

HARFORD COUNTY GOVERNMENT

Department of Planning and Zoning

Bel Air, Maryland



Senate Bill 236-Sustainable Growth and Agricultural Preservation Act of 2012

December 2012

INTRODUCTION:

Harford County began delineating the SB 236 tiers in the spring 2012. Several scenarios were explored based on criteria such as zoning, assessment data, sewer category, lot size, resource areas, etc. before the final scenario was selected. The selected scenario defined the four Tiers using water/sewer service category, zoning district, and areas of resource protection data. This scenario best fit the specific Tier criteria established in the SB 236 legislation. The Harford County Department of Planning and Zoning met with staff from the Maryland Department of Planning on Monday July 23rd to discuss the proposed Tiers and local issues encountered. Planning Department staff also attended statewide briefings held by MDP staff regarding SB 236 implementation.

Harford County Department of Planning and Zoning coordinated with the Planning Directors from the City of Aberdeen, Town of Bel Air, and the City of Havre de Grace in regards to the legislative requirements of SB 236 and to discuss the County's proposed Tiers. The County and municipalities agreed to submit a single map for all Harford County jurisdictions. The same criteria for determining the Tiers was used by the County and the municipalities with the exception of the City of Havre de Grace which utilized a slightly different criteria for its Tiers. The criteria for determining each Tier, including the criteria used by the City of Havre de Grace, is discussed below.

MUNICIPALITIES OVERVIEW:

Each of Harford County's three municipal corporations is responsible for their own operations, maintenance, adequate treatment, collection, distribution capacity and expansion of utilities within their corporate boundaries. The County's Department of Public Works, Division of Water & Sewer, is responsible for the operation, maintenance, planning and engineering of the public sewer facilities to service over 70,000 citizens of Harford County that reside outside of the three incorporated towns.

The Cities of Aberdeen and Havre de Grace have their own publicly operated wastewater treatment facilities which supply their needs for wastewater disposal. The Tier designation reflecting this service is shown in Figures 1 and 2. The City of Aberdeen owns, operates, and maintains a wastewater treatment facility located at the end of Michaels Lane. The existing Aberdeen Advanced Wastewater Treatment Plant has a design capacity of 4.0 million gallons per day. Currently, the plant is being upgraded for enhanced nutrient removal (ENR) to meet the nutrient loading goals provided in the Bay Restoration Act. The treatment plant capacity will not be expanded as a result of this upgrade.

The Mayor and City Council of Havre de Grace own and operate a sewerage collection and treatment facility which provides service throughout the majority of the corporate limits of Havre de Grace. The City of Havre de Grace's treatment plant is capable of treating 3.3 million gallons per day of wastewater.

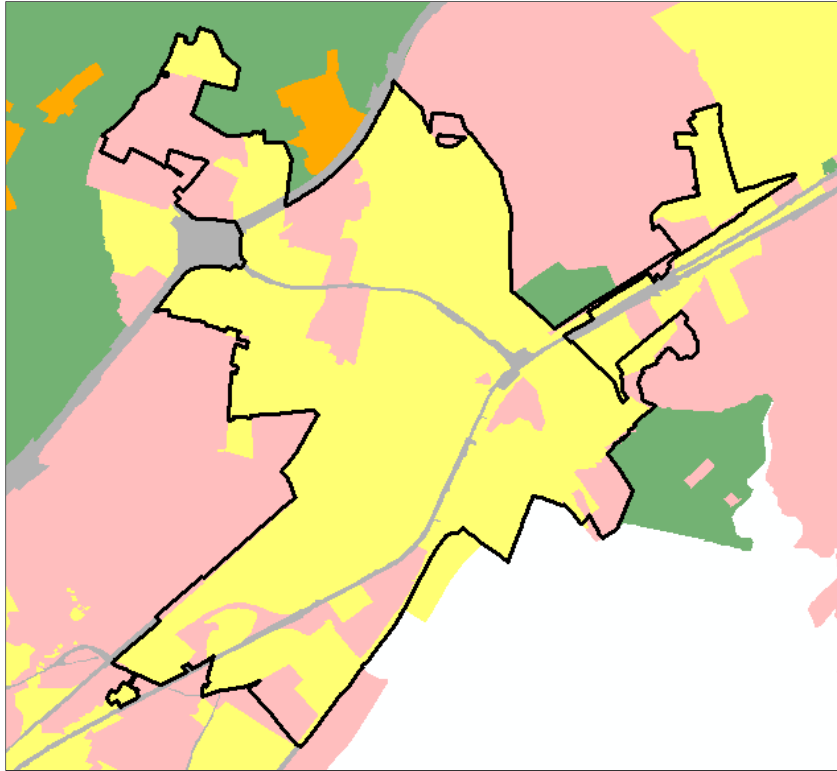


Figure 1- City of Aberdeen, Harford County, MD.

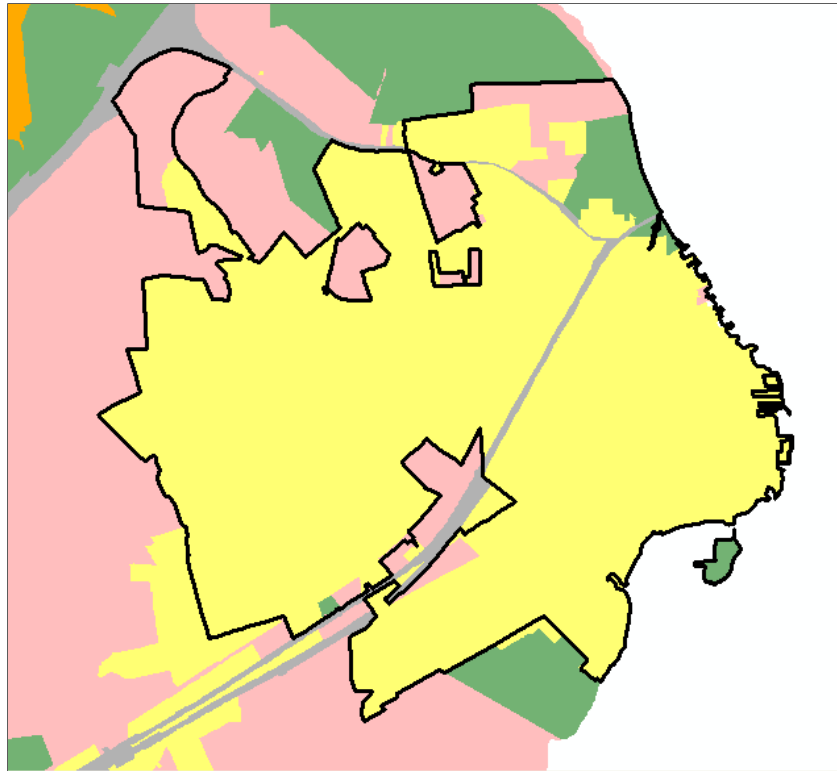


Figure 2- City of Havre de Grace, Harford County, MD.

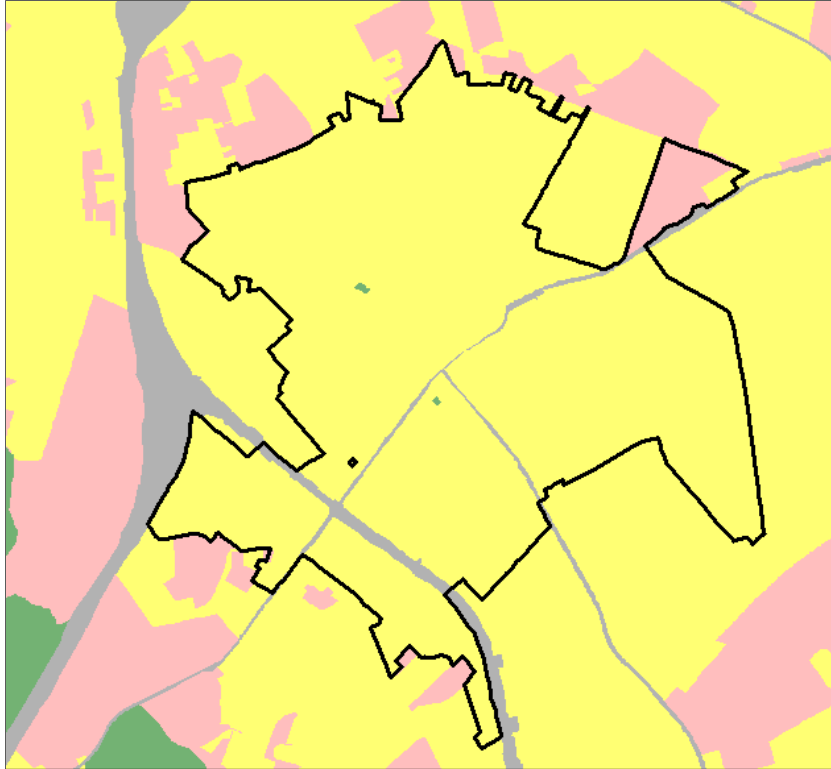


Figure 3 –Town of Bel Air, Harford County, MD.

The Town of Bel Air does not own or operate any publicly owned wastewater treatment works. The wastewater generated within the corporate limits is transported through three metering stations in the County's sewerage system for treatment at the Sod Run Treatment Plant. The Tier designation reflecting this service is shown in Figure 3.

A wastewater treatment plant owned and operated by the Federal Government currently provides wastewater treatment for the Aberdeen Proving Ground (APG) - Edgewood Area. The wastewater treatment facilities for the APG-Aberdeen Area are provided by the wastewater treatment plant which is owned and operated by the City of Aberdeen. APG has been designated a Tier 1 area.

The County encourages cooperative efforts among the various departments and divisions of the County, the Aberdeen Proving Ground, and the municipal corporations so that through coordinated and cooperative efforts, the wastewater treatment needs of all of the citizens and institutions within the County can be adequately served and protected.

TIER OVERVIEW:

The following table displays the total acreage for each of the designated Tiers and the percentage of the total County area (square feet).

TIER	Percentage of County Area (%)	Acreage
1*	13%	31,850
2	9%	21,323
3	6%	14,977
4**	71%	172,018
Right of Way	1%	3,175
Total	100%	243,343

NOTE:

*This calculation does not include Aberdeen Proving Ground.

**This calculation includes MET and MHT Easements, as well as Agricultural Preservation easements identified as Tier 4 in Development Envelope. (These parcels were noted in MDP’s *Planned Sewer Service Informal Comments*.)

TIER 1:

The intent of mapping Tier 1 is to identify areas that are currently serviced by a public sewerage system.

By legislative definition Tier 1 are areas:

- (I) Served by public sewerage systems and mapped locally designated growth areas, or
- (II) A municipal corporation that is a Priority Funding Area (PFA) that is served by public sewage systems;

TIER 1*	
Total Acres	31,850
Percent % of the County	13%

*This calculation excludes the Aberdeen Proving Ground.

Harford County’s Tier 1 area includes:

- All Parcels currently designated as S1 in the County Water and Sewerage Master Plan and parcels recently receiving sewer service in the Eagles Rest community within the City of Aberdeen.

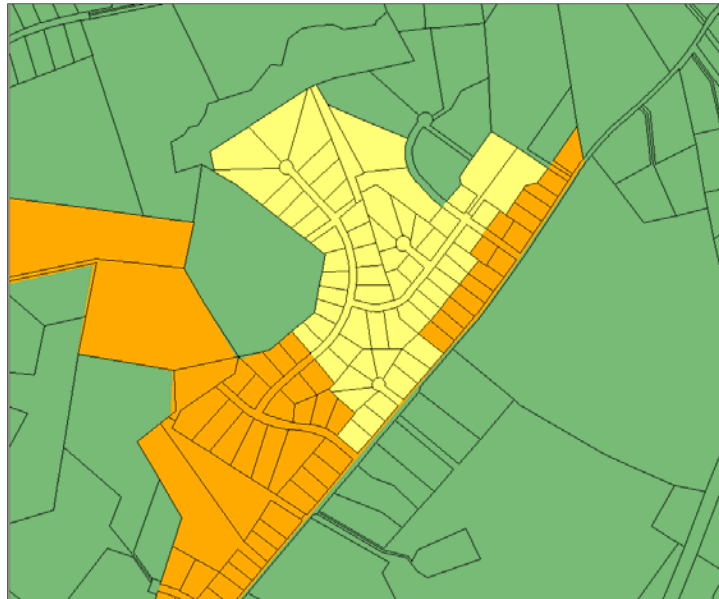
S1 is defined as parcels that have existing public supplied sewer lines or lines that are under construction. Properties within the S1 service category are served by community sewerage (S1) systems which are either existing or are under construction.

The Tier 1 designation in the City of Havre de Grace includes:

- All Parcels currently connected to City or County sewer. These include areas that are not built out but have site plan approval and are already included in the City’s capacity calculations. This includes portions of Bulle Rock, Greenway Farms, and Scenic Manor. (These parcels were noted in MDP’s *Existing Sewer Service Informal Comments*.)

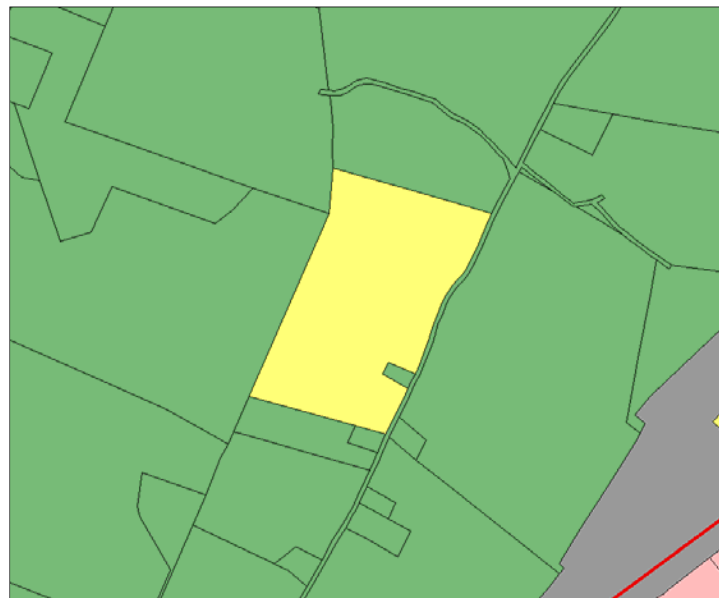
Tier 1 also includes several annotated areas that are currently served by sewer however; they are located outside of Harford County’s designated growth area. It should also be noted that Annotation 4

and 5 address comments provided by MDP on map *Existing Sewer Service Informal Comments*. The following areas are annotated within Tier 1:



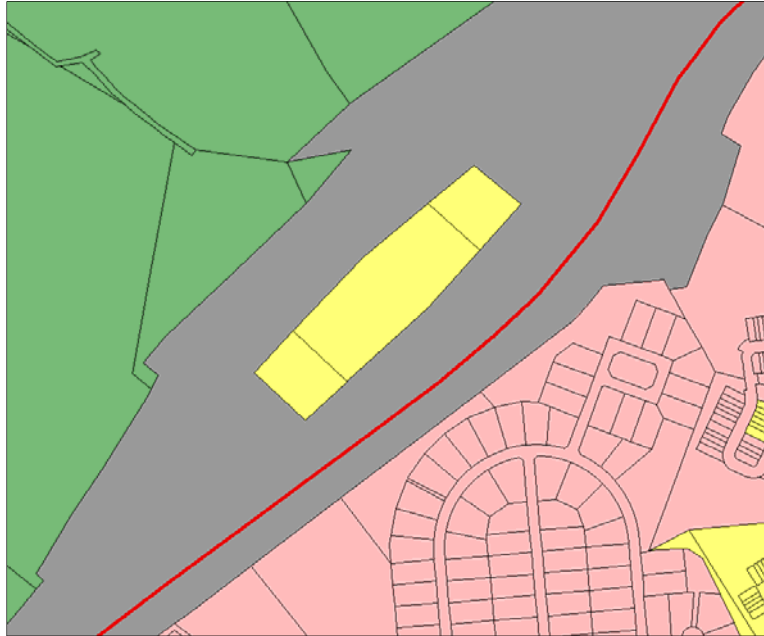
Annotation 1- Spring Meadow Water Treatment Facility

Spring Meadow Waste Water Treatment Facility - serves portions of Northampton and Spring Meadows subdivisions and it is located outside of the designated growth area. Harford County owns and operates the 10,000 gallon per day wastewater treatment facility.



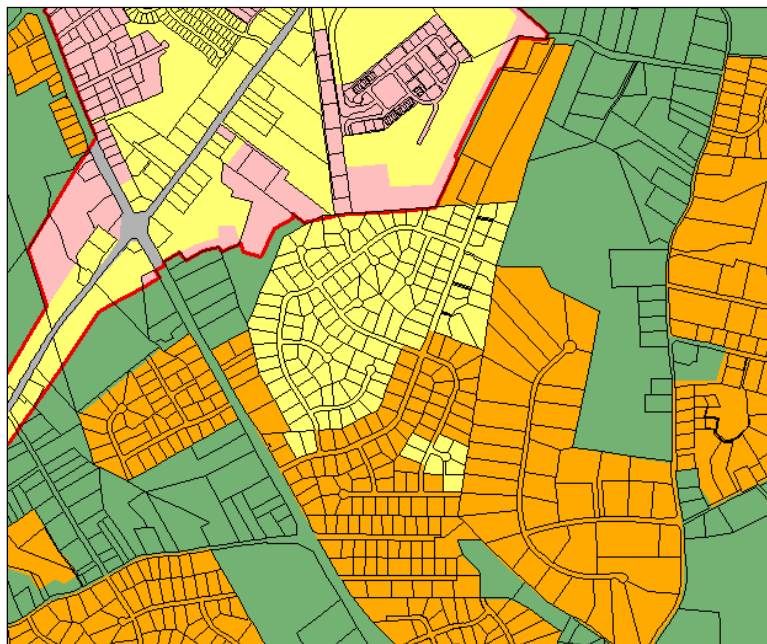
Annotation 2- MCI Telecommunications Corporation

MCI Telecommunications Corporation (Tax ID 01048430) - Currently served by County sewerage system. Located outside of designated growth area.



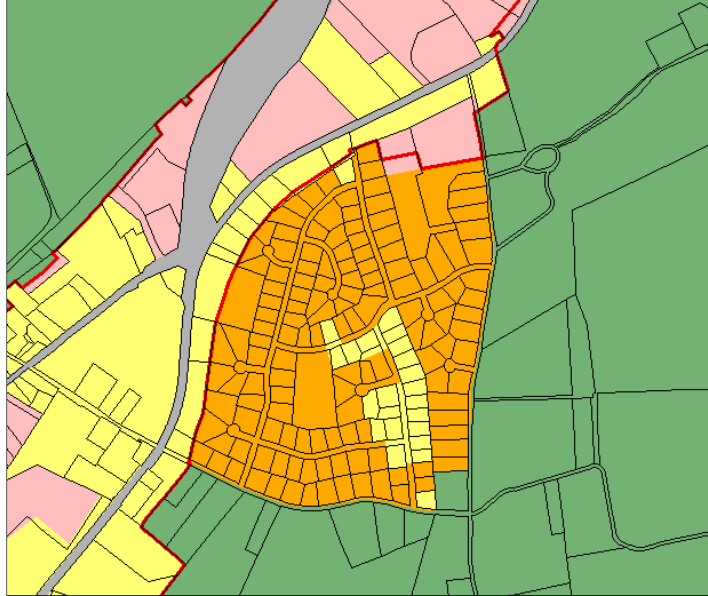
Annotation 3- Maryland House Service Area

Maryland House Service Area (I-95) (Tax ID 01091344; 01091360; 01091352) - Served by County sewerage system. Located outside of designated growth area.



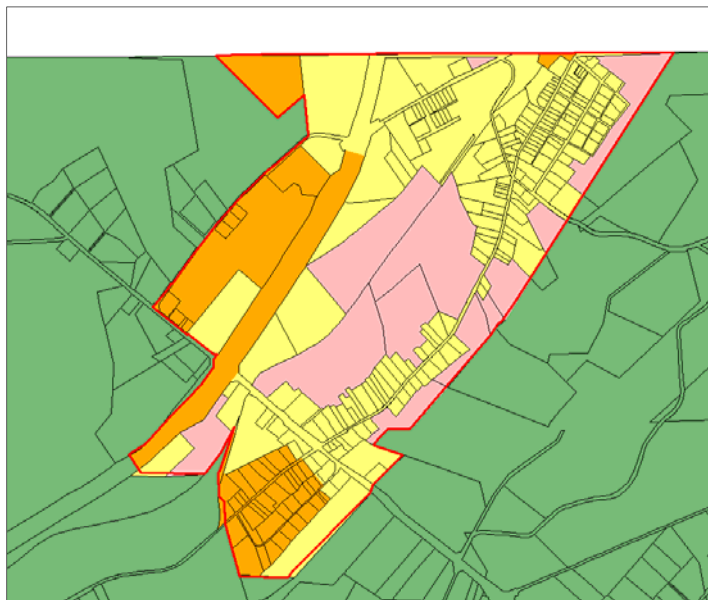
Annotation 4- Woodcrest

Woodcrest Subdivision, Fallston, MD - Portions of the Woodcrest subdivision are currently served by a public sewerage system. This area is part of the Fallston Sanitary Subdistrict and includes recorded lots that could not PERC. These parcels are located outside of the designated growth area.



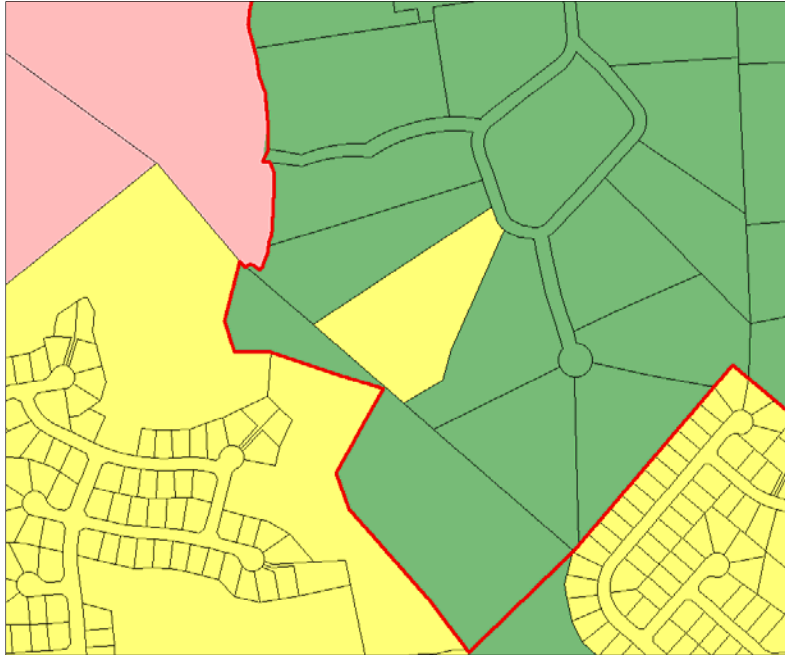
Annotation 5- Woodridge Manor

Woodridge Manor Subdivision, Fallston, MD - Portions of the Woodridge Manor subdivision are currently served by a public sewerage system. These parcels are located outside of the designated growth area and received public sewer due to failing septic.



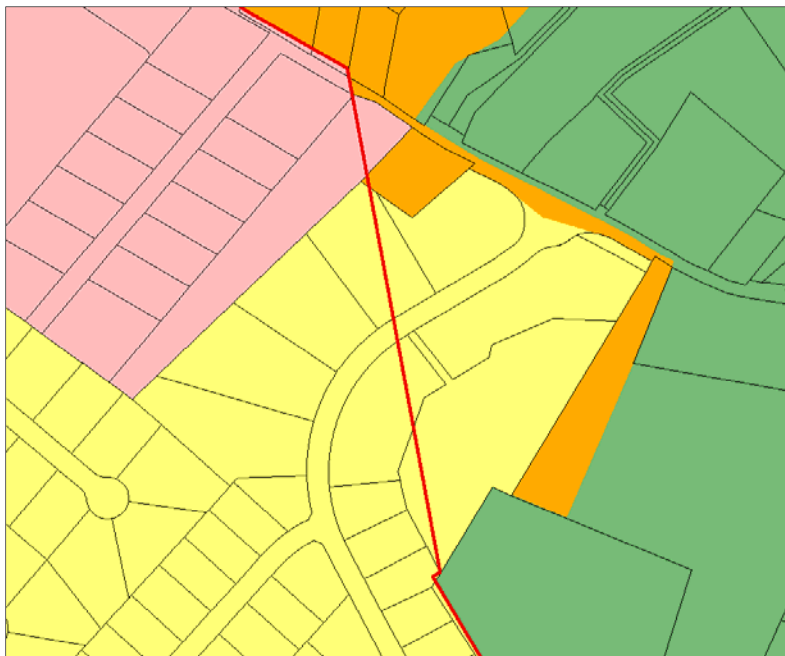
Annotation 6- Whiteford/Cardiff Area

Whiteford/Cardiff Rural Village - The Whiteford-Cardiff area is also served by a public sewerage system. The system was constructed in 2001 using a combination of federal grants and low interest loans to eliminate failing septic systems. The sewer system flows to a treatment plant located in Delta, Pennsylvania.



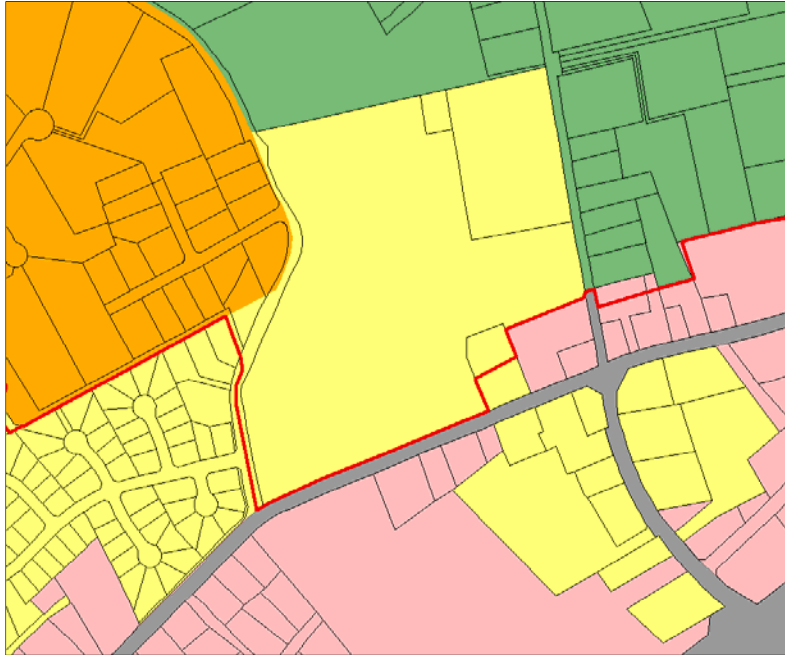
Annotation 7- Bynum Hills

Bynum Hills (Tax ID 01061623) - Single parcel currently served by a public sewerage system. Located outside of designated growth area.



Annotation 8- Wagner Farm

Wagner Farm Subdivision (Tax ID 03360253, 03360245, 03360237, and portions of 03360318 & 03360326) - Served by public sewerage. Portions located outside of designated growth area.



Annotation 9- Hickory Elementary School, Harford County Emergency Operations, and two County-owned parcels.

Hickory Elementary School, Harford County Emergency Operations, and two County owned parcels (Tax ID 03031365, 03204499, 03043258, 03043339) - Currently served by public sewerage. Located outside of designated growth area.

Annotation 10- *Aberdeen Proving Ground, Tier 1, Federal Army Installation* - The Aberdeen area of APG is served by facilities owned and operated by the City of Aberdeen. The Edgewood area of APG is served by a sewerage collection system and one wastewater treatment plant. The APG Edgewood area Wastewater Treatment Plant is located at the east end of Beach Point Road on the APG Edgewood area and is operated by the Federal Government.

TIER 2 OVERVIEW:

Tier 2- The intent of mapping Tier 2 areas is to identify growth areas that are planned for future public sewerage service.

By legislative definition Tier 2 are areas:

- (I) (1) Planned to be served by public sewerage systems and in the municipal growth element; or
- (2) Mapped locally designated growth areas; and

(II) Needed to satisfy demand for development at densities consistent with the long-term development policy after consideration of the capacity of land areas available for development, including in-fill and redevelopment, within the local jurisdiction. (See Development Envelope Residential Land Capacity analysis on page 39 of the 2012 Master Plan and Land Use Element Plan).

Harford County's Tier 2 area includes:

All parcels within the Development Envelope (locally designated growth area) that are not currently served by a public sewerage system, however, are planned to be served as noted in the Harford County Water and Sewerage Master Plan. This include S-3, S-5, and S-6, Sewer Categories. Harford County's Tier 2 also includes parcels that are in the S-7 (No Planned Service) sewer category, such as the Bush Declaration area. These parcels are included within Tier 2 since they are located within the Development Envelope and are potentially eligible for future service. These parcels were noted in MDP's *County & Municipal Growth Areas Informal Comments*.

Tier 2 also includes several Mixed Office (MO) areas. Harford County's Mixed Office areas are located outside of the Development Envelope however; they are designated growth areas as noted in the 2012 Master Plan and Land Use Element Plan. Mixed Office areas are designated to promote major economic development opportunities at two I-95 interchanges. These parcels were noted in MDP's *County & Municipal Growth Areas Informal Comments*.

City of Havre de Grace Tier 2 area includes:

Existing residential or commercial, including vacant lots for future development that are not currently connected but could have access. Also includes a portion of the Green properties currently being proposed for annexation (off Rt. 155 near I-95). (See Figure 2.) These parcels were also included in MDP's *County & Municipal Growth Areas Informal Comments*.

TIER 2	
Total Acres	21,323
Percent % of the County	9%

Tier 2 Sewer Category Overview:

(S-3) are areas where water and/or sewer services can be immediately extended and are planned for extension within the next five years. Properties within the (S-3) service category are areas where improvements, expansion of, or construction of sewerage (S-3) systems are planned or may be anticipated within the zero to five year period. Designation of a property within the category does not guarantee that the property will have service provided within five years.

(S-5) are generally areas where public sewer lines can be extended consistent with the Water and Sewer Master Plan but are not planned to be extended within the next five years. They are however, areas where improvement to, expansion of, or construction of new sewerage (S-5) systems are planned or may be anticipated within the six to ten year period. Designation of a property in this category does not guarantee that the property will have service available within ten years or that the proposed subdivision or development will otherwise be in conformance with applicable State and/or County laws and regulations and therefore are allowed to progress.

(S-6) are generally areas where public sewer is being planned to be extended. They are areas consistent with the Harford County Master Land Use Plan, but public service is not envisioned for 11 to 20 years.

Properties within the (S-6) service category are areas where improvements to, expansion of, or construction of new sewerage systems are planned or may be anticipated within the 11 to 20 year period. Designation of a property in this category does not guarantee that the property will have service available within the 11 to 20 year period or that the proposed subdivision or development will otherwise be in conformance with applicable state and/or county laws and regulations and therefore are allowed to progress.

TIER 3 OVERVIEW:

Tier 3- Tier 3 areas are planned for future growth on septic systems. Major subdivisions in Tier 3 areas must be reviewed and recommended for approval by the Planning Advisory Board. The intent in mapping Tier 3 areas is to identify areas that are planned for large lot development, or are existing Rural Villages and towns without public sewerage systems.

By legislative definition Tier 3 are areas:

- (I) Not planned for sewerage service and not dominated by agricultural or forest land; and
- (II) Are not planned or zoned by a local jurisdiction for land, agricultural, or resource protection, preservation, or conservation; and are one of the following:
 1. Municipal corporations not served by a public sewerage system;
 2. Rural Villages as described in §5-7B-03(F) of the State Finance and Procurement Article;
 3. Mapped locally designated growth areas; or
 4. Areas planned and zoned for large lot and rural development.

TIER 3	
Total Acres	14,977
Percent % of the County	6%

Harford County’s Tier 3 area includes:

- Parcels zoned RR, VR, or VB
- Priority Funding Areas outside of the Development Envelope served by septic
 - Rural Village PFA’s
- Harford Community College
- Parcels zoned for agricultural or commercial uses that are surrounded by Tier 3 or a combination of other Tiers (See below for details).
- Areas not planned for sewer service and not dominated by agricultural or forest land. There are no Tier 3 areas within the municipalities.

TIER 3 ANALYSES:

Harford County included properties zoned Rural Residential (RR) in the Tier 3 category because these areas reflect development patterns established as a result of the Rural Residential designation that existed in previous Land Use Plans. In 2012, however, the County adopted its latest Land Use Plan, which removed the Rural Residential designation; thereby limiting further RR development only to properties currently zoned RR. This change was supported by the community because of its potential

water quality benefits. (This addresses MDP’s Informal Comments on map *Planned for Agricultural Resource*.)

To avoid “donut holes” in the Tier 3 designation, 91 parcels not zoned RR, VR, or VB were also included within Tier 3. These 91 parcels were surrounded by Tier 3 and were absorbed into the surrounding Tier 3 designation. The table below summarizes the parcels that were included in Tier 3 and that are not zoned RR, VR, or VB. All of the parcels are zoned Agricultural except two that are zoned B2. The Tier 3 area was also compared to the MDP Agricultural & Forest Cover layer to ensure that areas designated as Tier 3 were not dominated by Agricultural/Forest use.

Summary of Parcels Included in Tier 3	
Total # Parcels*	91
Total Acres*	186.5
Minimum Parcel Size	0.45 acres
Maximum Parcel Size	19.6 acres

*Includes two parcels zoned B2 (tax id # 03067645 and 0306753).

TIER 4 OVERVIEW:

Tier 4- Within Tier 4 areas, residential major subdivisions are prohibited, however minor subdivisions will be permitted. The intent in mapping Tier 4 areas is to identify areas where large lot development would conflict with Harford County’s goals for agricultural and natural resource land protection and with other areas of high rural resource value. Tier 4 areas are not intended for future growth.

By legislative definition Tier 4 areas are:

- (I) Areas planned or zoned by a local jurisdiction for land, agricultural, or resource protection, preservation, or conservation;
- (II) Areas dominated by agricultural lands, forest lands, or other natural areas; or
- (III) Rural Legacy Areas, Priority Preservation Areas, or areas subject to covenants, restrictions, conditions, or conservation easements for the benefit of, or held by a State Agency, as defined in §9-206 of the Environment Article, or a local jurisdiction for the purpose of conserving natural resources or agricultural land.

TIER 4	
Total Acres	172,018
Percent % of the County	71%

Harford County’s Tier 4 area includes:

- Parks lying outside of the Development Envelope
- Agricultural Easements
- MET & MHT Easements

- Priority Preservation (PPA) & Rural Legacy Areas
 - These include:
 - Deer Creek Rural Legacy
 - Manor Rural Legacy
 - The PPA overrides all underlying Tier 3's except Rural Village PFA's (this includes RR zoning within the PPA).
- Parcels zoned AG (outside of the Development Envelope and those noted in Tier 3).
- Parcels zoned B1, B2, B3, CI, GI, & LI outside of designated growth areas, and not served or planned to be served by public sewer.

The majority of the Tier 4 area is located outside of the Development Envelope and is in the No Planned Service Category (S-7). This includes some areas proposed in the City of Aberdeen's Municipal Growth Element that are outside of the County's designated growth area. During the development of the countywide Tier Map, the County and the City agreed to designate these areas as Tier 4 until sewer service would become available. (These parcels are noted in MDP's *County and Municipal Growth Areas* comments.)

Existing Community and Multi-use systems (as of October 2008) will continue to be allowed to make environmental and reliability enhancements to the system so as to continue to provide service to the existing use and quantity of flow, however, no expansion or increase in treatment capacity will be allowed unless specifically approved by the Harford County Council due to health and welfare reasons. Existing and future multi-use facilities owned and operated by the Board of Education and used as a public school to service the student population outside the planned sewer service area will be allowed to make improvements to, expansion of, or construction of new sewerage systems as approved by the Harford County Council.

Note: Agricultural, MET, and MHT Easements were designated as Tier 4 regardless of their sewer service category. Easement properties within the Development Envelope were designated as Tier 4 despite being currently served or planned to be served by a public sewer system.

City of Havre de Grace's Tier 4 area includes:

- Areas not planned for sewer service that are resource conservation areas - North Park Trail, Tydings Island, and a small piece off Rte 40 near Blenheim Farm Lane. This property is a combination of storm water management area, flood plain, and wetlands. Tier 4 also includes portions of the Greene properties (off Rt. 155 near I-95) currently proposed for annexation, include the residence (Sion Hill National Historical Landmark), and a piece identified as a MET easement.

ATTACHMENTS:

Bill 12-50: Subdivision Regulations- Major Subdivision Definition

Overview of GIS Data and Layers Included:

Meta data includes:

- Geographic/map projection information
- Data sources
- Description of database structure

GIS Shapefiles Included:

- Sewerage Service Area (Spring 2012)
- Development Envelope
- County Land Use Map
- Zoning Districts
- Municipal Boundaries
- Priority Funding Areas & Rural Village Boundaries
- Rural Legacy Boundaries
- Priority Preservation Area (PPA) Boundaries
- Maryland Historical Trust Easements
- Maryland Environmental Trust Easements
- County & State Agricultural Preservation Easements
- Land Use/Land Cover Maps