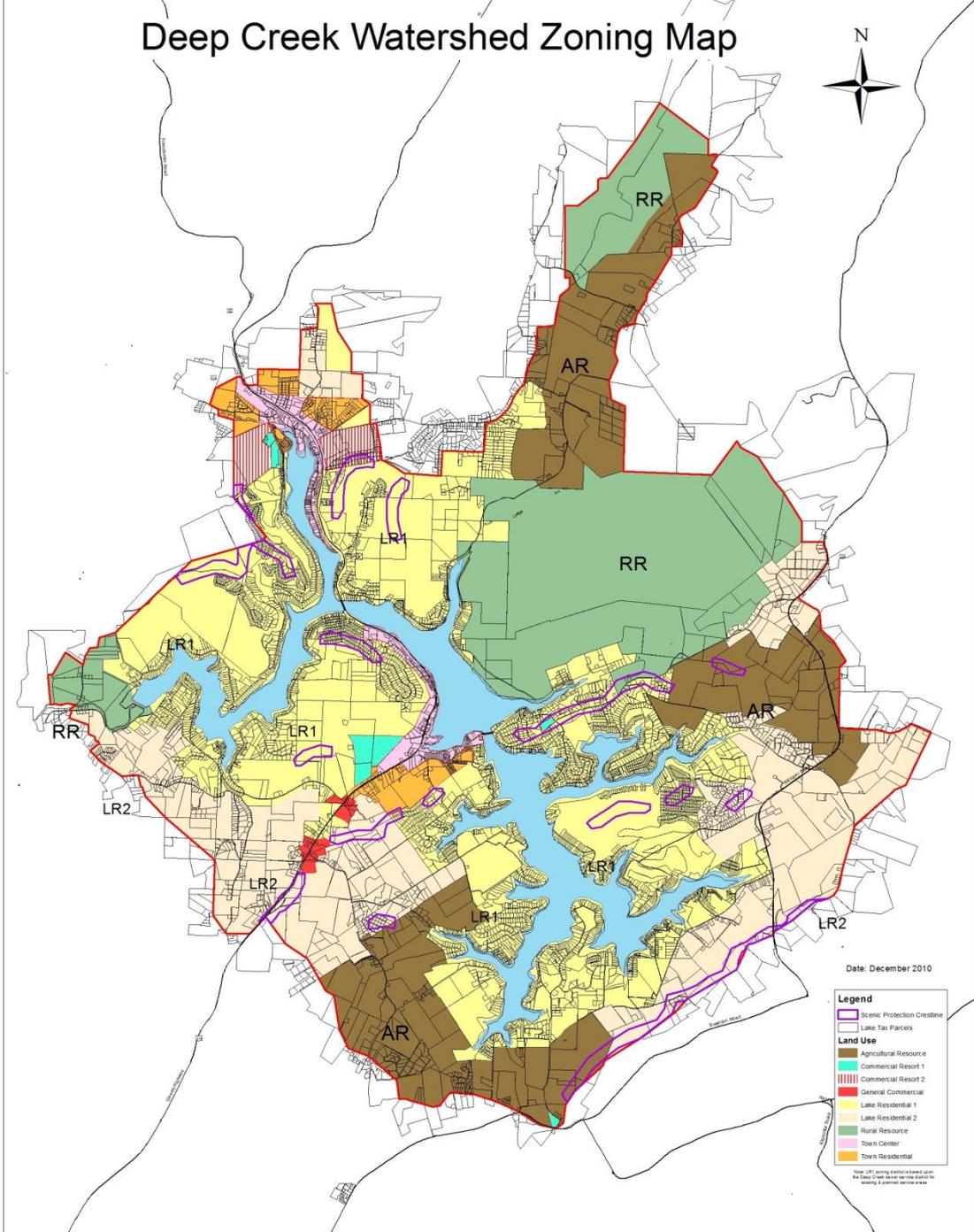


GARRETT COUNTY SUBDIVISION ORDINANCE

Purpose: to create conditions favorable to the health, safety, morals, and general welfare of the citizens by

- assisting in the orderly and efficient integration of subdivisions
- ensuring conformance of subdivision plans with the public improvements plans of the county
- ensuring sites suitable for building purposes and human habitation
- facilitating the efficient movement of traffic and avoiding traffic hazards and congestion
- securing equitable handling of all subdivision plans by providing uniform procedures and standards
- improving land records by establishing standards for surveys and plans
- safeguarding the interests of the public, the homeowner, the subdivider and all municipalities
- preserving natural and historic features
- Carrying out the goals and objectives of the Comprehensive Plan and Md. Code, Article 66B

Deep Creek Watershed Zoning Map



GARRETT COUNTY SENSITIVE AREAS ORDINANCE

Purposes:

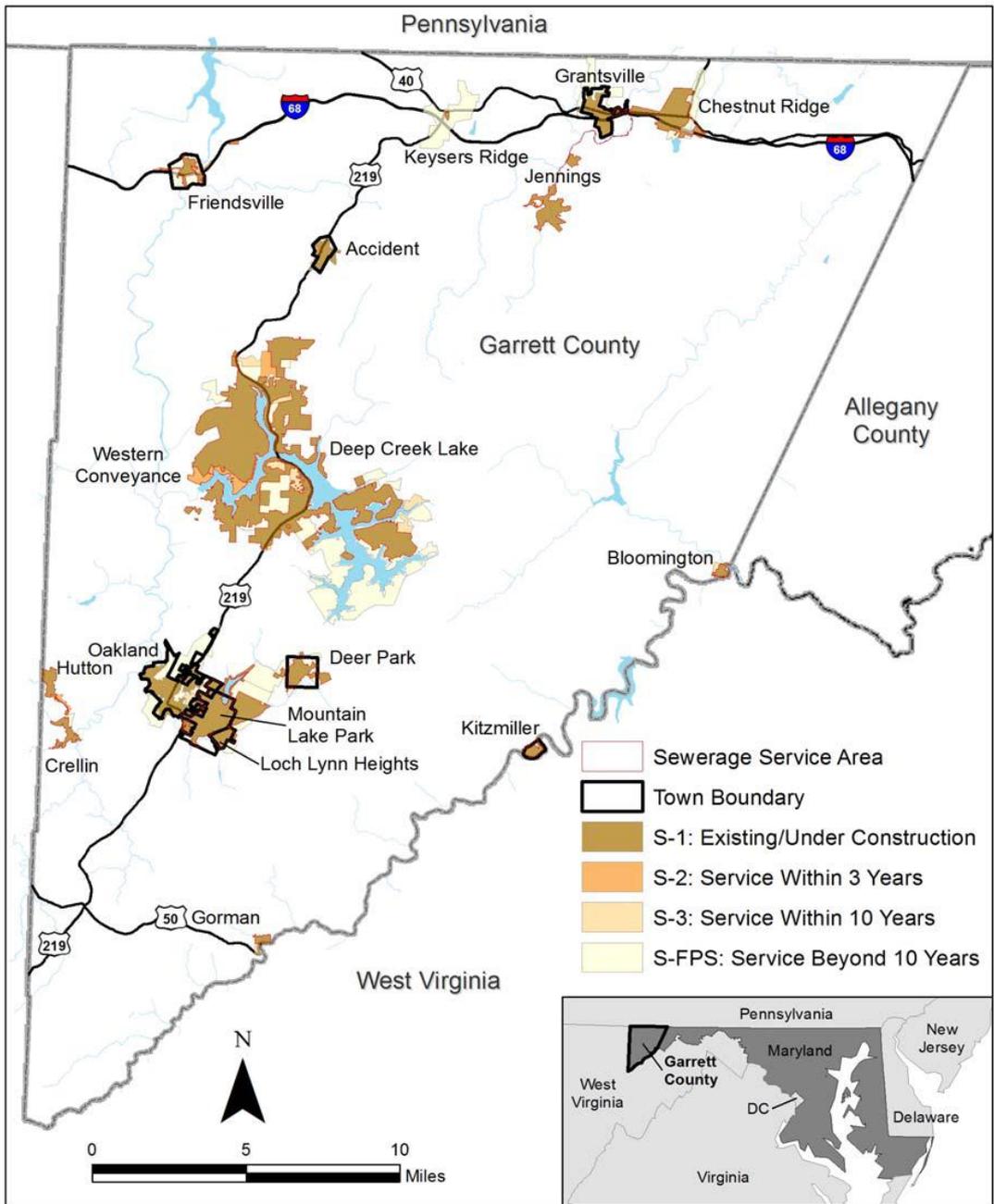
- (1) To assist in carrying out the goals, objectives and visions of Md. Code, Art. 66B, as amended;
 - (2) To minimize soil erosion, avoid sedimentation of waterways, protect aquatic habitats, and protect the quantity and quality of groundwater and surface water supplies;
 - (3) To conserve Garrett County's important natural features, which will help promote tourism and thereby strengthen the county's economy;
 - (4) To minimize flooding and other problems resulting from high volumes and high speeds of stormwater runoff; and
 - (5) To implement the goals, objectives and recommendations of the County Comprehensive Development Plan.
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SENSITIVE AREA REGULATIONS

- **Steep Slopes:** establishes controls and limits growth on slopes of 30% or more
 - **Stream Buffers:** establishes a 25 foot setback in growth areas and a 50 foot setback in rural areas
 - **Rare, Threatened & Endangered Species:** no permits are issued by the county office for an area known to contain an RTE species without proof of approval by the appropriate state or federal agency
 - **Floodplains:** enforce compliance with the Floodplain Management Ordinance
 - **Wetlands:** ensure compliance the Maryland Non-Tidal Wetlands Act. Wetland areas shall be noted and protected on subdivision plats.
 - **Source Water Protection Areas:** establishes minimum requirements to protect these resources from contamination that can threaten the safety of public water sources.
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WATER & SEWER MASTER PLAN

- Draft is currently being reviewed by the municipalities
- MDE to review next
- Delineates areas for planned sewer expansions including portions of the southern area of the lake which should drastically reduce nutrient loading
- Failing septics contribute to failing wells and degradation of overall water quality in the watershed



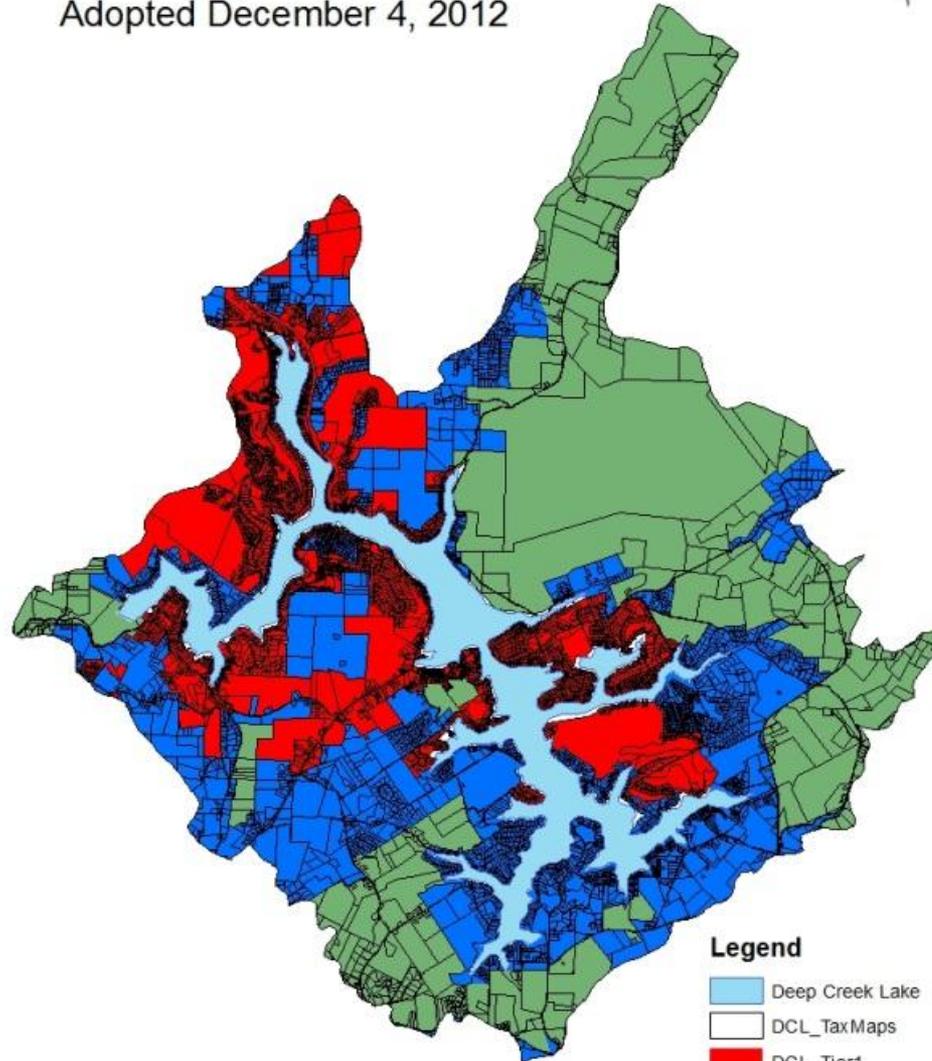
Garrett County Sewerage Areas

SUSTAINABLE GROWTH & AGRICULTURAL PRESERVATION ACT OF 2012 (AKA. SEPTIC BILL)

Four Land Use Categories created to identify where major residential subdivisions may be located & what type of sewerage system will serve them.

- Tier I – currently served by public sewerage systems
- Tier II – planned to be served by public sewerage systems (Garrett County has no such areas until the Water & Sewer Master Plan is approved). Major subdivisions in this area must connect to the public sewer system.
- Tier III – not planned to be served by public sewerage systems. Growth on septic systems can occur. Planning Commission must review and approve all proposed new major subdivisions via public hearing. Specifically the Commission will have to review them with respect to environmental impacts & adequate public facilities.
- Tier IV – planned for preservation and conservation or dominated by agriculture or forest. Major residential subdivisions (more than 7 lots) are prohibited.

Garrett County Commissioners
Official Tier Map - Deep Creek Lake
Adopted December 4, 2012



Legend

-  Deep Creek Lake
-  DCL_Tax Maps
-  DCL_Tier1
-  DCL_Tier2A
-  DCL_Tier3
-  DCL_Tier4



Note: Garrett County has no Tier 2 areas to submit at this time.

ACCOUNTING FOR GROWTH REGULATIONS

- MDE regulations, not a law
 - Still in draft, not yet released
 - Requires a new home owner to pay an offset fee for nutrients added to the watershed (nitrogen, sediment and possibly phosphorus) from their septic system
 - Either enter into a trading market or pay a fee (possible fee example would be \$3500 per pound of nitrogen)
 - Only applies to the Chesapeake Bay watershed but could also be applied to Tier III areas in the rest of the county.
 - That area also is required to install BAT technology and this expense will be in addition to that.
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