

Development Capacity and the Impact of Septic Law (SB 236) in the Baltimore Metro Region

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Septic Law in Maryland

Septic law and growth tier adoption in MD counties

Baltimore County: Case study

Land use trends and zoning policies

**Excess zoned capacity by watershed
(Baltimore County only)**

- Business as usual (current zoning without septic law)
- After septic growth tiers adopted

Septic Law

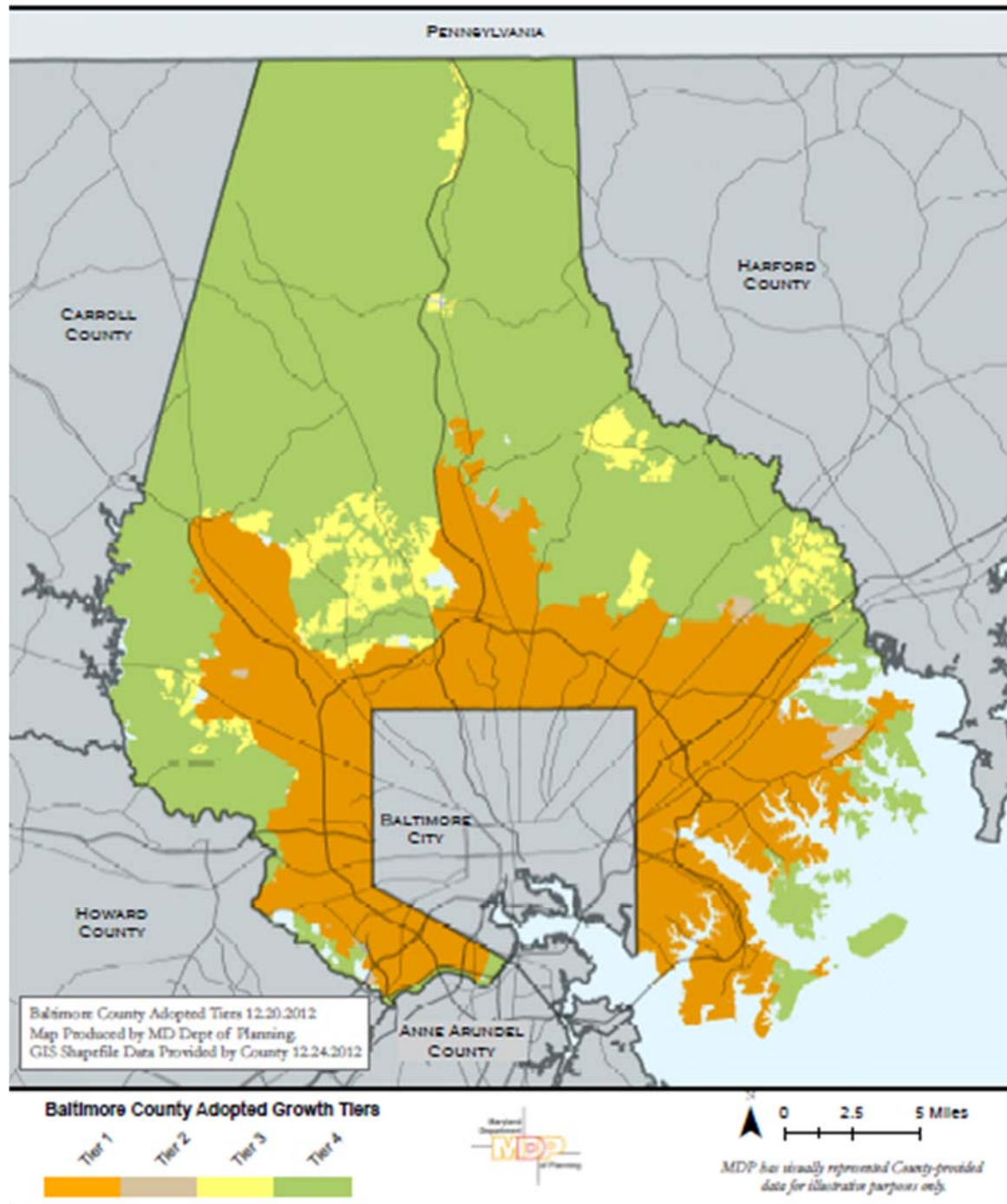
Sustainability Growth and Agricultural Preservation Act (“septic law”) passed by State of Maryland in 2012

Purpose: Restrict major subdivisions on septic systems in resource areas dominated by agricultural and forest lands (Tier 4)

Four tier system:

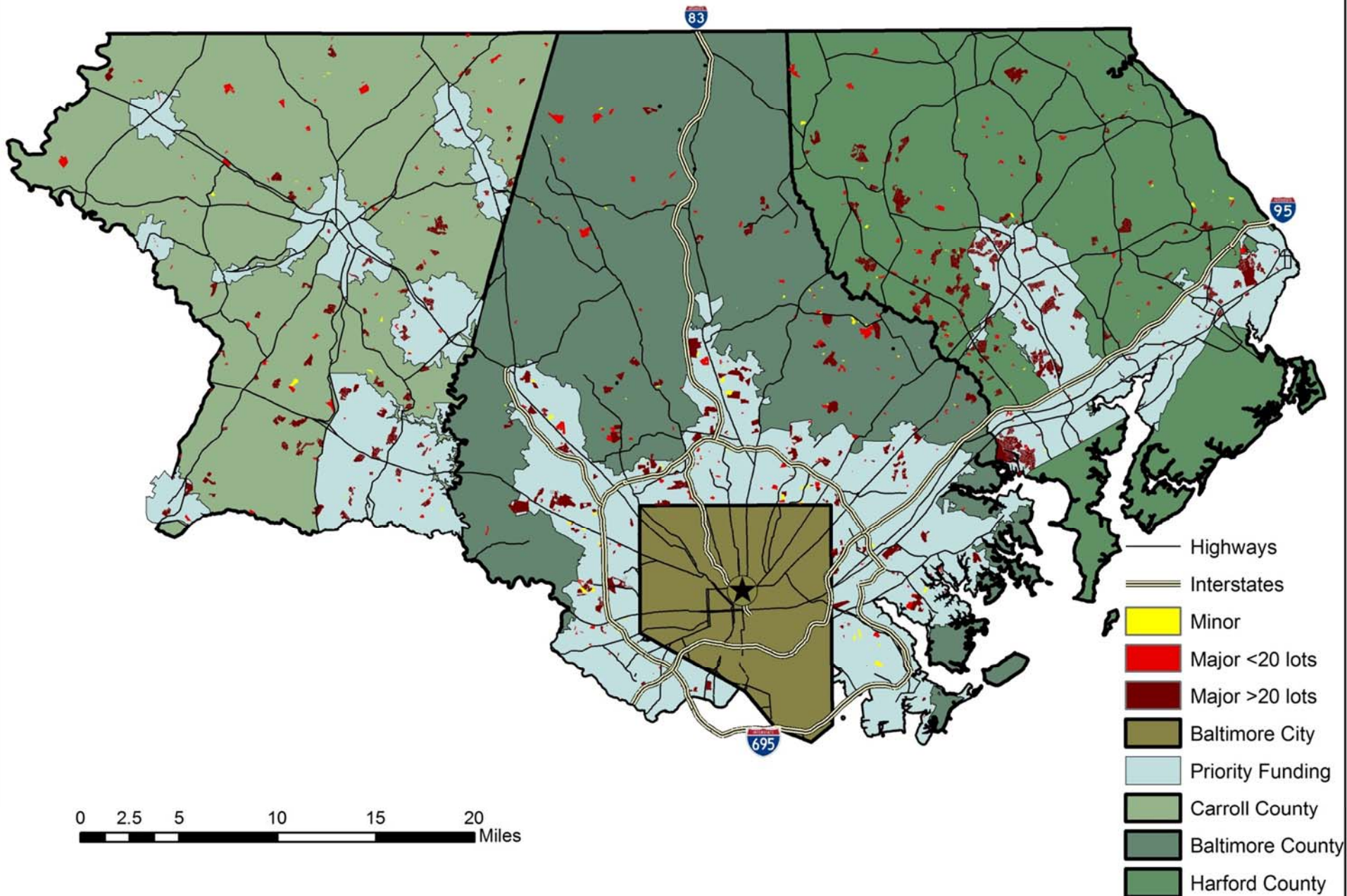
- Tier 1 = Existing sewer service areas
- Tier 2 = Planned sewer areas (future growth areas)
- Tier 3 = Major subdivisions on septic allowed (Large-lot residential development and rural villages)
- Tier 4 = No major subdivisions on septic (Agricultural and forest dominated areas)
 - Only minor subdivision are allowed

Baltimore County Growth Tiers



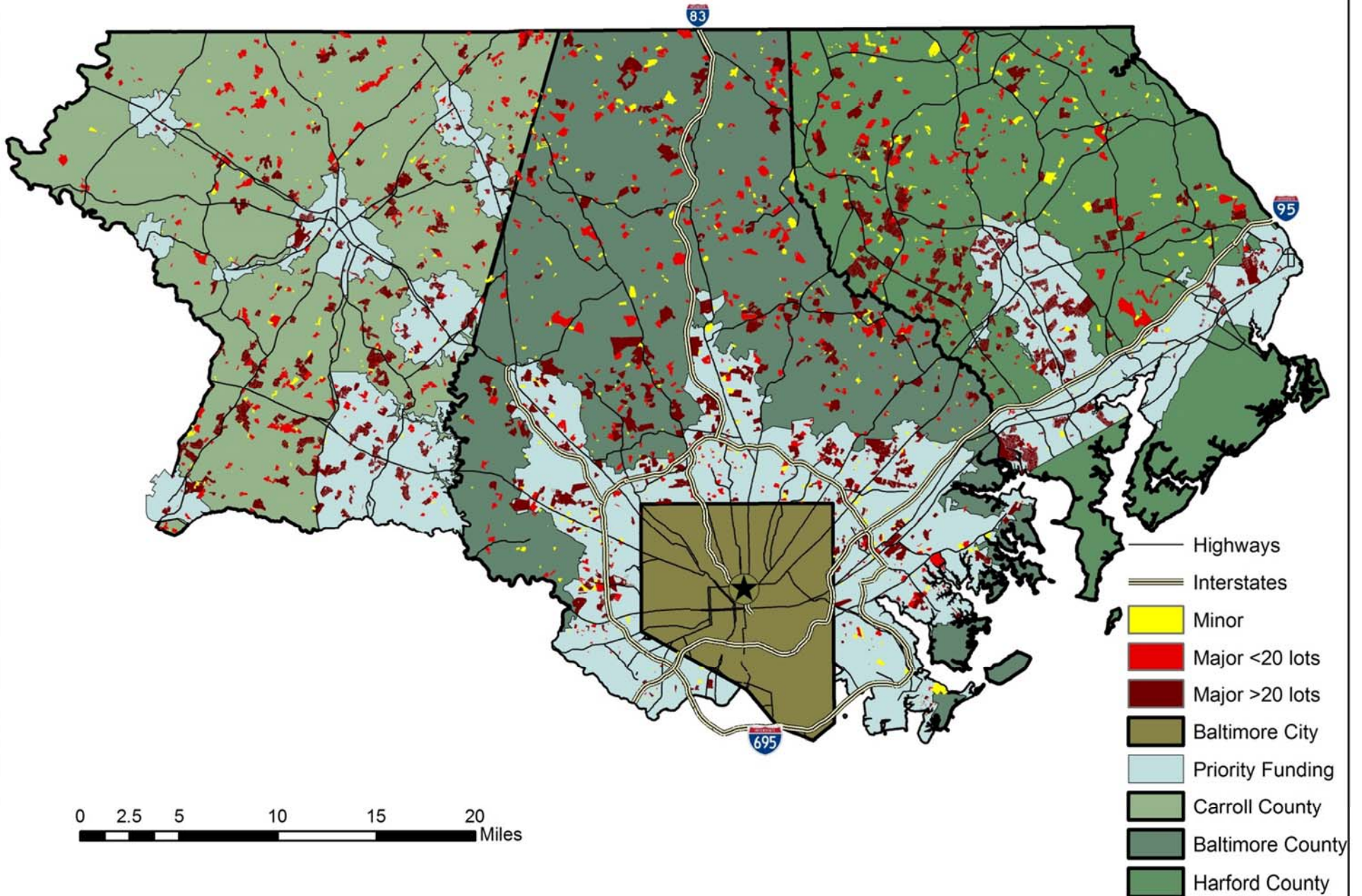


Carroll, Baltimore, and Harford County Subdivisions 1960-1969



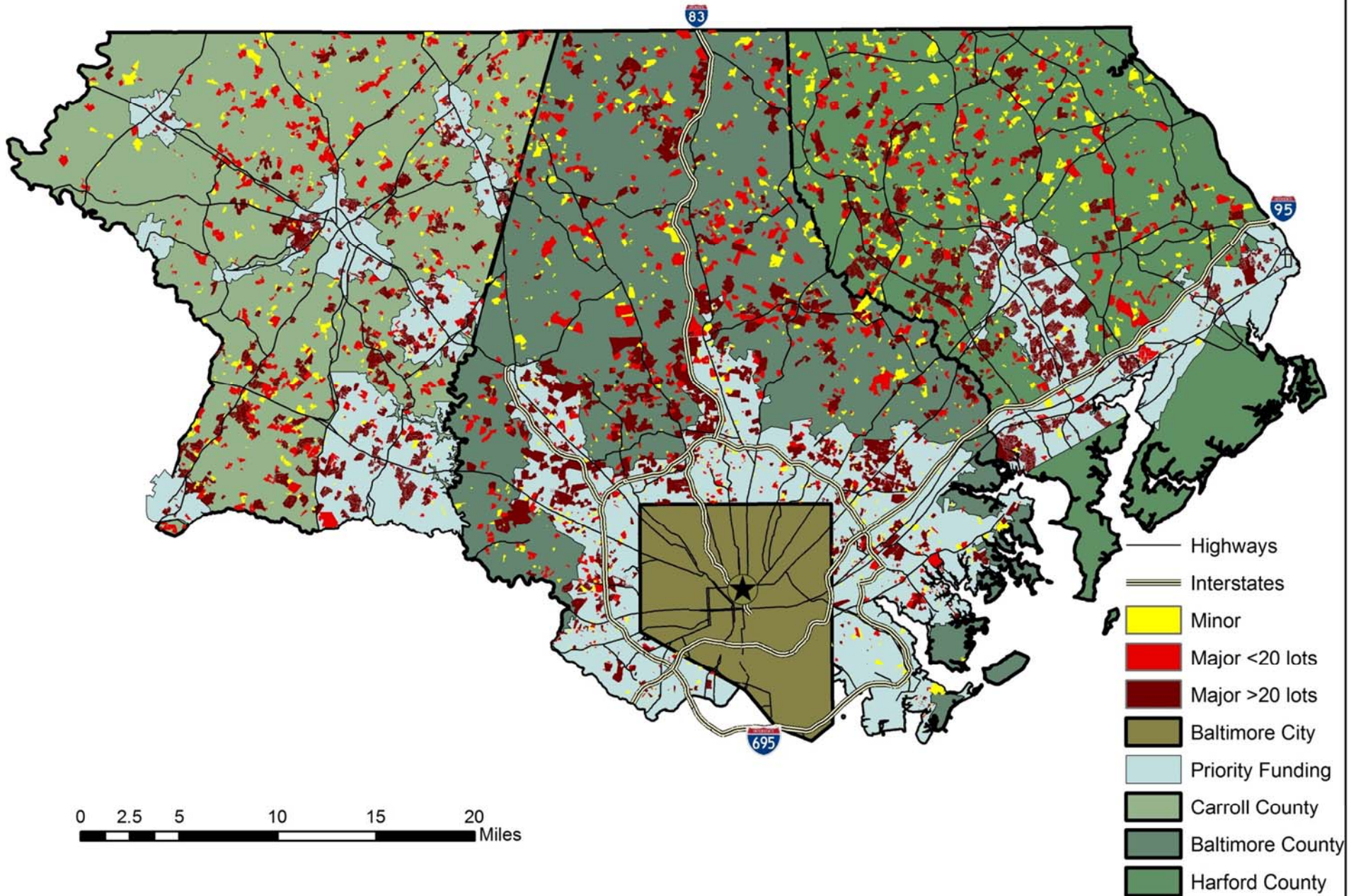


Carroll, Baltimore, and Harford County Subdivisions 1960-1979



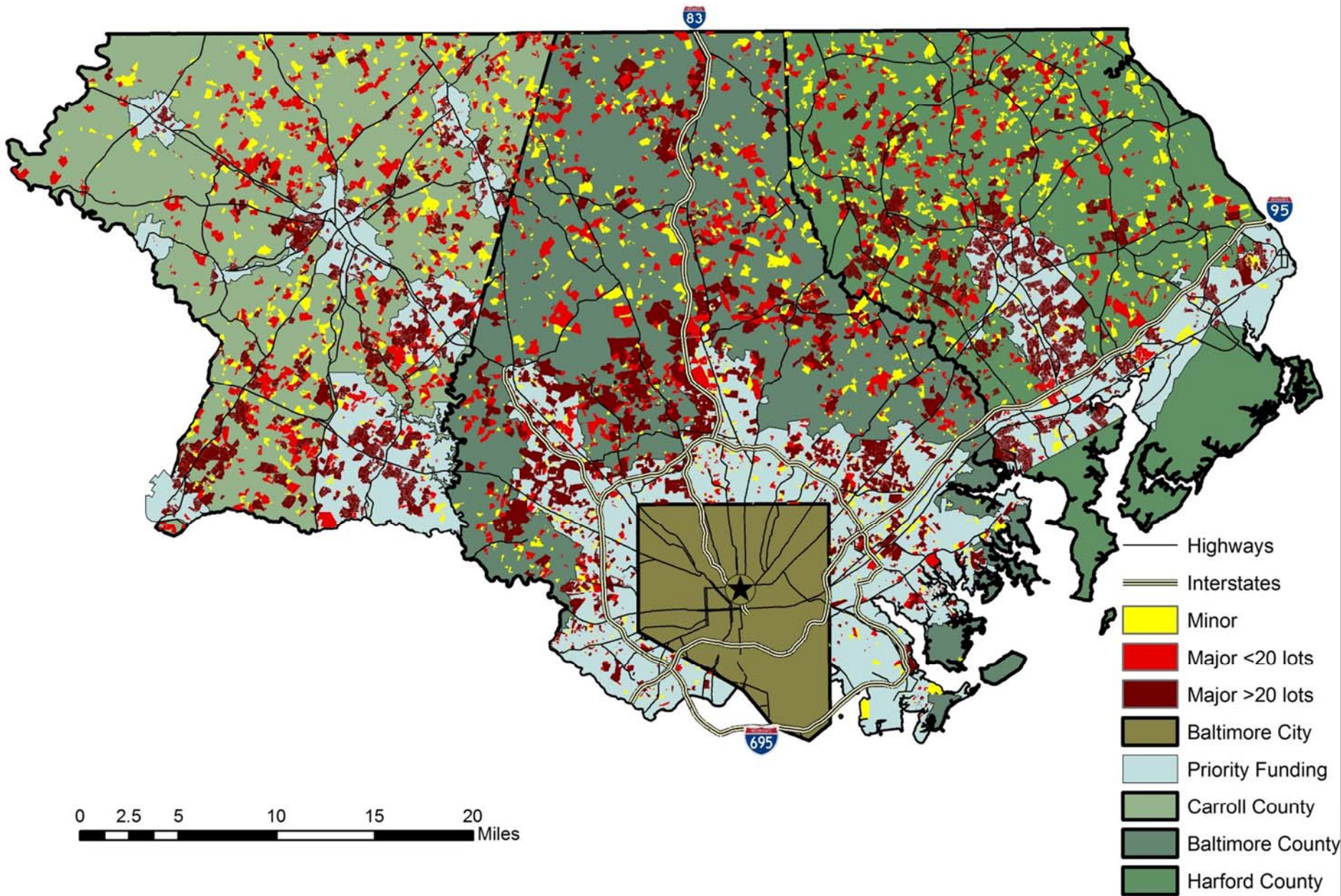


Carroll, Baltimore, and Harford County Subdivisions 1960-1989



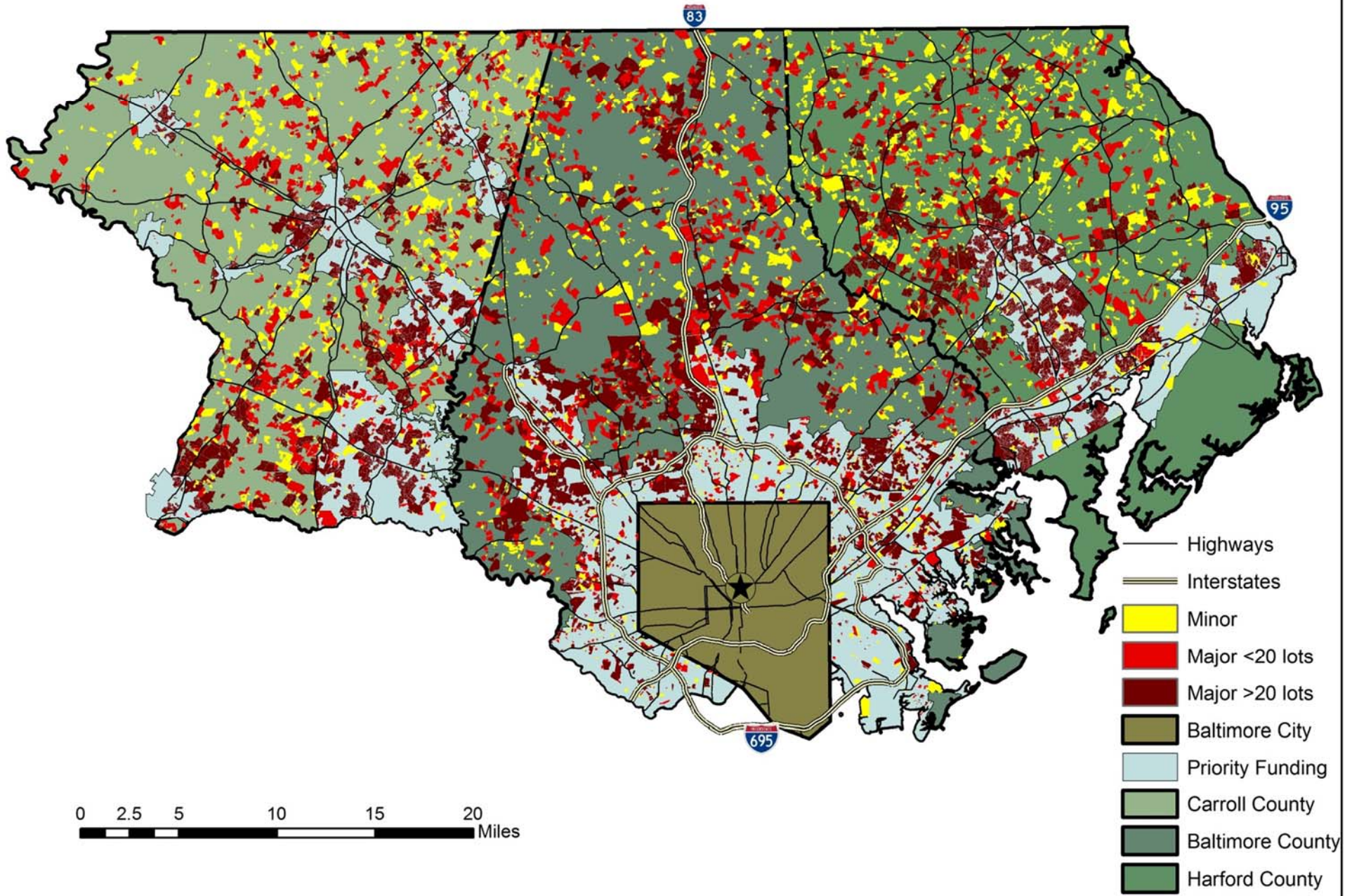


Carroll, Baltimore, and Harford County Subdivisions 1960-1999

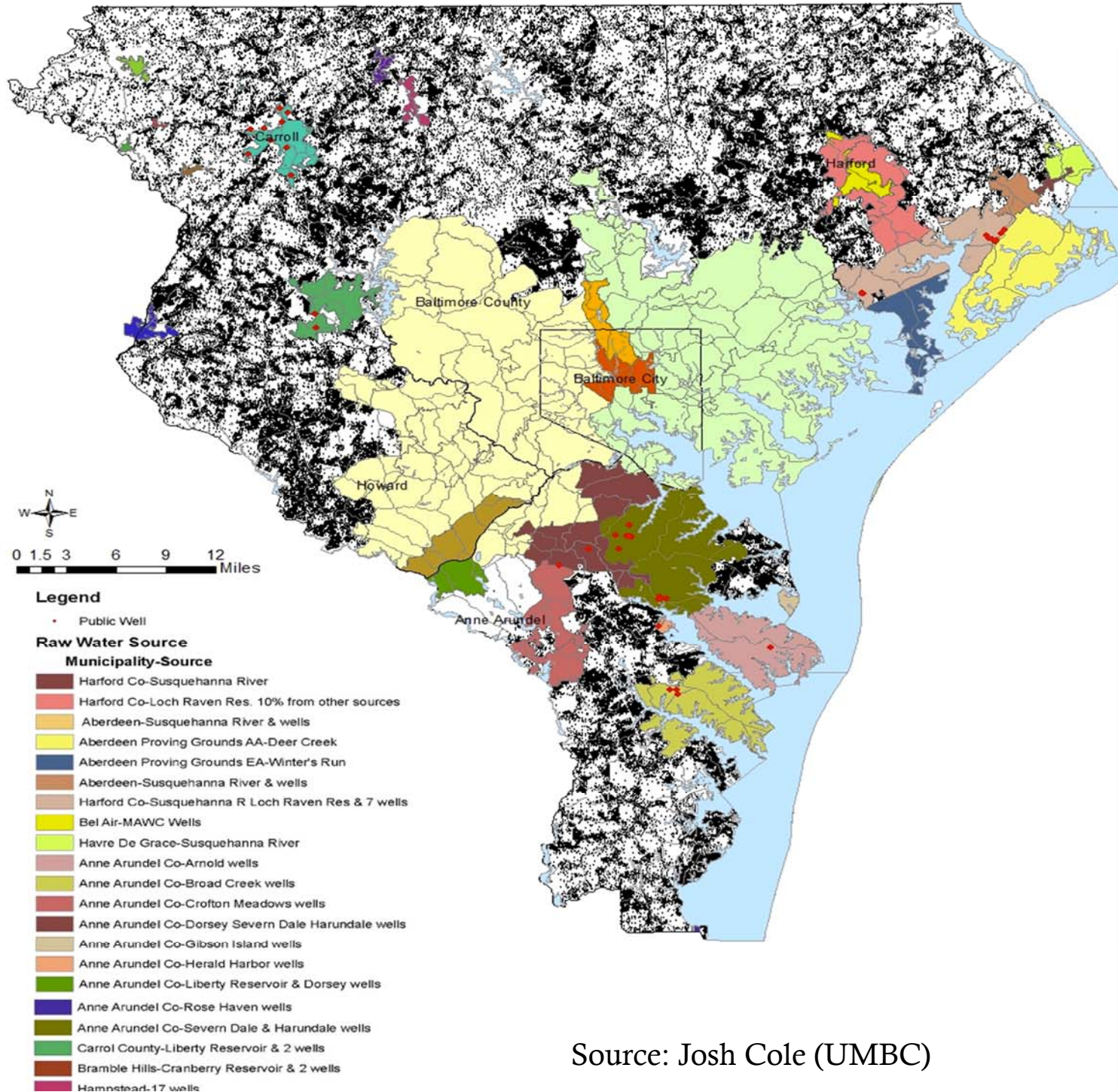




Carroll, Baltimore, and Harford County Subdivisions 1960-2007

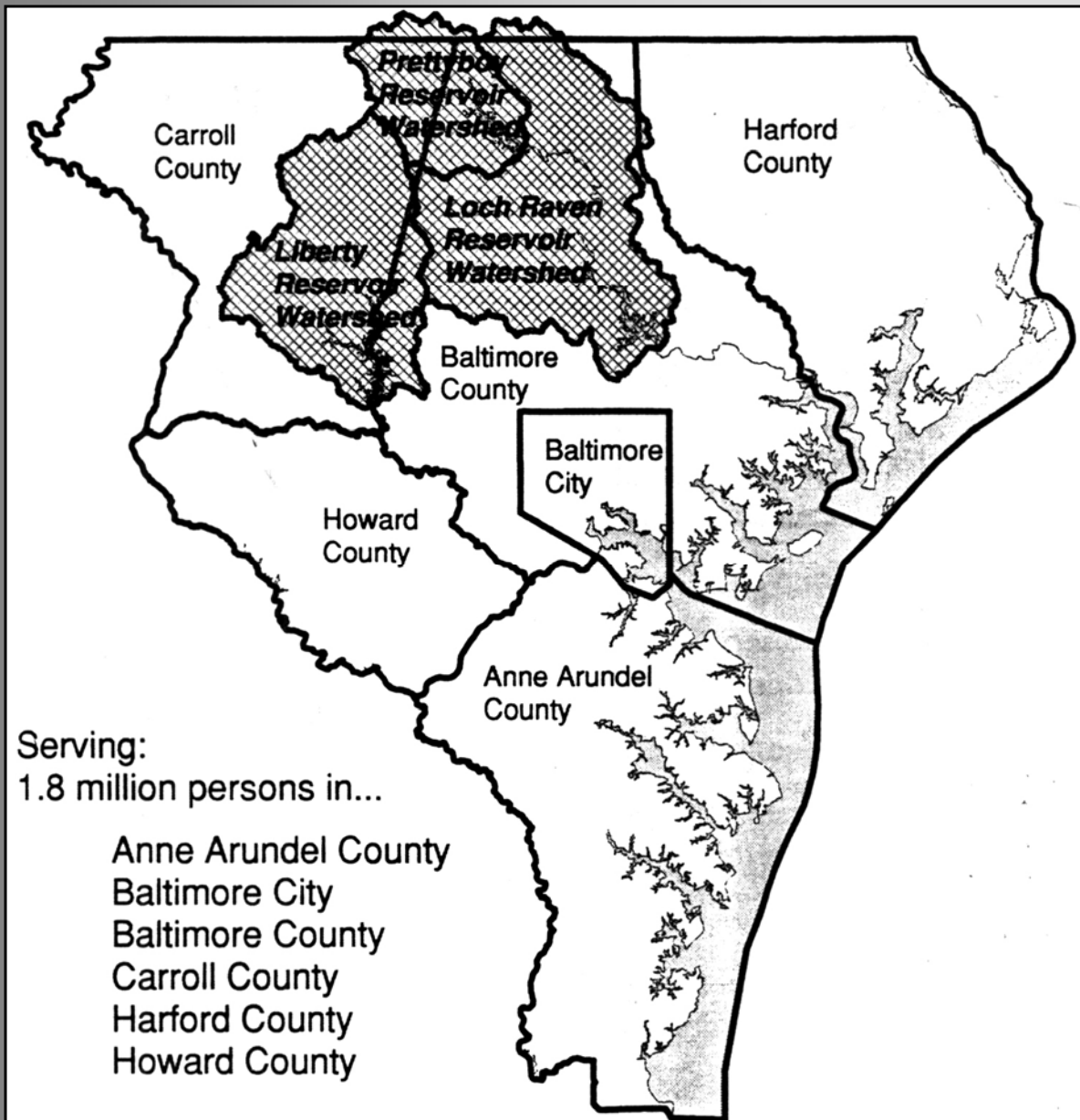


Septic and groundwater wells (large-lot development)



Source: Josh Cole (UMBC)

Protecting Drinking Water Sources



Source: Don Outen (EPS)



Reservoir Watershed Management
Agreement of 2005
with the 2005 Action Strategy

Supported by Background Information on the Program

Baltimore Reservoir Watershed Management Program

2006



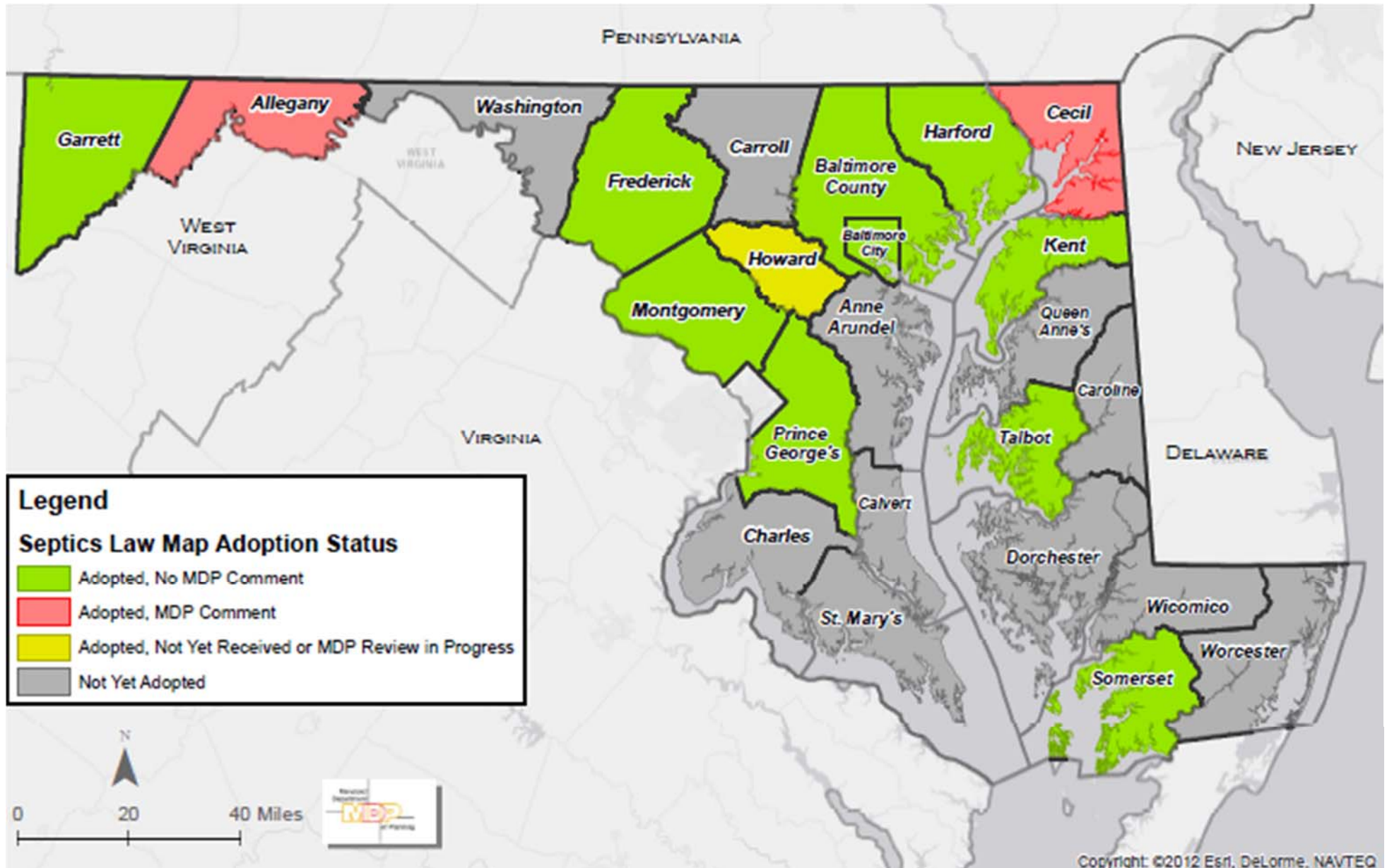
Baltimore Metropolitan Council
PARTNERS IN PROGRESS

www.baltometro.org

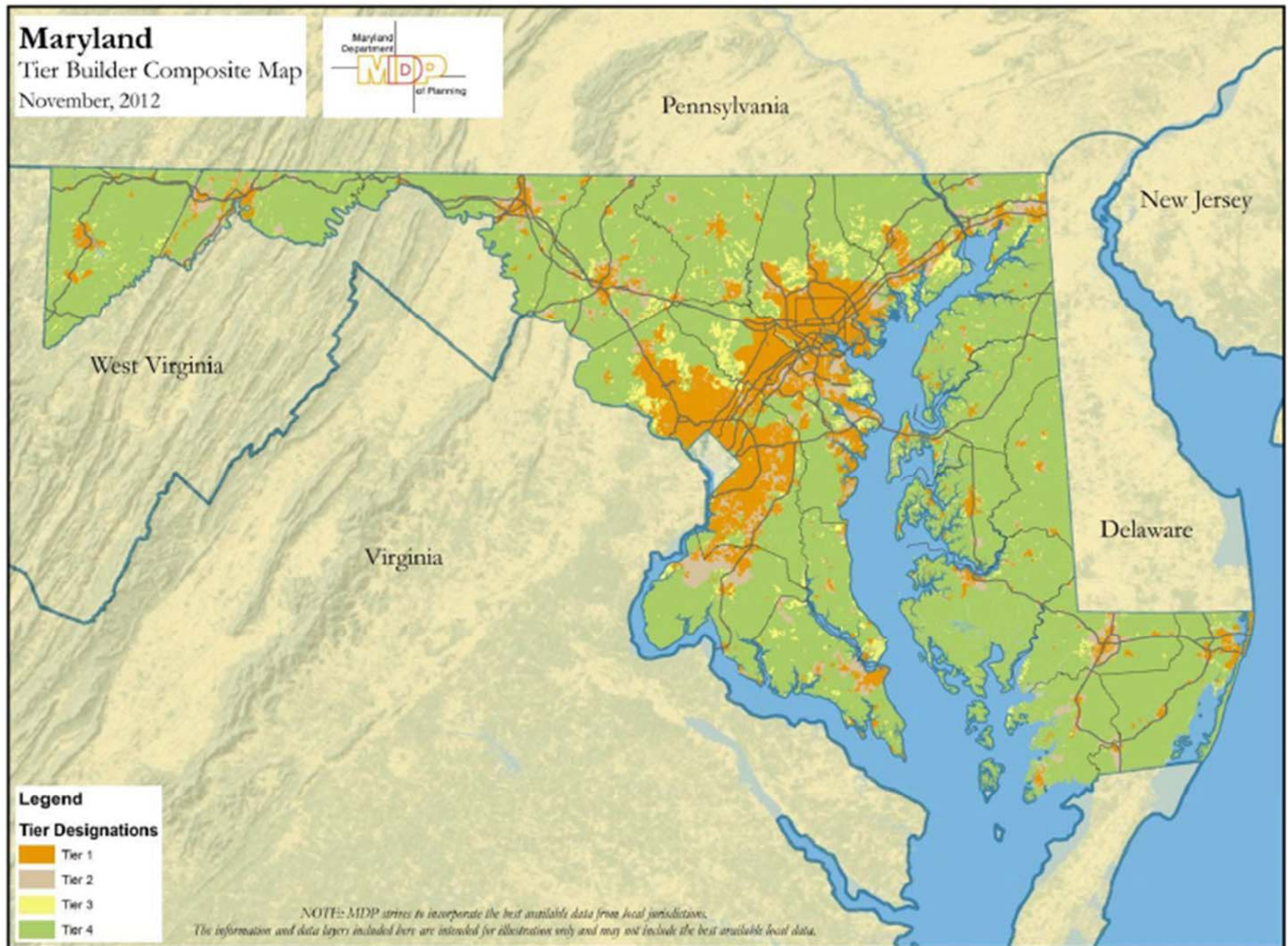
Baltimore County

- 63% of the region's 294 sq. mi. of reservoir watersheds
- 48% of the County

County Tier Map Adoption Status (May 2013)

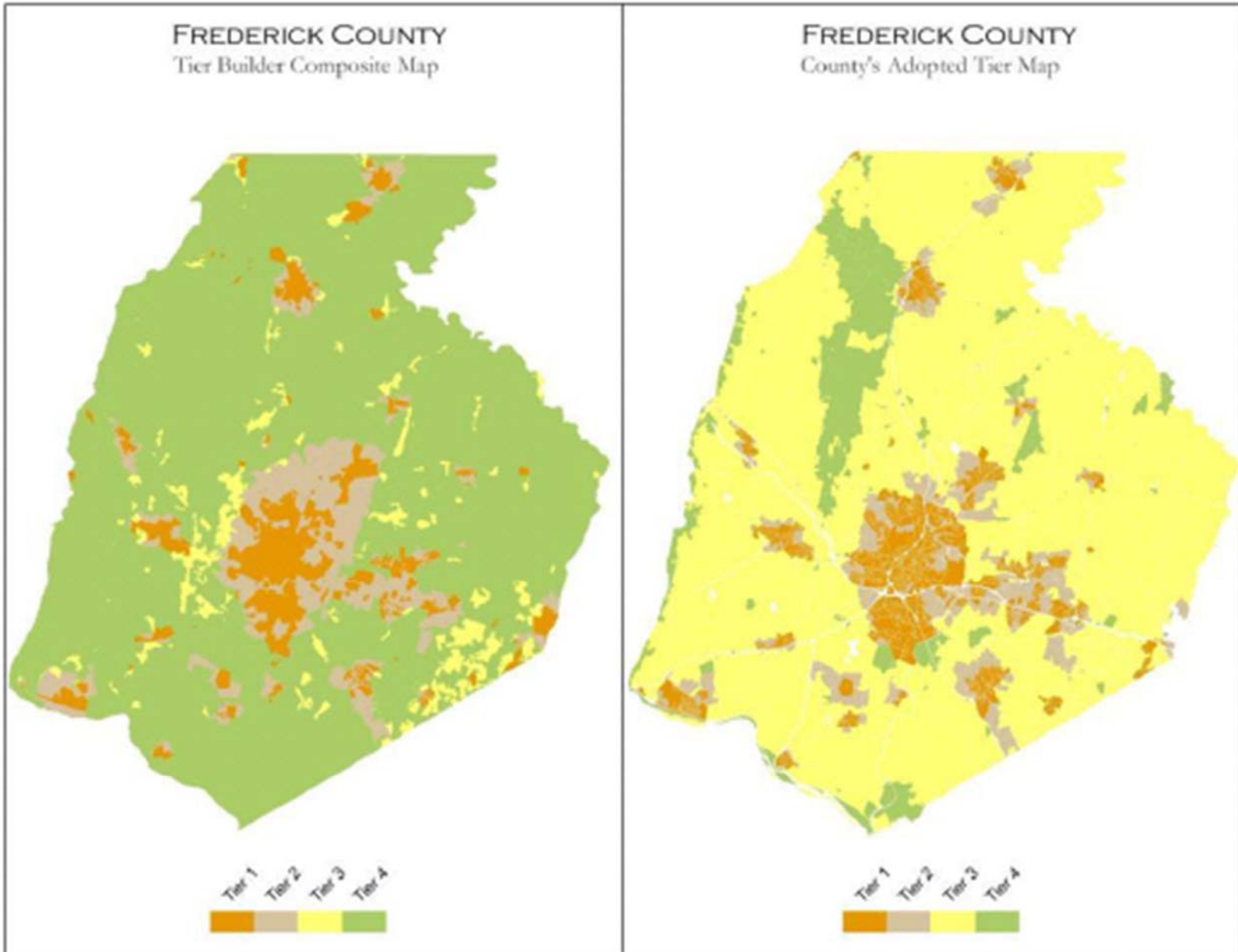


MD Planning Proposed Tier Maps

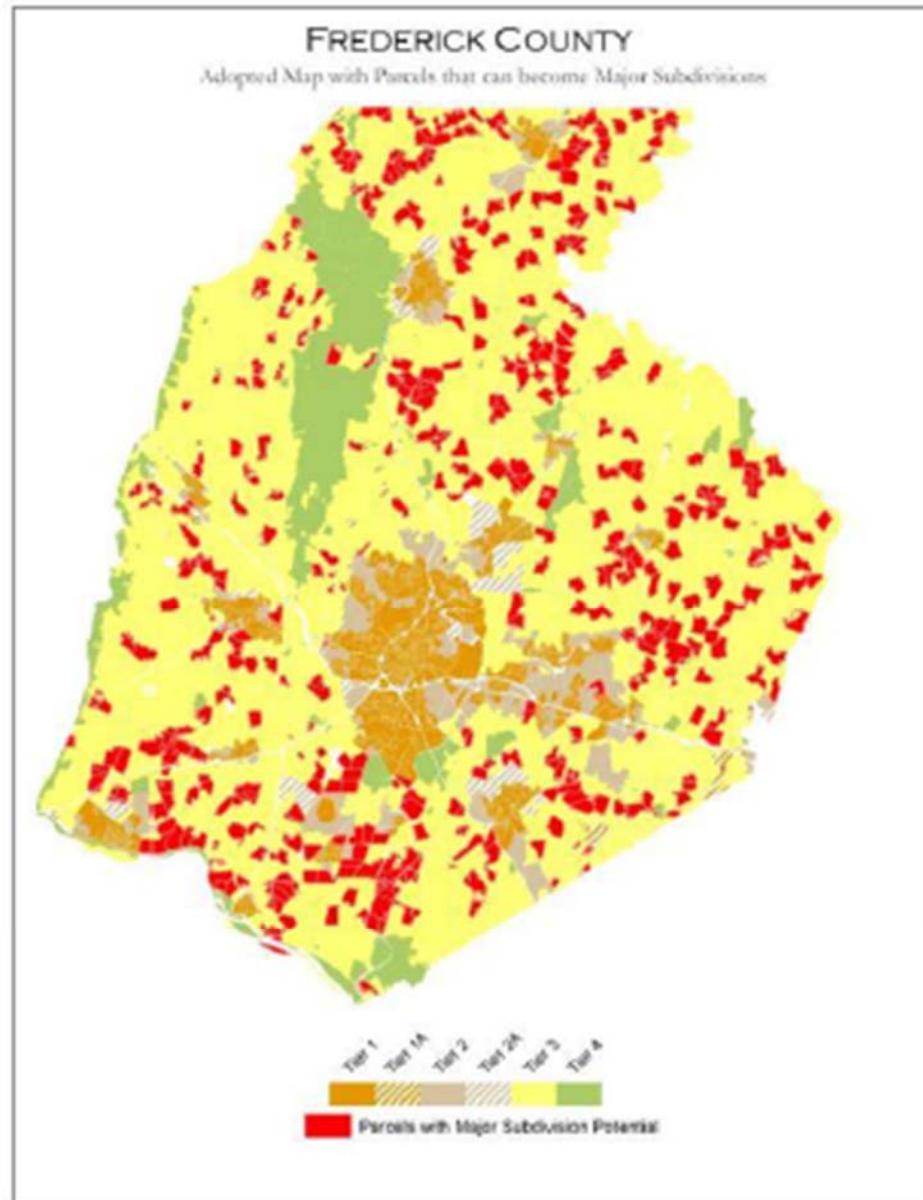


MDP Proposed Map

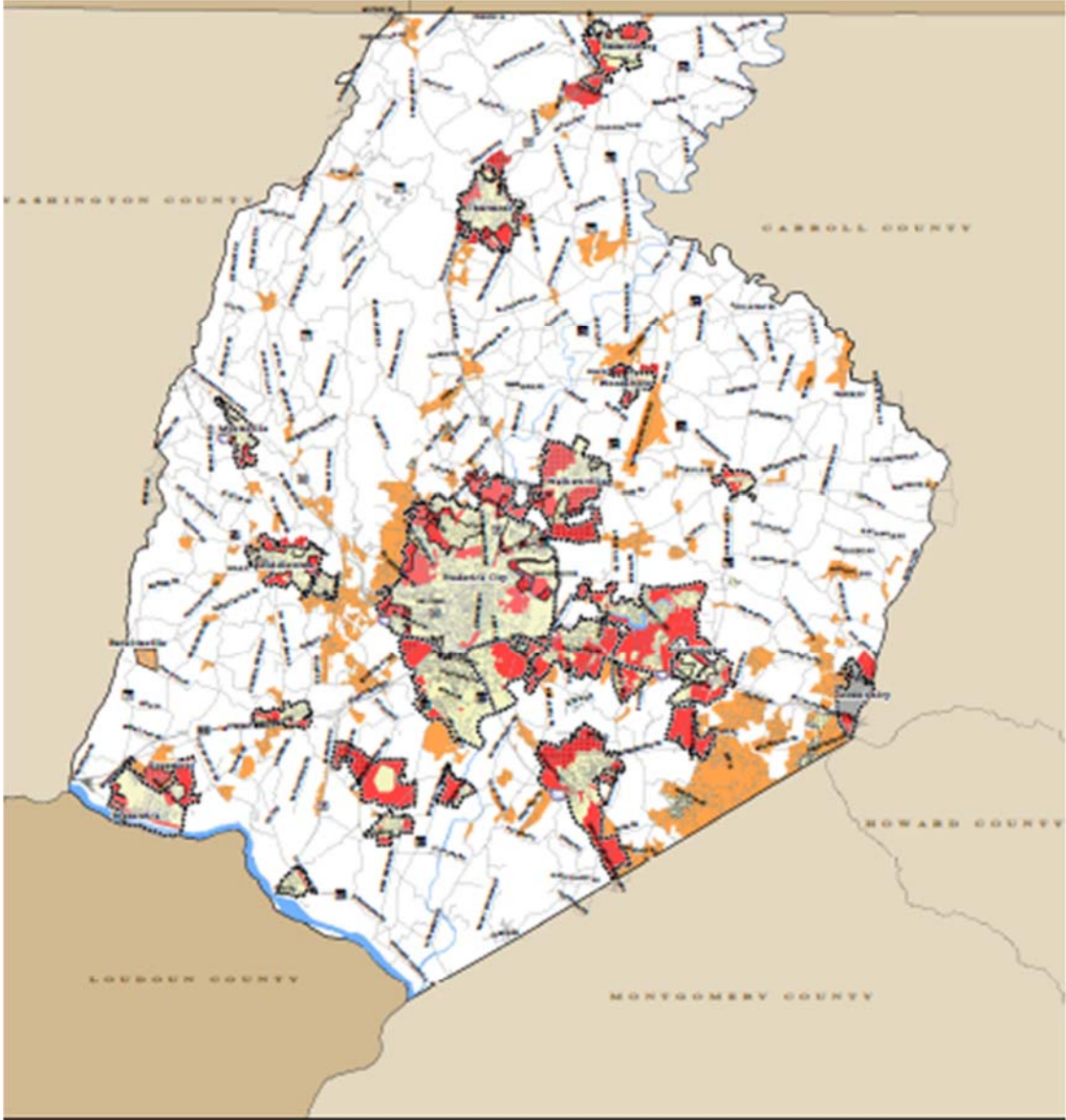
Initial County Proposed Map



Zoned capacity for major subdivisions in Tier 3 on septic



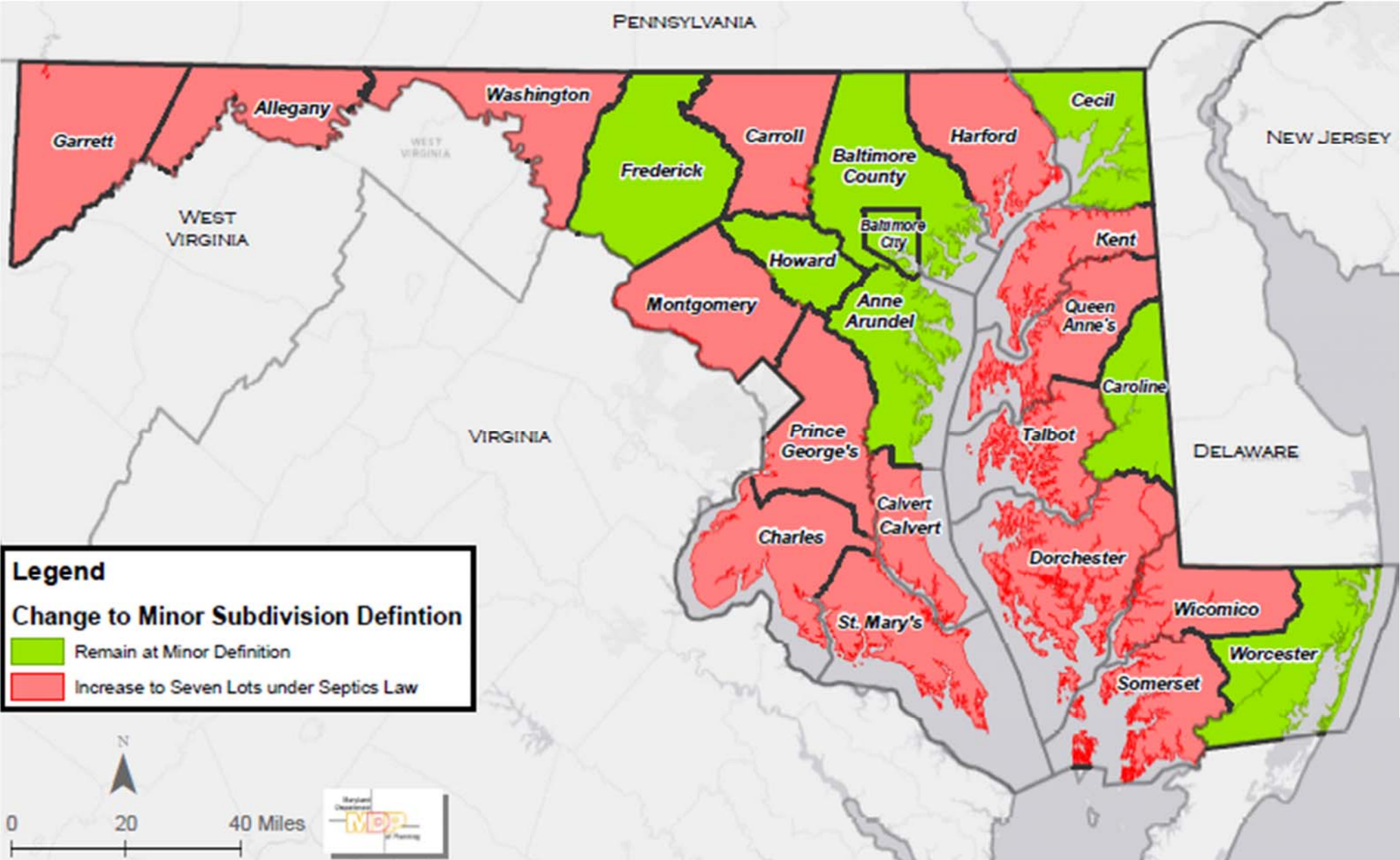
Final County Adopted Map in Frederick



Senate Bill 236: Growth Tiers

Municipalities	Tier I	Tier II	Tier III	 Adopted- February 26, 2013	 Community Development Division March 05, 2013
Community Growth Area <small>annexed September 2012</small>	Tier IA	Tier IIA	Tier IV		
Tier mapping to be submitted by the Town					<small> While efforts have been made to ensure the accuracy of this map, Frederick County accepts no liability or responsibility for errors, omissions, or misstatements appearing in the content of this map. Reference to the map is for informational purposes only. The map is for illustrative purposes only and does not constitute any binding agreement, in the specific context. </small>

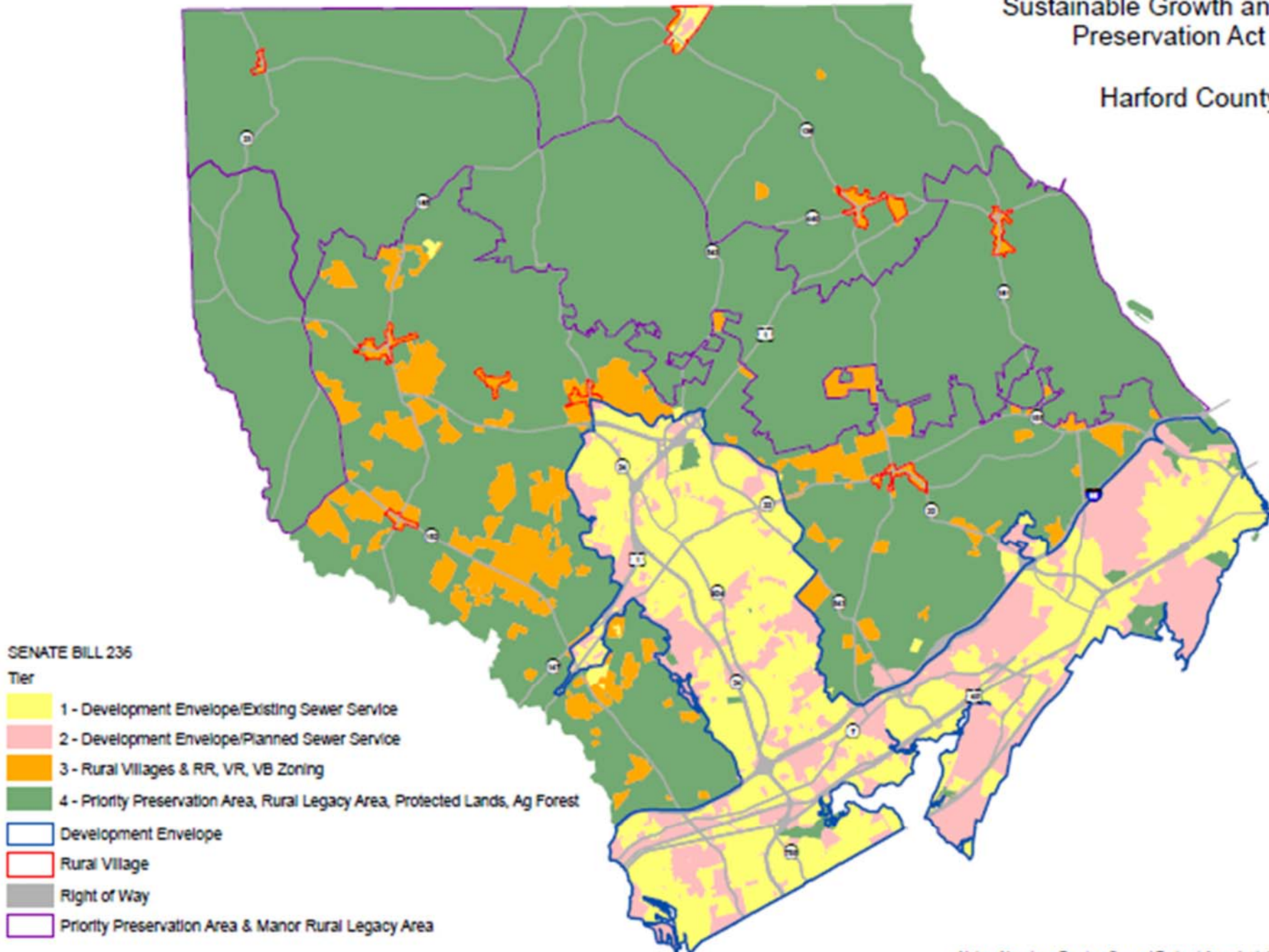
Change to Minor Subdivision Definition



Harford County Growth Tiers

Sustainable Growth and Agricultural
Preservation Act of 2012

Harford County, MD



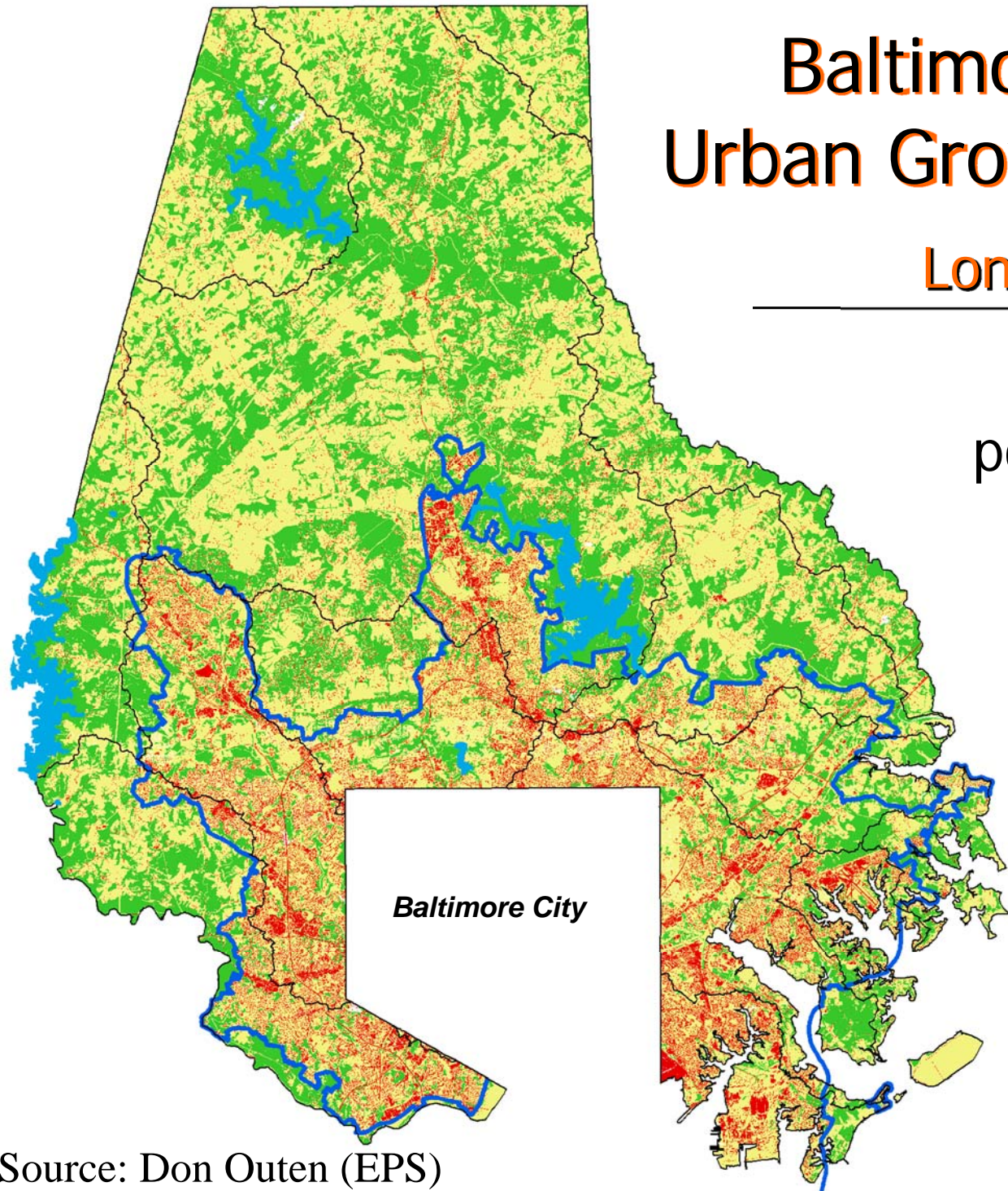
Note - Aberdeen Proving Ground Federal Army Installation is designated as Tier 1.

**Baltimore County:
Land use trends and zoning**

Baltimore County Urban Growth Boundary

Long-Term Results

90% of year 2000
population lived inside
the urban growth
boundary (UGB) on
1/3 of the land

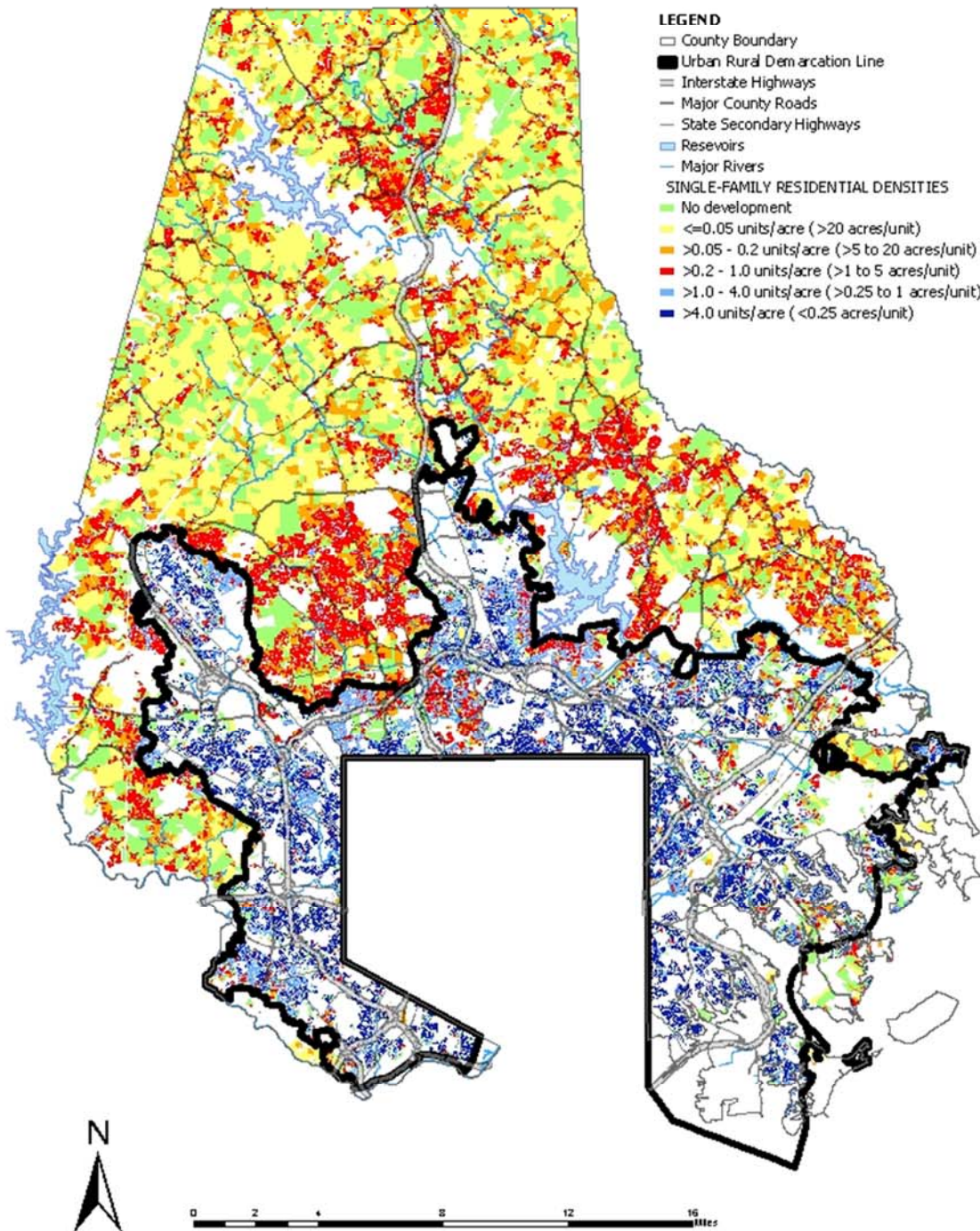


LEGEND

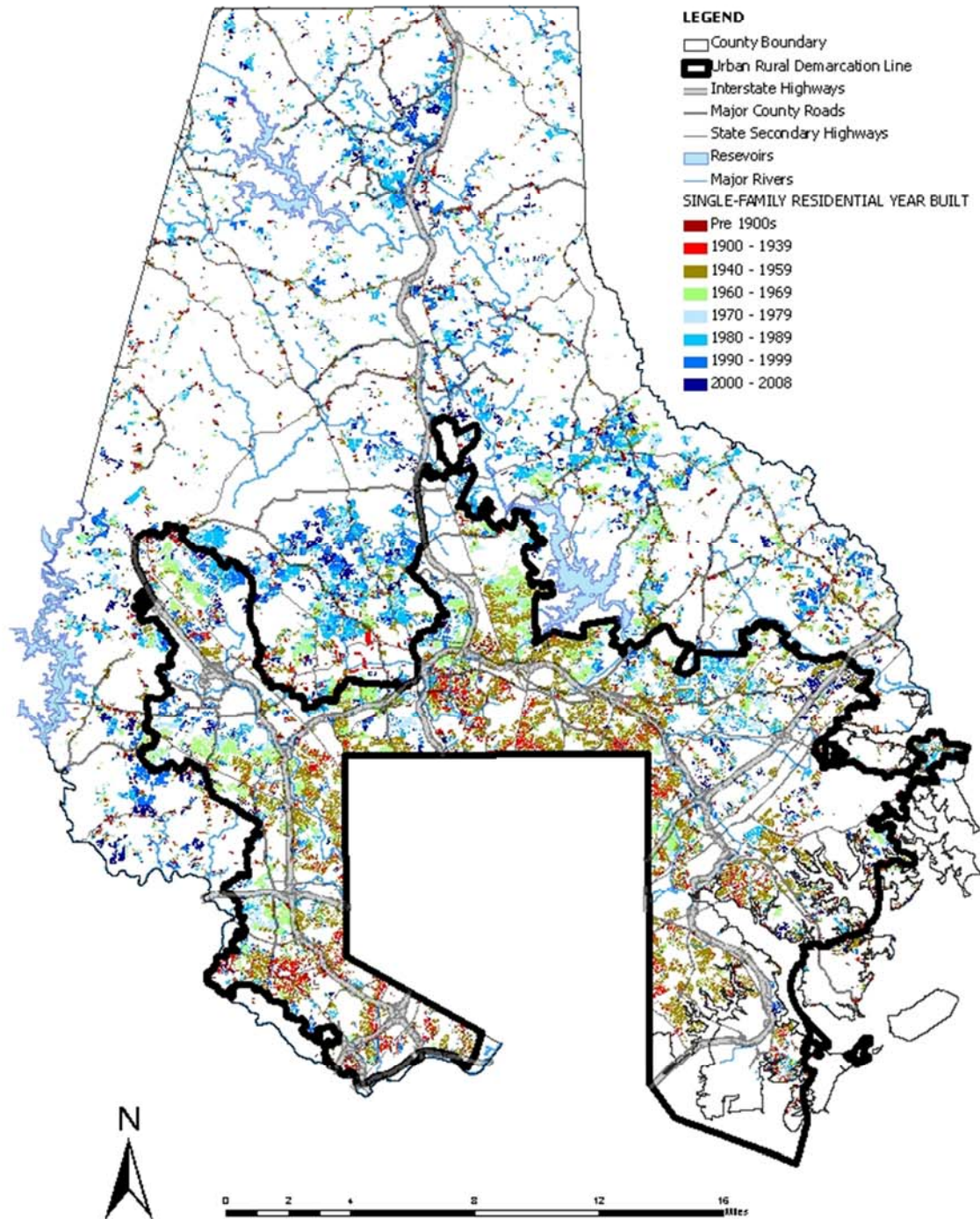
- Forest
- Fields/Grass
- Impervious
- Water
- Urban-Rural Demarcation Line (URDL)

Source: Don Outen (EPS)

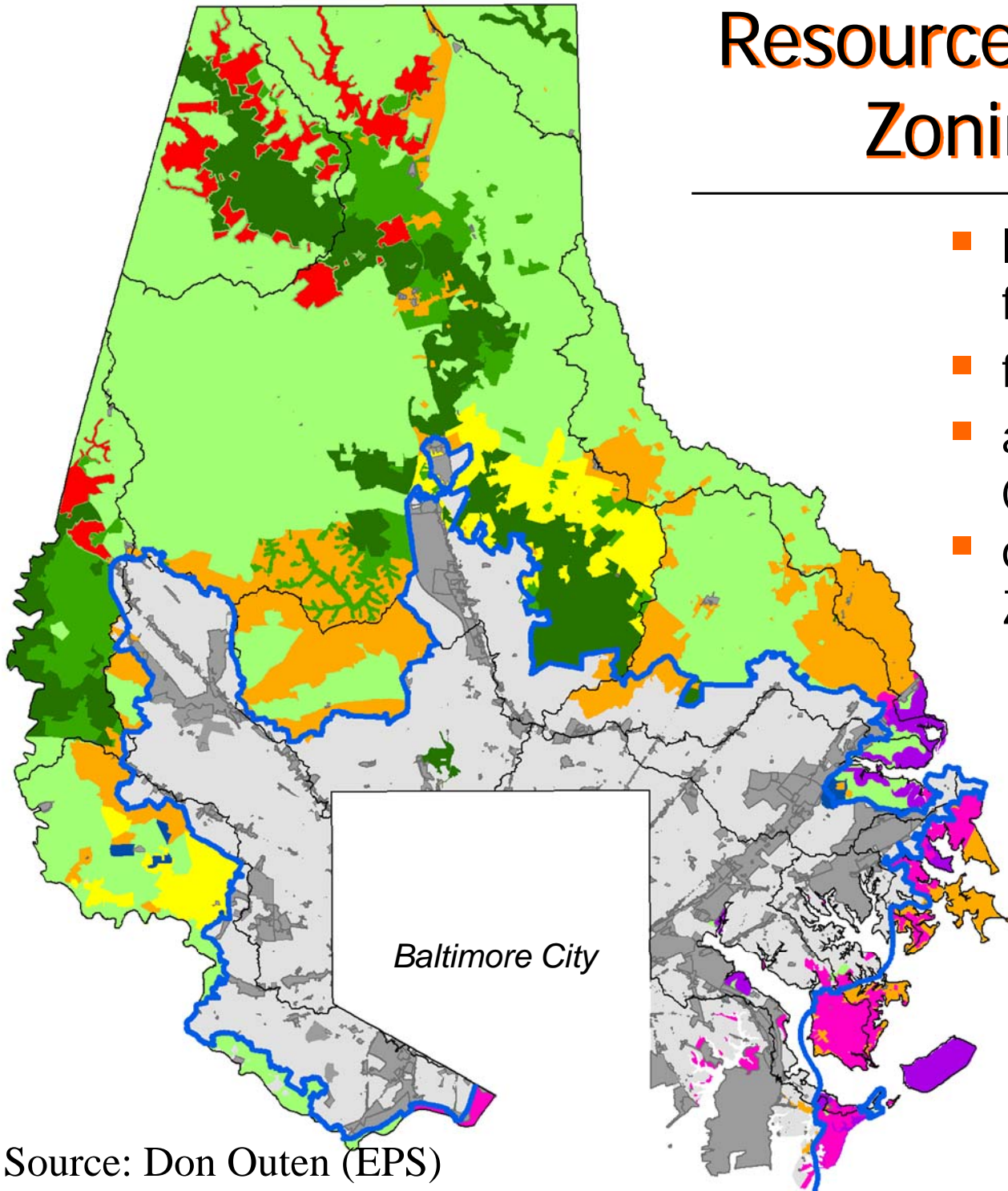
Residential density in 2008



Residential Development by Year Built



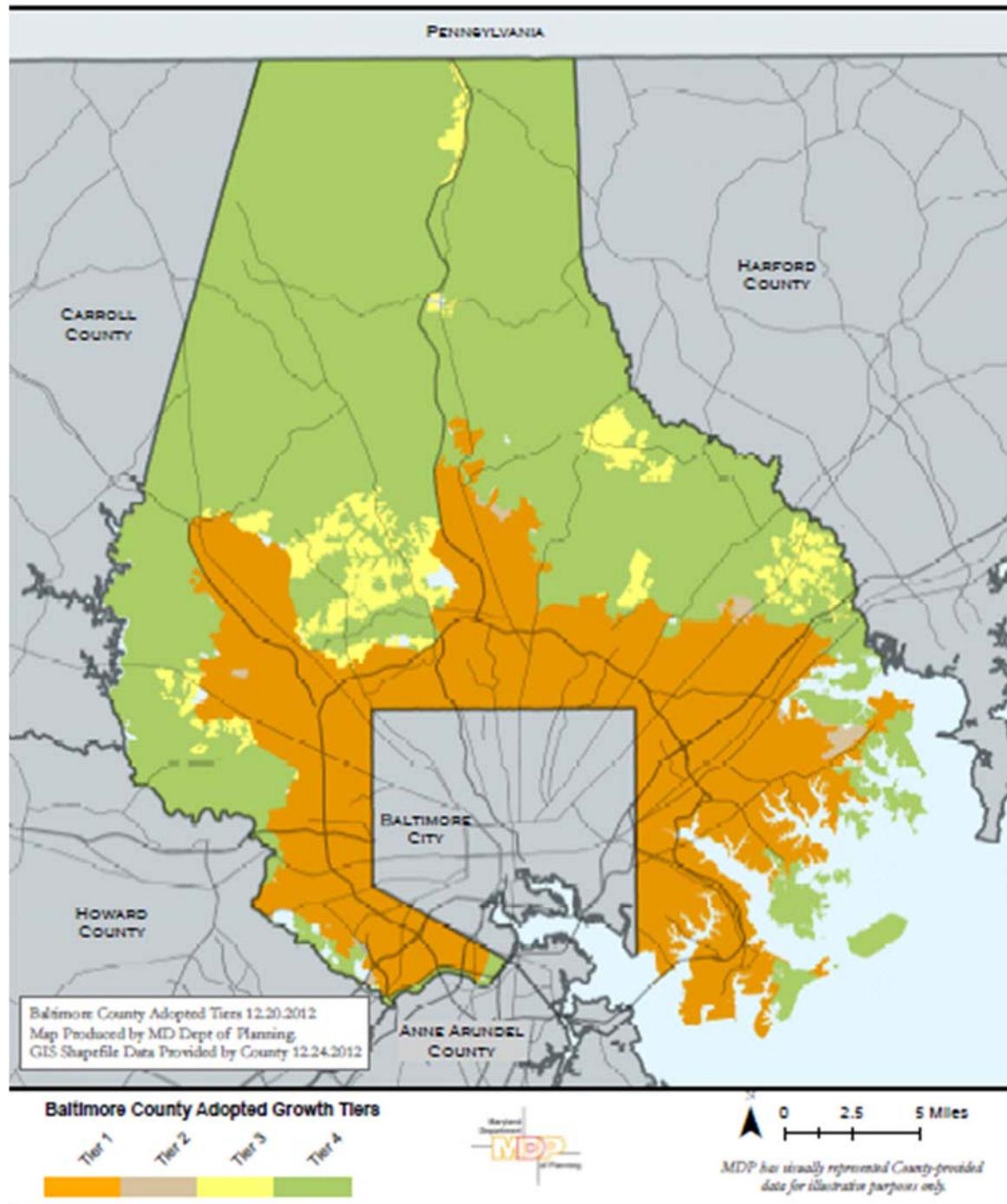
Resource Conservation Zoning - 2008



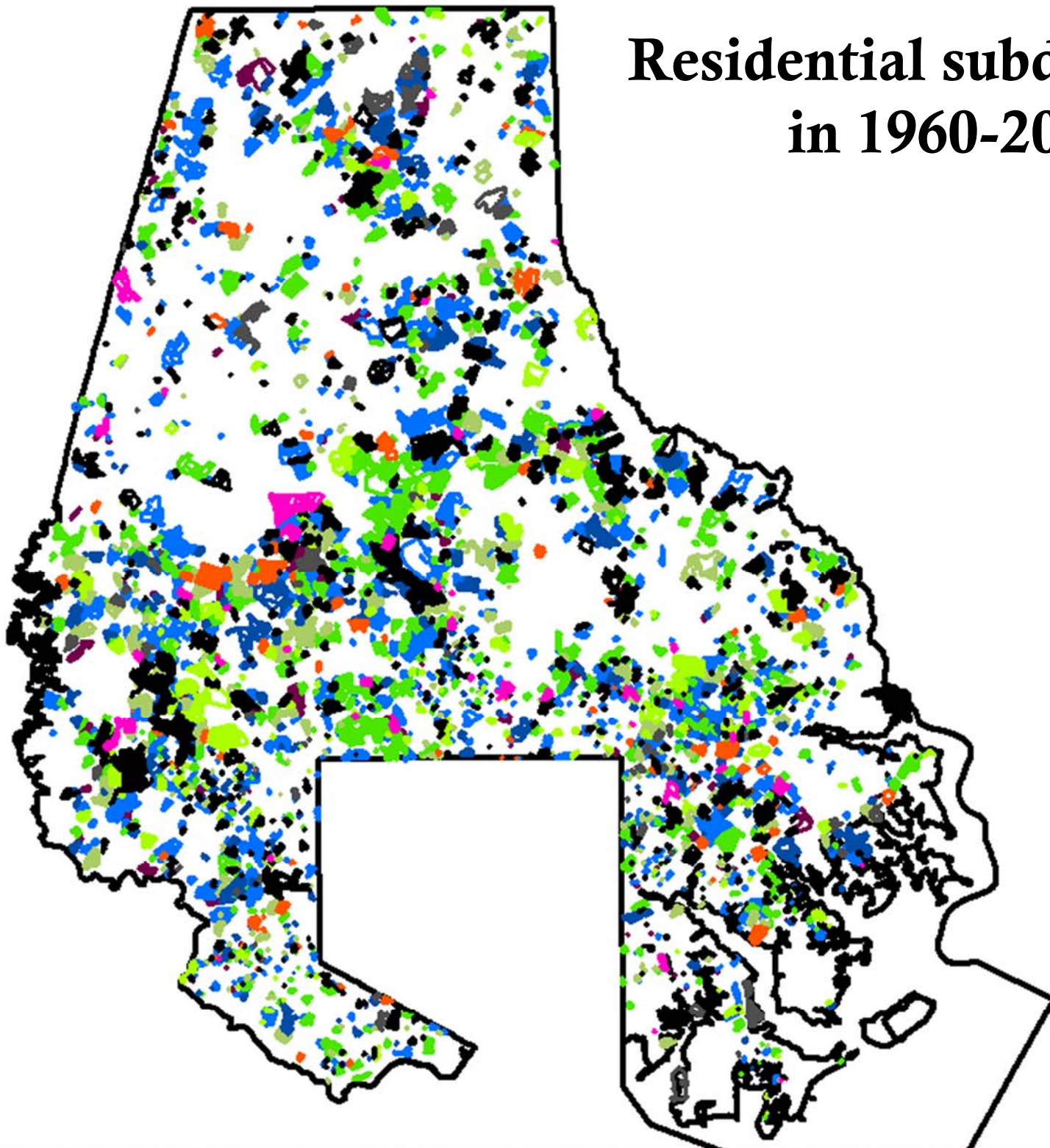
- low-density zoning protects forests and water resources
- first adopted in 1975
- applies to about 2/3 of the County
- quadrennial Comprehensive Zoning Map Process

Source: Don Outen (EPS)

Baltimore County Growth Tiers



Residential subdivisions in 1960-2008



Subdivision in RC4 zoning



GENERAL NOTES

1. THE RECORDING OF THIS PLAT DOES NOT CONSTITUTE AN ACCEPTANCE OF THE DESIGN OR CONSTRUCTION OF ANY PUBLIC UTILITY OR OTHER PUBLIC AREA SHOWN ON THIS PLAT.
2. THE RECORDING OF THIS PLAT DOES NOT GUARANTEE THE ACCURACY OF THE SURVEY DATA OR THE INFORMATION CONTAINED HEREON.
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CURVE TABLE

CURVE	RADIUS	LENGTH	ANGLE	CHORD	BEARING	DELTA
C1	50.00	39.27	21.00	38.73	S77°55'30" W	40°14'23"
C2	50.00	256.67	49.20	70.00	S50°11'12" W	271°09'54"
C3	50.00	39.27	21.00	38.73	N21°04'30" W	49°14'23"
C4	329.15	187.57	118.20	134.39	N33°58'11" W	242°02'09"
C5	563.15	211.57	118.20	218.09	S33°58'11" W	117°54'09"
C6	205.00	210.24	115.62	207.41	S49°53'00" W	38°09'49"
C7	350.00	162.86	83.00	174.11	S44°52'00" W	207°04'09"
C8	350.00	162.86	83.00	174.11	S44°52'00" W	207°04'09"
C9	350.00	162.86	83.00	174.11	S44°52'00" W	207°04'09"
C10	350.00	162.86	83.00	174.11	S44°52'00" W	207°04'09"
C11	250.00	152.71	87.00	169.89	S33°57'30" W	222°02'09"
C12	250.00	152.71	87.00	169.89	S33°57'30" W	222°02'09"
C13	250.00	152.71	87.00	169.89	S33°57'30" W	222°02'09"
C14	250.00	152.71	87.00	169.89	S33°57'30" W	222°02'09"
C15	250.00	152.71	87.00	169.89	S33°57'30" W	222°02'09"
C16	250.00	152.71	87.00	169.89	S33°57'30" W	222°02'09"
C17	250.00	152.71	87.00	169.89	S33°57'30" W	222°02'09"
C18	250.00	152.71	87.00	169.89	S33°57'30" W	222°02'09"
C19	250.00	152.71	87.00	169.89	S33°57'30" W	222°02'09"
C20	250.00	152.71	87.00	169.89	S33°57'30" W	222°02'09"

LINE TABLE

LINE	THICKNESS	DISTANCE
L1	1/8"	14.84
L2	1/8"	14.84
L3	1/8"	14.84
L4	1/8"	14.84
L5	1/8"	14.84
L6	1/8"	14.84
L7	1/8"	14.84
L8	1/8"	14.84
L9	1/8"	14.84
L10	1/8"	14.84
L11	1/8"	14.84
L12	1/8"	14.84
L13	1/8"	14.84
L14	1/8"	14.84
L15	1/8"	14.84
L16	1/8"	14.84
L17	1/8"	14.84
L18	1/8"	14.84
L19	1/8"	14.84
L20	1/8"	14.84
L21	1/8"	14.84
L22	1/8"	14.84
L23	1/8"	14.84
L24	1/8"	14.84
L25	1/8"	14.84
L26	1/8"	14.84
L27	1/8"	14.84
L28	1/8"	14.84
L29	1/8"	14.84
L30	1/8"	14.84
L31	1/8"	14.84
L32	1/8"	14.84
L33	1/8"	14.84
L34	1/8"	14.84
L35	1/8"	14.84
L36	1/8"	14.84
L37	1/8"	14.84
L38	1/8"	14.84
L39	1/8"	14.84
L40	1/8"	14.84
L41	1/8"	14.84
L42	1/8"	14.84
L43	1/8"	14.84
L44	1/8"	14.84
L45	1/8"	14.84
L46	1/8"	14.84
L47	1/8"	14.84
L48	1/8"	14.84
L49	1/8"	14.84
L50	1/8"	14.84
L51	1/8"	14.84
L52	1/8"	14.84
L53	1/8"	14.84
L54	1/8"	14.84
L55	1/8"	14.84
L56	1/8"	14.84
L57	1/8"	14.84
L58	1/8"	14.84
L59	1/8"	14.84
L60	1/8"	14.84
L61	1/8"	14.84
L62	1/8"	14.84
L63	1/8"	14.84
L64	1/8"	14.84
L65	1/8"	14.84
L66	1/8"	14.84
L67	1/8"	14.84
L68	1/8"	14.84
L69	1/8"	14.84
L70	1/8"	14.84
L71	1/8"	14.84
L72	1/8"	14.84
L73	1/8"	14.84
L74	1/8"	14.84
L75	1/8"	14.84
L76	1/8"	14.84
L77	1/8"	14.84
L78	1/8"	14.84
L79	1/8"	14.84
L80	1/8"	14.84
L81	1/8"	14.84
L82	1/8"	14.84
L83	1/8"	14.84
L84	1/8"	14.84
L85	1/8"	14.84
L86	1/8"	14.84
L87	1/8"	14.84
L88	1/8"	14.84
L89	1/8"	14.84
L90	1/8"	14.84
L91	1/8"	14.84
L92	1/8"	14.84
L93	1/8"	14.84
L94	1/8"	14.84
L95	1/8"	14.84
L96	1/8"	14.84
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L98	1/8"	14.84
L99	1/8"	14.84
L100	1/8"	14.84

COORDINATE TABLE

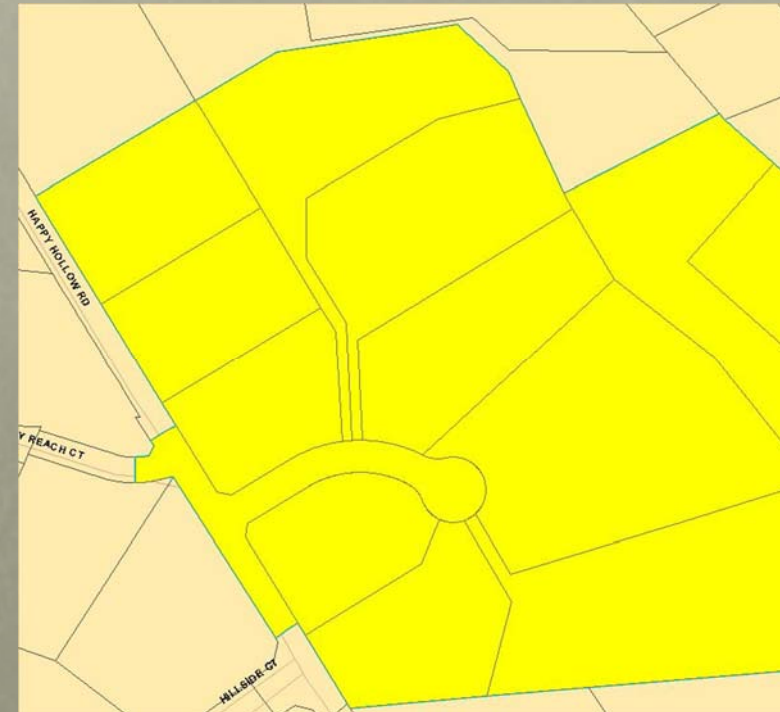
POINT	NORTHING	EASTING
100	4857.4103	2840.2775
101	4852.8246	2840.2775
102	4850.2239	3110.3974
103	4842.9219	3110.3974
104	4792.5899	1431.5607
105	4792.5899	1790.4302
106	4479.5093	8094.0114
107	4479.5093	8094.0114
108	5329.3746	632.8025
109	6255.2677	1712.8066
110	6272.1100	1577.4328
111	6506.7122	2141.1219
112	6475.2822	2143.2039
113	6068.5581	2711.9019
114	5821.6536	2297.5179
115	5824.4381	1846.8028
116	5763.2424	2543.5049
117	5382.9048	2545.8457
118	5284.8043	2576.3847
119	5297.6815	2746.8645
120	5094.9547	2785.3485
121	4875.8168	2746.8645
122	4802.6144	2746.8645
123	4804.4124	2817.6103
124	5895.2761	2249.9518
125	5141.8480	134.7618
126	5668.5045	2410.8902
127	5256.2082	2411.7822
128	5378.3772	2576.2168
129	5363.1214	2746.8645
130	5384.5316	2586.2071
131	5041.0025	2772.7127
132	4950.8350	2772.7127
133	4872.6882	2886.5645
134	4846.7721	2817.6103
135	4694.2677	2712.8066
136	6223.4529	3153.7845
137	6205.8789	3153.7845
138	6195.6080	2087.1694
139	6205.8789	1813.1111
140	7962.4965	1894.5872
141	6798.8663	1772.2642
142	5790.5422	1734.1394
143	6153.1347	1734.1394
144	5796.1700	1795.3153
145	5849.0260	1832.2665
146	6201.8483	1810.4205
147	6156.3027	2094.5920
148	6168.4440	2148.7782
149	6038.8145	1828.4447
150	5952.7977	1890.9684

<p>McKEE & ASSOCIATES, INC. Engineering - Surveying - Natural Resources Planning</p> <p>Real Estate Development</p> <p>SHAMAN PLACE, 5 SHAMAN ROAD HUNT VALLEY, MARYLAND 21030 TELEPHONE: (410) 327-1555 FACSIMILE: (410) 327-1563</p>	<p>SURVEYOR'S CERTIFICATION</p> <p>I, the undersigned, a registered land surveyor of the State of Maryland, have surveyed and plotted the above described land and have thereon shown the boundaries and easements as shown on the attached plat. I have also shown thereon the location and extent of all easements and other interests in the land shown on the attached plat. I have also shown thereon the location and extent of all easements and other interests in the land shown on the attached plat. I have also shown thereon the location and extent of all easements and other interests in the land shown on the attached plat.</p>	<p>OWNER'S CERTIFICATION</p> <p>I, the undersigned, owner of the above described land, hereby certify that the above described land is the land shown on the attached plat and that the boundaries and easements shown thereon are true and correct. I have also shown thereon the location and extent of all easements and other interests in the land shown on the attached plat.</p>	<p>APPROVED</p> <p>By the Director of Planning and Development Baltimore County Code Section 22-101.1 Baltimore County Code</p>	<p>APPROVED</p> <p>By the Director of Planning and Development Baltimore County Code Section 22-101.1 Baltimore County Code</p>	<p>P.R.A. COMPLETED 10/20/10 FINAL PLAT CHECKED HOUSE NUMBERS LAND ACQUISITION RECREATION AND PARKS</p>	<p>OWNER</p> <p>ELIZABETH E. & ELEANOR A. KAUFMAN 1814 VERNON ROAD WHITE HALL, MARYLAND 21161 4837/308 67-111-00030</p>	<p>FINAL SUBDIVISION PLAT</p> <p>ELLIOTT'S CHANCE</p> <p>7th ELECTION DISTRICT SCALE: 1" = 100'</p>

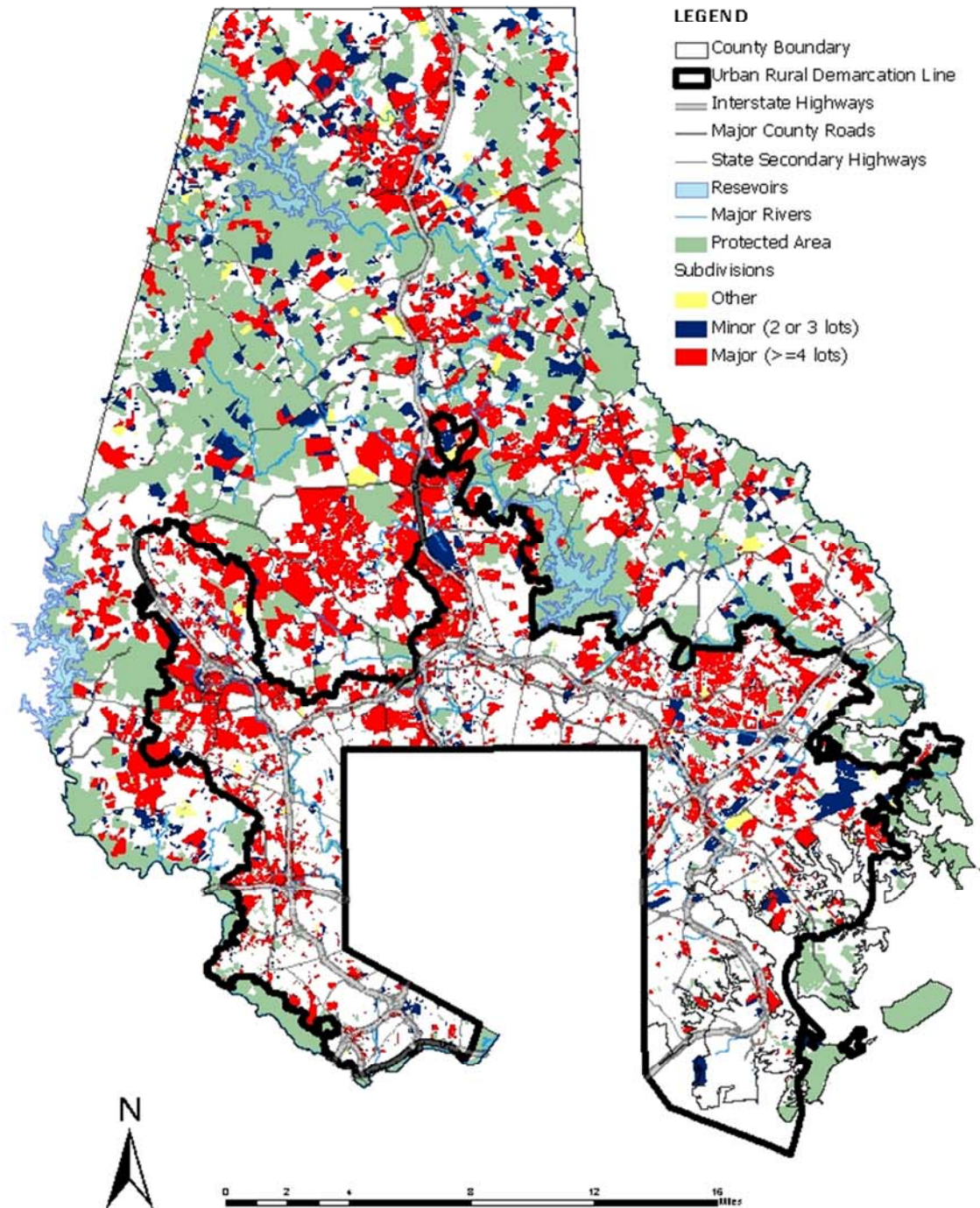
Subdivisions

MD Property View parcel data to reconstruct historic subdivisions 1960-2008:

- Identify polygons in MDPV parcel layer within same subdivision
- Dissolve individual parcels into original parent parcel
- Record year start and number of lots in subdivision



Residential Subdivisions in 1960-2008



Major versus minor subdivisions

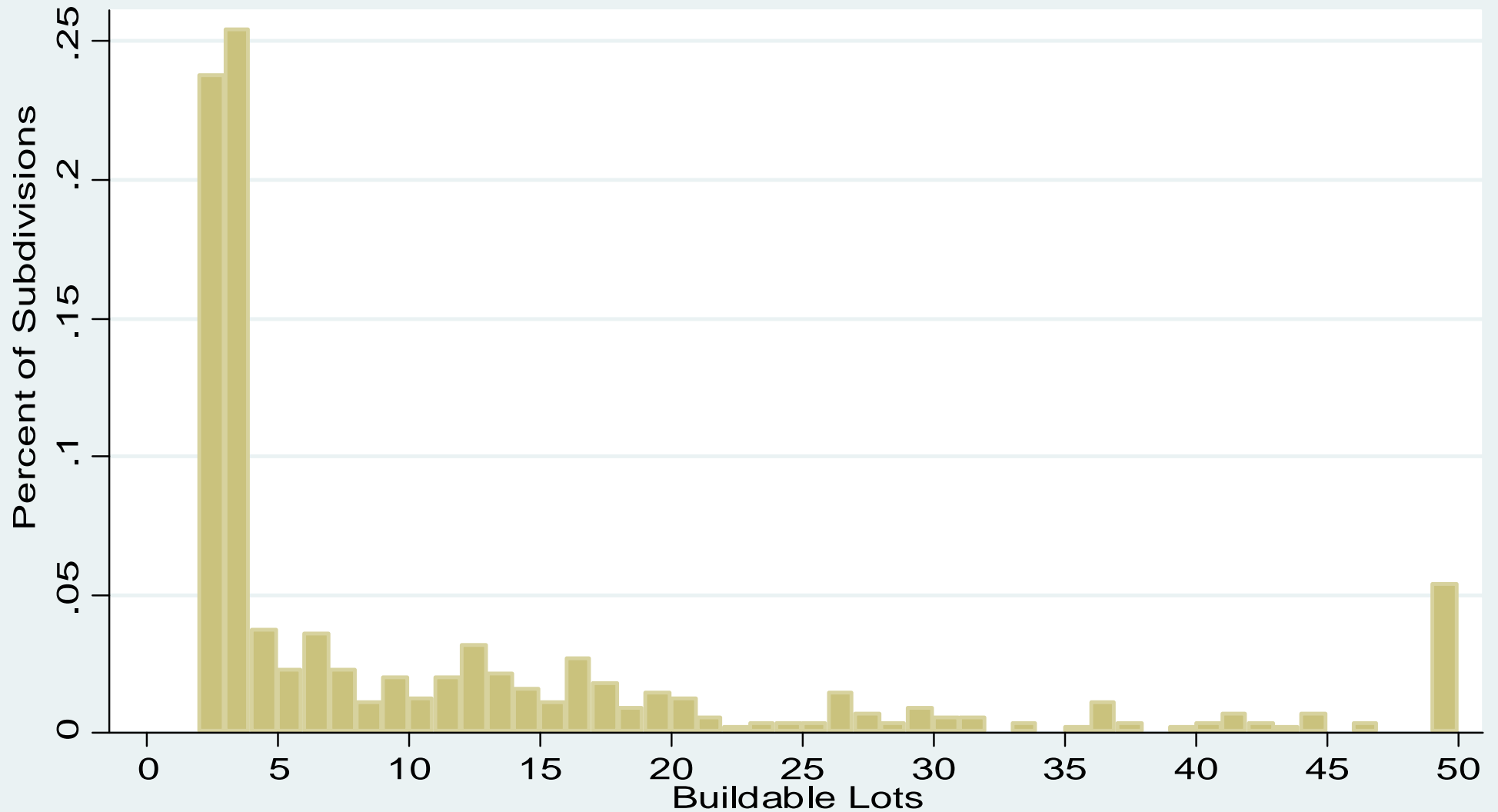
Major subdivisions (4+ lots)

- Formal public hearing for subdivision approval
- Longer permit review process

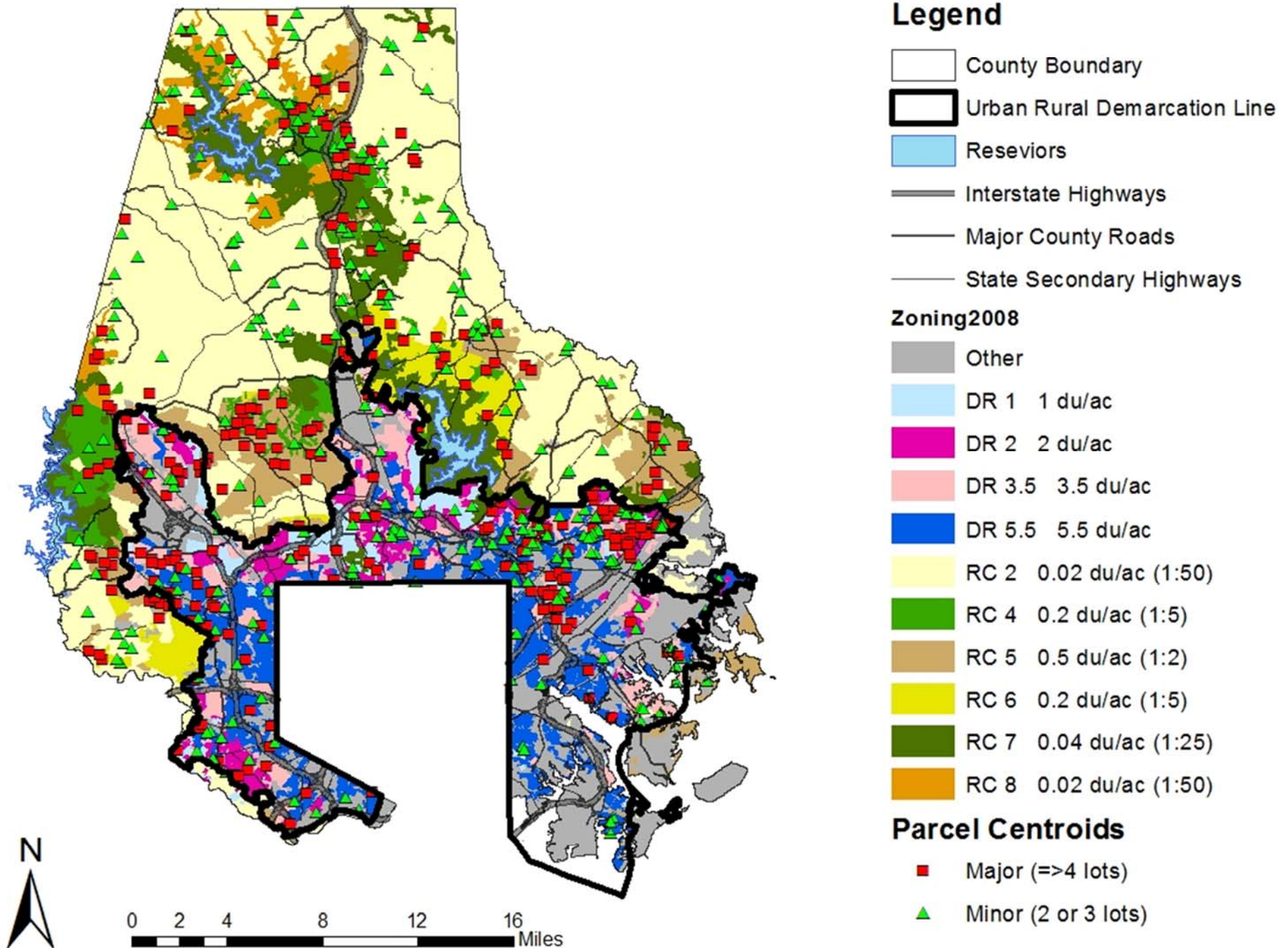
Minor subdivisions (2 or 3 lots)

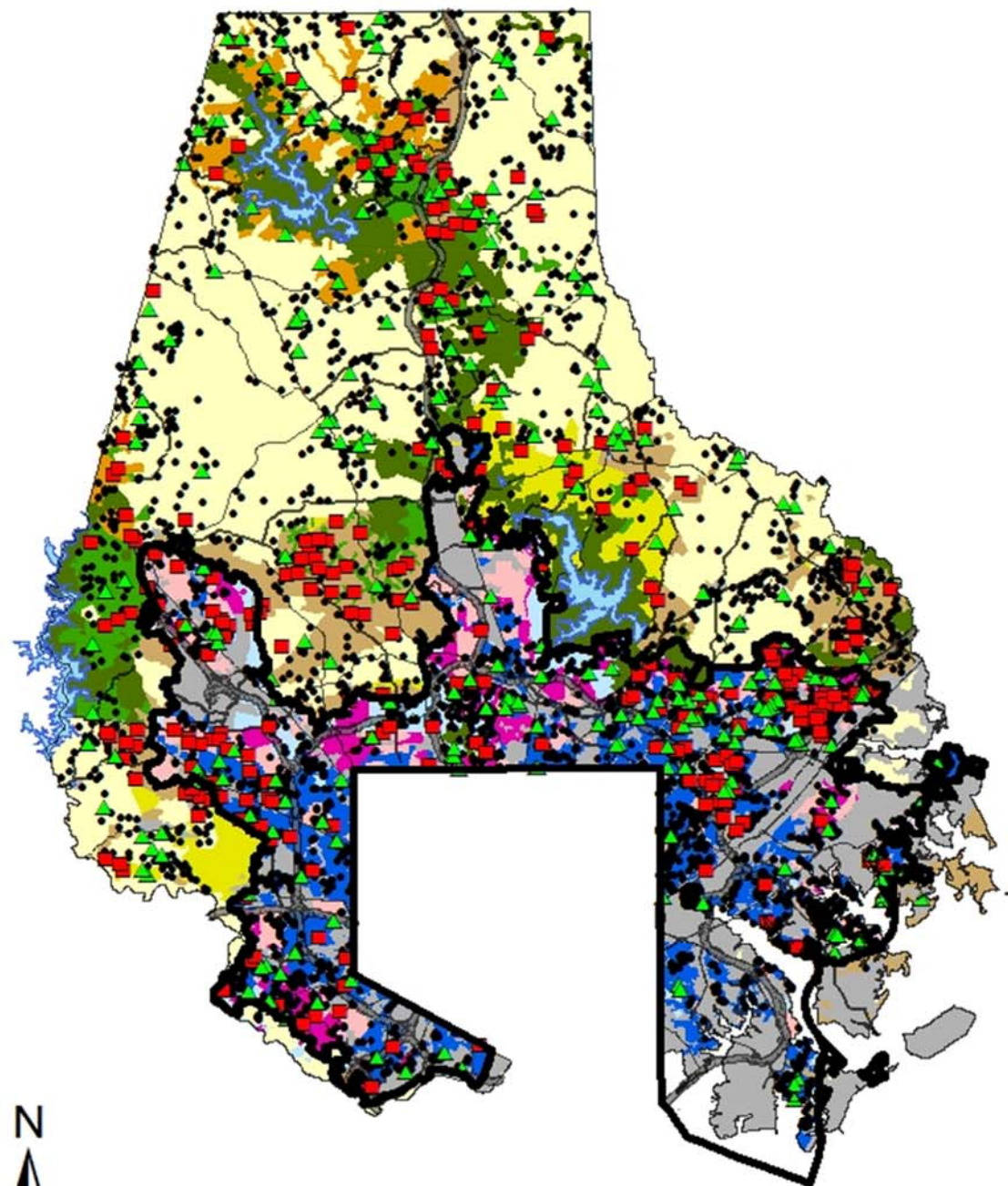
- No formal public hearing (only planning board approval needed)
- Shorter permit review process
- Minor exemption rules in RC2 and RC4 zoning
 - RC2 zoning (50-acre min lot size): Allows 2 lots for parcels between 2 and 100 acres
 - RC4 zoning (5-acre min lot size): Allows 2 lots for parcels between 6 and 10 acres

Subdivision size by buildable lots



Residential subdivisions in 1996-2007



















Legend

-  County Boundary
-  Urban Rural Demarcation Line
-  Reservoirs
-  Interstate Highways
-  Major County Roads
-  State Secondary Highways

Zoning2008

-  Other
-  DR 1 1 du/ac
-  DR 2 2 du/ac
-  DR 3.5 3.5 du/ac
-  DR 5.5 5.5 du/ac
-  RC 2 0.02 du/ac (1:50)
-  RC 4 0.2 du/ac (1:5)
-  RC 5 0.5 du/ac (1:2)
-  RC 6 0.2 du/ac (1:5)
-  RC 7 0.04 du/ac (1:25)
-  RC 8 0.02 du/ac (1:50)

Parcel Centroids

-  Major (≥ 4 lots)
-  Minor (2 or 3 lots)
-  Undeveloped



Explanatory variables

Zoning attributes

Zoning type

Authorized lots minor

Accessibility attributes

Distance to Baltimore City

Distance to major road

Physical land attributes

Parcel area

Slope

Elevation

Soil quality (good/fair, poor, very poor)

Water table depth

100-year floodplain

Existing house

Rural Legacy area

Recent development in 1996-2007

Subdivisions			
	Inside URDL	Outside URDL	Total
Minor (2-3 lots)	150	125	275
Major (4+ lots)	156	128	284
Total	306	253	559
Buildable lots			
	Inside URDL	Outside URDL	Total
Minor (2-3 lots)	403	289	692
Major (4+ lots)	4736	2121	6857
Total	5139	2410	7549
Acreage developed			
	Inside URDL	Outside URDL	Total
Minor (2-3 lots)	272	2675	2947
Major (4+ lots)	2398	8525	10923
Total	2670	11200	13870

Scenario on septic bill impact

Sustainability Growth and Agricultural Preservation Act (“septic bill”) passed by State of Maryland in 2012

Purpose: Restrict major subdivisions on septic systems in rural and resource areas (Tier 4)

Growth Tiers:

- Tier 1 and Tier 2 = Inside URDL (existing and planned sewer)
- Tier 3 = RC5 zoning mainly
- Tier 4 = All other RC zoning types and portion of RC5 zoning
 - Only minor subdivision with 3 lots are allowed

Excess zoned capacity (EZC)

$$\text{EZC} = \frac{\text{Parcel area}}{\text{Minimum lot zoning}} - \text{Number of existing houses}$$

Example #1: 75-acre vacant parcel in RC4 zoning (5-acre min lot zoning).

$$\text{EZC} = \frac{75}{5} - 0 = 15 \text{ lots remaining}$$

Septic bill impact on EZC = 15 – 3 = 12 lot reduction

Assumes minor subdivision with 3 lots built in Baltimore County.

In contrast, Carroll County has redefined minors to 7 lots.

Excess zoned capacity (EZC)

$$\text{EZC} = \frac{\text{Parcel area}}{\text{Minimum lot zoning}} - \text{Number of existing houses}$$

Example #2: 200-acre vacant parcel in RC2 zoning (50-acre min lot zoning).

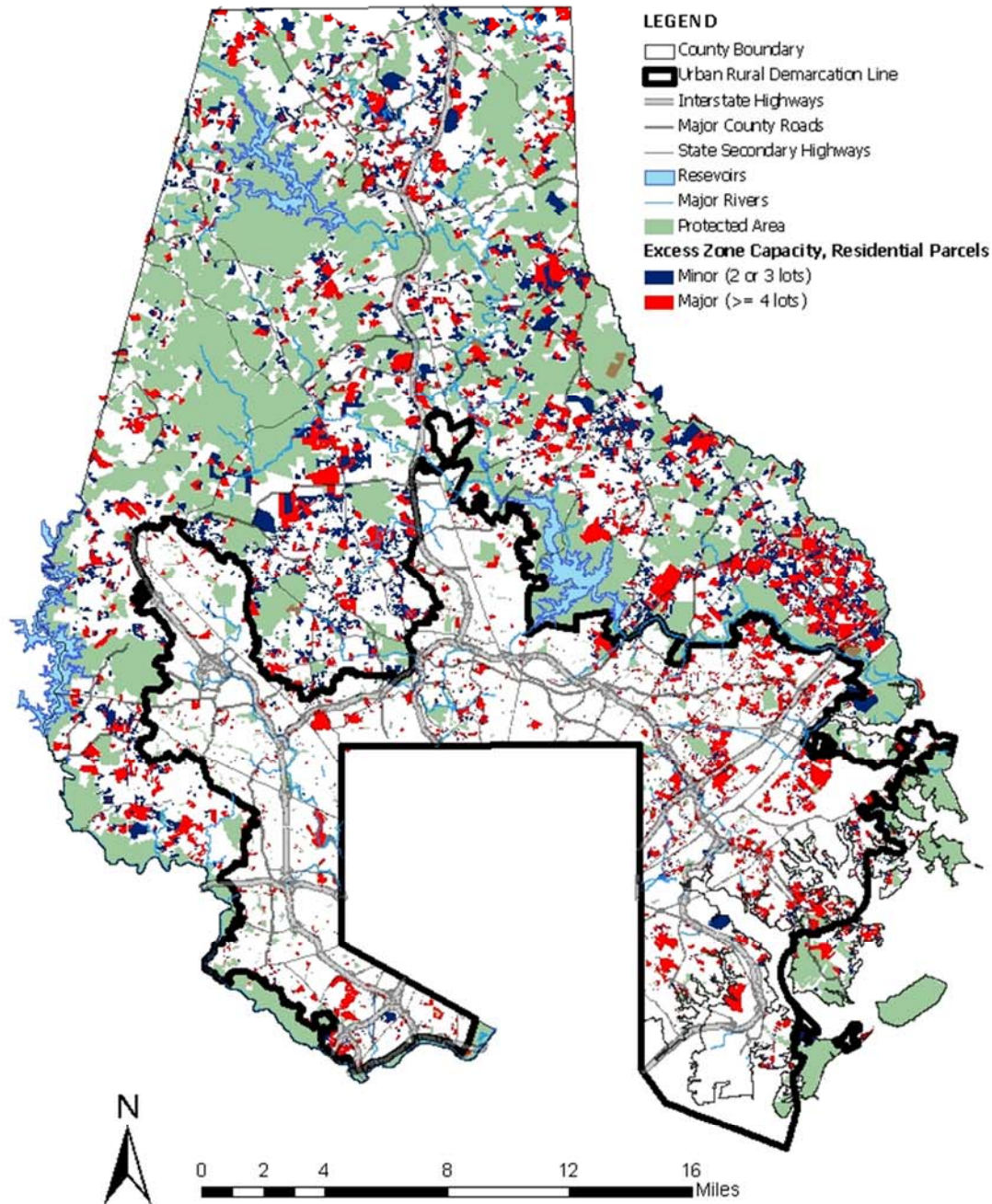
$$\text{EZC} = \frac{200}{50} - 0 = 4 \text{ lots remaining}$$

Septic bill impact on EZC = $4 - 3 = 1$ lot reduction

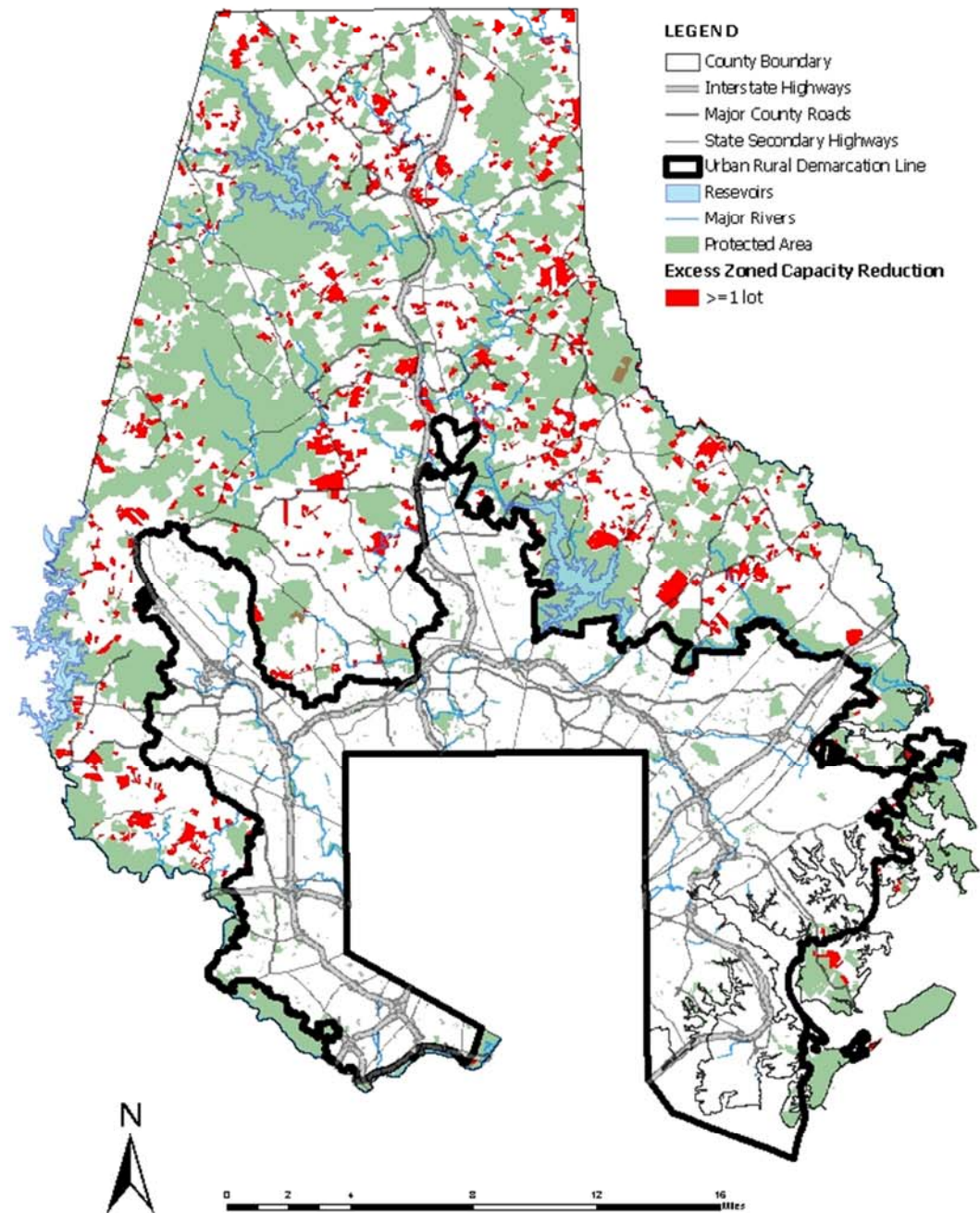
Example #3: 12-acre vacant parcel in RC2 zoning

Still allows subdivision into 2 lots (EZC=2) due to minor exemptions

Excess Zoned Capacity



Excess Zoned Capacity Reduction



Septic bill impacts in Tier 4

All rural watersheds (Baltimore County only)

	Subdivision potential	RC2	RC4	RC5	RC6	RC7	RC8	Total
Parcels	Developed already	11,699	3,787	3,163	3,397	1,445	1,461	25,329
	Potential minor (2 or 3 lots)	3,595	134	146	52	14	101	4,055
	Potential major (4+ lots)	10	70	182	53	22	0	345
Buildable lots	Existing house	8,895	2,893	2,054	2,889	993	1,087	18,995
	Potential minor (2 or 3 lots)	5,044	212	262	99	29	164	5,831
	Potential major (4+ lots)	57	591	1,872	514	407	0	3,516
	Septic bill impact (change in AuthLots)	27	381	1,326	355	341	0	2,481
	% Septic impact/Potential major	47%	64%	71%	69%	84%	NA	71%
	% Septic impact/Potential major + minor	1%	47%	62%	58%	78%	0%	27%
	% Septic impact/Existing + potential	0%	10%	32%	10%	24%	0%	9%

Lot reduction in major subdivisions in Tier 4 are mainly in RC5 and RC4/RC6.

RC2 has 5,044 potential buildable lots in minor subdivisions, due to minor exemption rule (i.e. parcels with 2-100 acres allowed 2 lots).

Existing lots (18,955 lots) are much greater than potential minor and major.

Septic bill impacts

All rural watersheds in Baltimore County

	Subdivision potential	Tier 3	Tier 4	Total
Parcels	Developed already	9,731	25,329	35,060
	Potential minor (2 or 3 lots)	225	4,055	4,280
	Potential major (4+ lots)	97	345	442
Buildable lots	Existing house	8,298	18,995	27,293
	Potential minor (2 or 3 lots)	361	5,831	6,192
	Potential major (4+ lots)	719	3,516	4,235
	Septic bill impact (change in AuthLots)	0	2,481	2,481
	% Septic impact/Potential major	0%	71%	59%
	% Septic impact/Potential major + minor	0%	27%	24%
	% Septic impact/Existing + potential	0%	9%	7%

Reduction of 2,481 buildable lots (71%) on major subdivisions in Tier 4 areas.

But this is only a 27% reduction in Tier 4 due to minor subdivision potential.

Septic bill impacts in Tier 4

Loch Raven watershed in Baltimore County

	Subdivision potential	RC2	RC4	RC5	RC6	RC7	RC8	Total
Parcels	Developed already	5,516	2,258	528	2,761	1,236	604	12,903
	Potential minor (2 or 3 lots)	1,719	65	24	24	6	34	1,872
	Potential major (4+ lots)	5	33	32	23	11	0	104
Buildable lots	Existing house	4,139	1,696	333	2,336	938	426	9,868
	Potential minor (2 or 3 lots)	2,423	107	41	41	10	59	2,681
	Potential major (4+ lots)	23	247	362	215	274	0	1,121
	Septic bill impact (change in AuthLots)	8	148	266	146	241	0	809
	% Septic impact/Potential major	35%	60%	73%	68%	88%	NA	72%
	% Septic impact/Potential major + minor	0%	42%	66%	57%	85%	0%	21%
	% Septic impact/Existing + potential	0%	7%	33%	6%	20%	0%	5%

Septic bill impacts in Tier 4

Liberty watershed in Baltimore County

	Subdivision potential	RC2	RC4	RC5	RC6	RC7	RC8	Total
Parcels	Developed already	599	1,260	37	0	98	274	2,268
	Potential minor (2 or 3 lots)	204	65	2	0	7	12	290
	Potential major (4+ lots)	0	32	2	0	7	0	41
Buildable lots	Existing house	452	973	24	0	3	223	1,675
	Potential minor (2 or 3 lots)	294	98	2	0	17	22	433
	Potential major (4+ lots)	0	293	8	0	54	0	355
	Septic bill impact (change in AuthLots)	0	197	2	0	33	0	232
	% Septic impact/Potential major	0%	67%	25%	0%	61%	0%	65%
	% Septic impact/Potential major + minor	0%	50%	20%	0%	46%	0%	29%
	% Septic impact/Existing + potential	0%	14%	6%	0%	45%	0%	9%

Septic bill impacts in Tier 4

Prettyboy watershed in Baltimore County

	Subdivision potential	RC2	RC4	RC5	RC6	RC7	RC8	Total
Parcels	Developed already	1,457	224	5	0	23	579	2,288
	Potential minor (2 or 3 lots)	353	3	0	0	0	55	411
	Potential major (4+ lots)	0	5	1	0	1	0	7
Buildable lots	Existing house	989	193	1	0	2	438	1,623
	Potential minor (2 or 3 lots)	482	5	0	0	0	83	570
	Potential major (4+ lots)	0	51	27	0	11	0	89
	Septic bill impact (change in AuthLots)	0	36	24	0	8	0	68
	% Septic impact/Potential major	0%	71%	89%	0%	73%	NA	76%
	% Septic impact/Potential major + minor	0%	64%	89%	0%	73%	0%	10%
	% Septic impact/Existing + potential	0%	14%	86%	0%	62%	0%	3%

Septic bill impacts in Tier 4

Non-reservoir watersheds in Baltimore County

	Subdivision potential	RC2	RC4	RC5	RC6	RC7	RC8	Total
Parcels	Developed already	4,127	45	2,593	636	88	4	7,870
	Potential minor (2 or 3 lots)	1,319	1	120	28	1	0	1,482
	Potential major (4+ lots)	5	0	147	30	3	0	193
Buildable lots	Existing house	3,315	30	1,696	553	50	0	5,828
	Potential minor (2 or 3 lots)	1,845	2	219	58	2	0	2,147
	Potential major (4+ lots)	34	0	1,475	299	68	0	1,951
	Septic bill impact (change in AuthLots)	19	0	1,034	209	59	0	1,372
	% Septic impact/Potential major	56%	NA	70%	70%	87%	NA	70%
	% Septic impact/Potential major + minor	1%	0%	61%	59%	84%	0%	33%
	% Septic impact/Existing + potential	0%	0%	28%	22%	49%	0%	13%

Main findings in Baltimore County

Zoning impacts

Minimum lot size zoning regulations strongly affect both the probability of development and density

Urban vs. Rural impacts

Majority of new buildable lots occur within urban area
(5,139 lots inside URDL vs. 2,410 outside URDL)

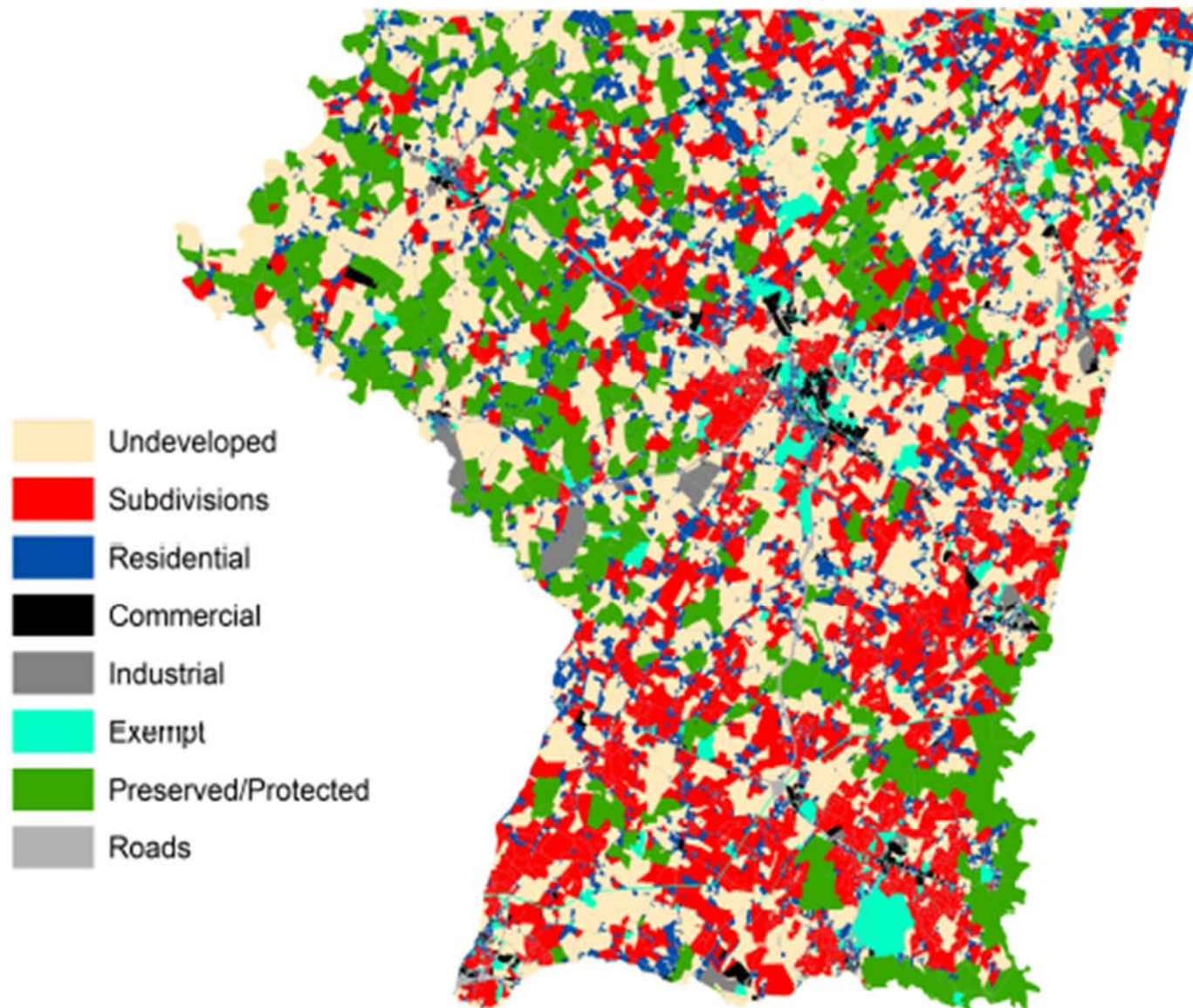
But majority of acreage developed still occurs within rural area
(2,670 acres inside URDL vs. 11,200 outside URDL)

Septic bill regulations

Septic bill results in 71% reduction on major subdivisions in Tier 4 areas.

But there is still a significant number of potential minor subdivisions on septic systems in Tier 4.

Carroll County Land Use 2007



Carroll vs. Baltimore County

Designation on Tier 3 versus Tier 4 areas

Carroll County has not publicly released growth tier map

Baltimore County designated about 90% of rural area in Tier 4 (most preservation-oriented in State of MD)

Redefinition of minor subdivision (Increased to 7 lots)

Carroll County redefined minors to include 2 to 7 lots

Baltimore County continued to define minors as 2 or 3 lots

Minor exemptions

Agricultural zoning in Carroll County has 20-acre min lot size, with minor exemption for 2 lots on parcels between 6 to 40 acres

Existing development

Existing development is much greater than potential minor and majors in both Baltimore and Carroll Counties (septic retrofits with BAT)

Main issues on septic law

Designation on Tier 3 versus Tier 4 areas

MD Dept of Planning proposed Tier 4 as Rural Legacy areas, priority preservation areas, and forest/agricultural dominated areas.

Tier 3 adopted in majority of rural area in some counties

Redefinition of minor subdivision (Increased to 7 lots)

Will there be clustered development?

Example: 140 acre parcel with 7 lots allowed in minor subdivision

Without clustering: 7 lots at 20 acre each (increase farmland loss)

With clustering: 6 lots at 1 acre each + 134 acre farm