

THE BOARD OF GARRETT COUNTY COMMISSIONERS

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Board of Commissioners

Paul C. Edwards
James C. Hinebaugh, Jr.
S. Larry Tichnell

County Administrator

Kevin G. Null

County Attorney

Gorman E. Getty III

RESOLUTION 2016 – 6

WHEREAS, the Maryland Land Use Article empowers the County to prepare, enact, amend, and execute a Comprehensive Plan within its territorial limits; and

WHEREAS, the General Assembly passed legislation in 2013 which amended Section 1-207, 1-416, 1-509, 3-301 and 3-303 of the Land Use Article, Annotated Code of Maryland; and

WHEREAS, said legislation mandated that all jurisdictions that adopted growth tiers, as outlined in the 2012 septic law, are required to incorporate their growth tier map into its Comprehensive Plan; and

WHEREAS, the Maryland Department of Planning has stated that in order to be in compliance with the law, Garrett County must incorporate the growth tier map via amendment to the Comprehensive Plan by the end of calendar year 2016; and

WHEREAS, the Garrett County Planning Commission duly deliberated and voted on the amendment attached hereto; and

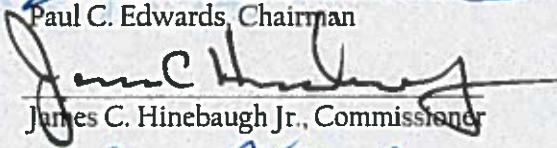
WHEREAS, the Maryland Department of Planning reviewed said amendment and approved the content therein; and


WHEREAS, the Board of County Commissioners conducted a Public Hearing on said amendment.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Garrett County, Maryland does hereby enact the following amendment to the Garrett County Comprehensive Plan.

DULY ADOPTED BY A UNANIMOUS VOTE OF THE BOARD OF COUNTY COMMISSIONERS OF GARRETT COUNTY MARYLAND THIS 7TH DAY OF NOVEMBER 2016.


Paul C. Edwards, Chairman

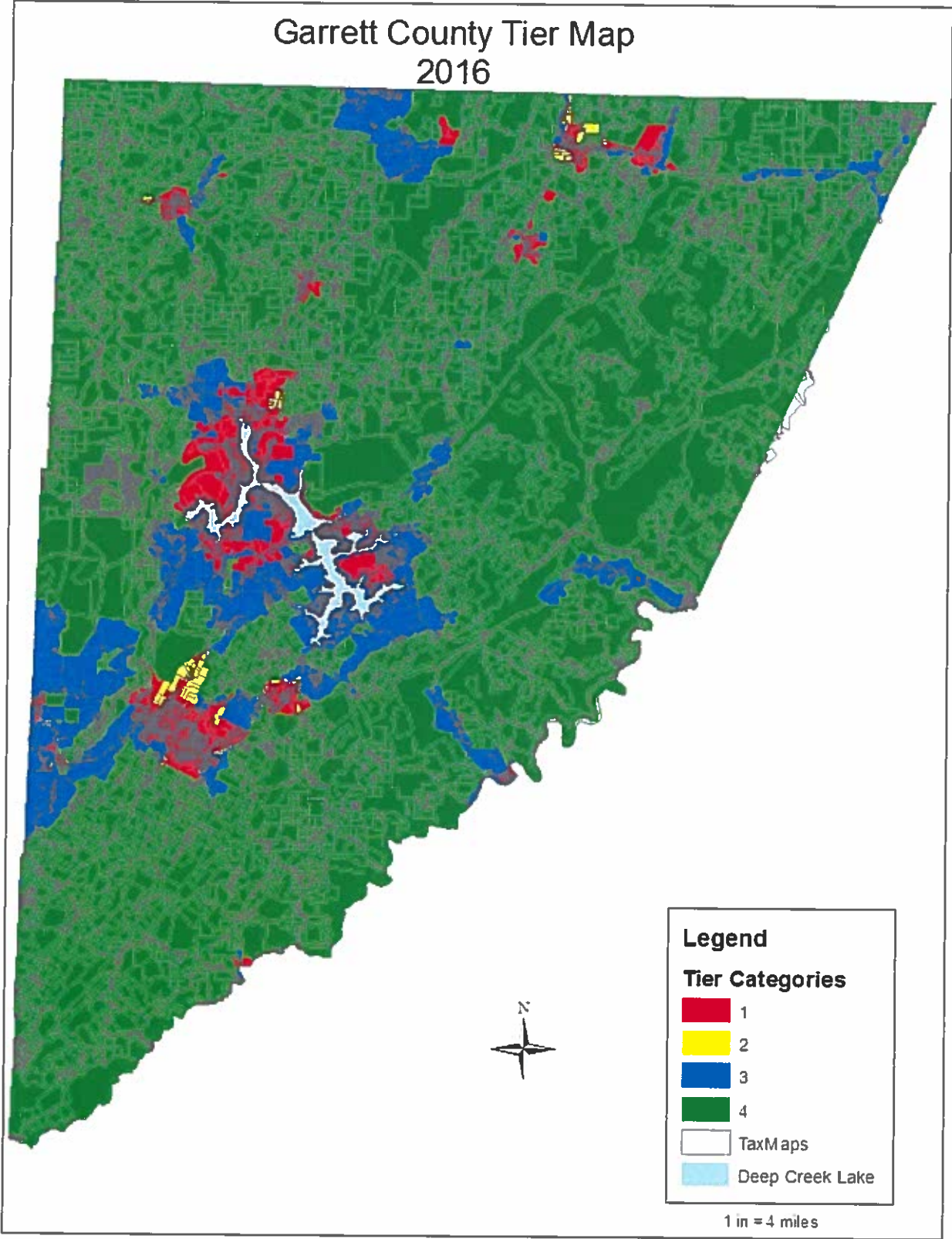

James C. Hinebaugh Jr., Commissioner


S. Larry Tichnell, Commissioner

I certify that the foregoing resolution was duly passed and adopted by the Board of County Commissioners at a regular meeting held November 7, 2016; I further certify this reproduction is an accurate facsimile of said resolution; and I further certify I am the Administrator for the said County Commissioners charged with the responsibility of keeping and recording all minutes, records and acts of the said County Commissioners; and I further certify that Paul C. Edwards, James C. Hinebaugh Jr. and S. Larry Tichnell to be the appropriate officials to sign the same resolution.


Kevin G. Null, County Administrator

Map 3.12: Garrett County Tier Map



AMENDMENT

(Change the last section number in Chapter 3 from 3.6 Policies and Actions to 3.7 Policies and Actions)
(Insert on page 3-38)

3.6 State Land Use Policies

This section incorporates the Garrett County Tier Map into the Comprehensive Plan. The Maryland General Assembly approved the Sustainable Growth & Agricultural Preservation Act of 2012 (Senate Bill 236) during the 2012 General Assembly session. The law, which took effect on July 1, 2012, is sometimes referred to as the Septic Bill since it seeks to limit the spread of residential development on septic systems.

The Act required all jurisdictions, including Garrett County, to adopt land use categories called Tiers. The Tiers were created based on certain criteria in the Act that established where major and minor residential subdivisions may be located and what type of sewerage system will serve them. The Garrett County Commissioners adopted the final tier map on December 4, 2012. All subdivisions submitted on or after December 31, 2012 must comply with the Tier map and other provisions of the Act.

Minor corrections to the Tier Map were made and adopted by the Commissioners May 2, 2016. The corrections were made to more accurately reflect the contents of the Water & Sewer Master Plan which was adopted after December of 2012. Map 3.12 shows the Garrett County Tier Map.