

Environmental Code Revisions

*Land & Resource
Management
Summer 2021*

FLOODPLAIN MANAGEMENT



WATER RESOURCE MANAGEMENT



FOREST CONSERVATION



AGRICULTURE PRESERVATION



RIGHT TO FARM



Overview

- Ch. 153 Floodplain Management
- Ch. 38 Floodplain Construction
- Ch. 154 Water Resource Management
- Ch. 150 Forest Conservation
- Ch. 159 Agricultural Land Preservation
- Ch. 160 Right to Farm



Floodplain Management

Chapter 153 & Chapter 38 (Building Code)

Summary & Purpose of Chapters

- Secure and maintain public health and safety
- Enforce State and Federal Floodplain regulations
- Reduce flood risk
- Protect sensitive areas

Purpose of Changes

- Increase flood insurance discount for county residents through the Community Rating System
- Clarify existing requirements
- Remove redundancy
- Provide consistency with other County codes

Community Rating System (CRS)

- Joined as Class 8 in 2007
- Improved to Class 7 in 2018
- Proposed code changes = 1855 points or three classes

CRS Class	Credit Points	Premium Reduction	
		In SFHA	Outside SFHA
1	4500+	45%	10%
2	4000 - 4499	40%	10%
3	3500 - 3999	35%	10%
4	3000 - 3499	30%	10%
5	2500 - 2999	25%	10%
6	2000 - 2499	20%	10%
7	1500 - 1999	15%	5%
8	1000 - 1499	10%	5%
9	500 - 999	5%	5%
10	0 - 499	0%	0%

Highlights of Proposed Changes:

Freeboard = 215 points



Highlights of Proposed Changes

- Clarify prohibition of structures (1000 points) and fill
- Follow MDE requirements for inspections and certifications for building in the floodplain





Water Resource Management

Chapter 154

Summary & Purpose of Chapter

- Protect and maintain ground and surface water resources
- Minimize potential pollution and damage

Purpose of Changes

- Incorporate existing policies
- Simplify review process
- Provide consistency
- No change to how code is enforced

Code Change Highlights

- Incorporate existing policies into code
 - Clarify exemptions
 - Clarify calculation of variable-width stream buffer
 - Clarify that “hotspots” match stormwater management requirements

NPDES Credit

► Buffers

- Perpetual protection of riparian buffers with easements improves water quality in the County
- County has realized NPDES credit equivalent to 675 acres of impervious treatment
- Average cost of \$25,000/acre treatment has saved County taxpayers almost \$17 Million



Forest Conservation

Chapter 150

Summary & Purpose of Chapter

- Conserve the County's forest resources
- Protect forests, trees, and sensitive areas during development
- Implement State FCA through County Code

Purpose of Changes

- Comply with State minimum standards
- Improve fairness
- Provide more clarity and predictability

Revise net tract area definition

Example Property
30 acres

Zoning: Conservation
Proposed Project (3 acres)



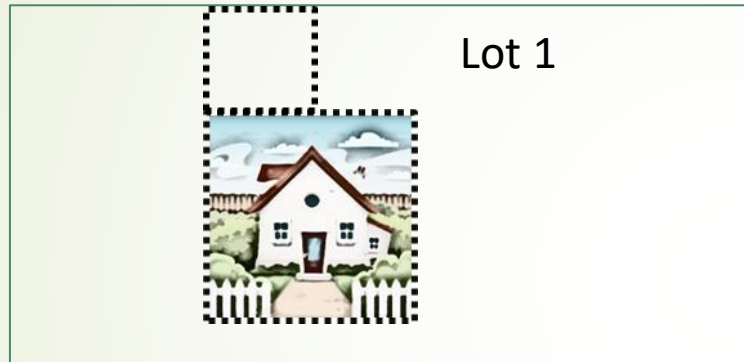
Net Tract Area Current Code = 30 acres
Net Tract Area Proposed Code = 3 acres

Example 1: the problem

Subdivision Stage

disturbance <40,000 square feet

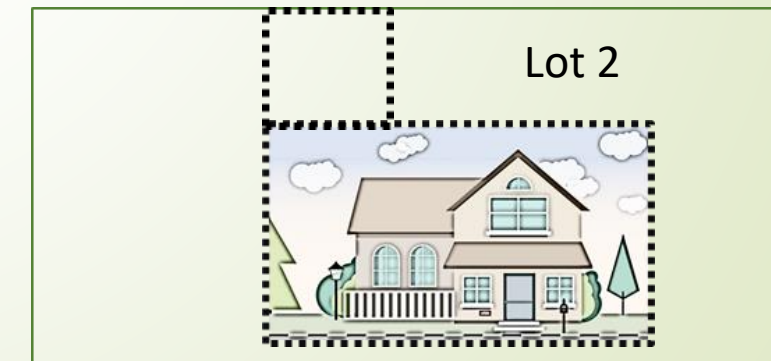
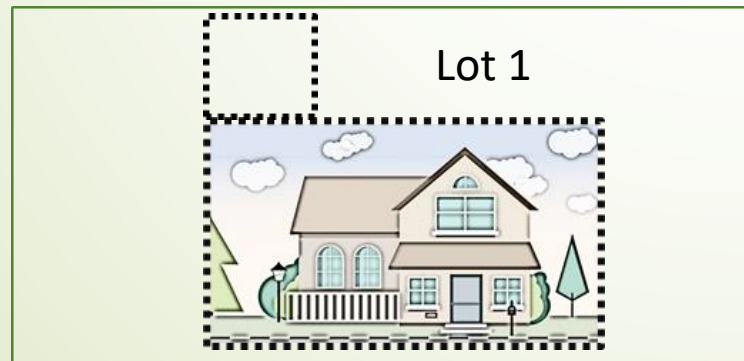
EXEMPT



Permit Stage

disturbance >40,000 square feet

NOT EXEMPT

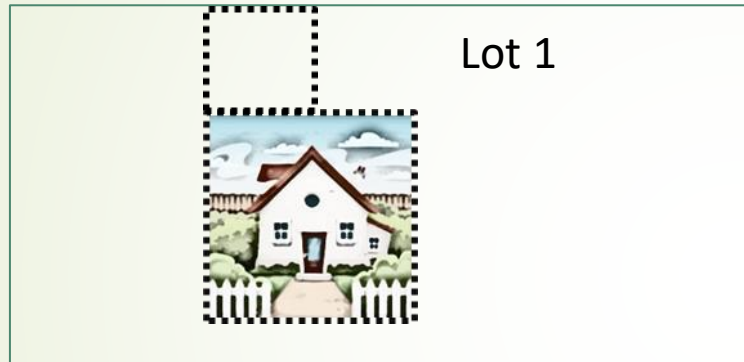


The proposed solution: revise applicability and exemptions

Subdivision Stage

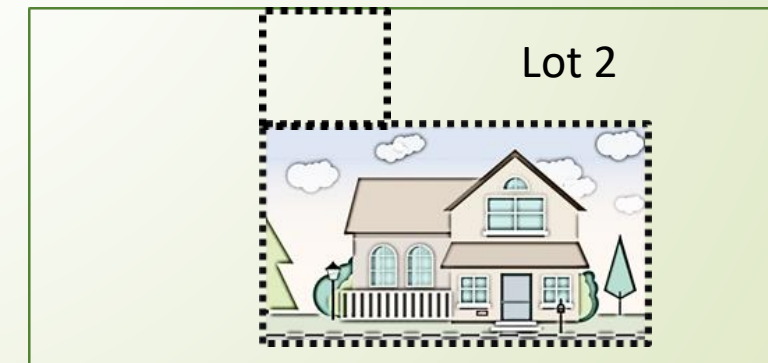
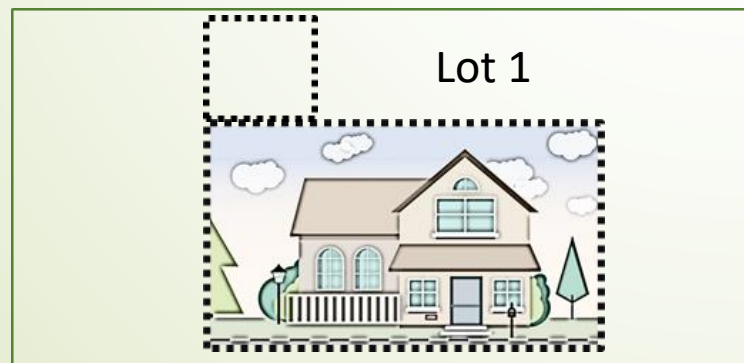
property >40,000 square feet in size

Forest Conservation applies



Permit Stage

Forest Conservation has been addressed

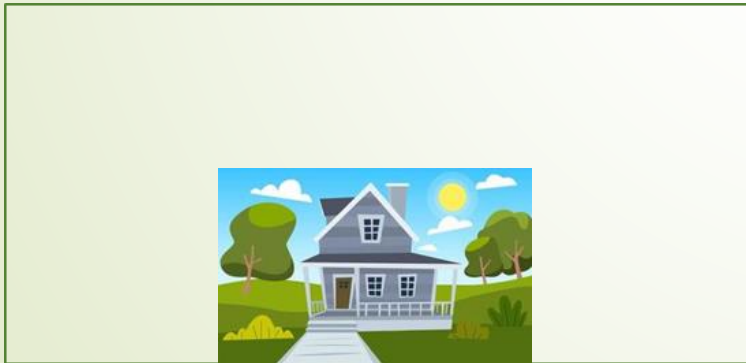


Example 2: the problem

2011

Off-conveyance created
House built
Disturbance <40,000 sq. ft.

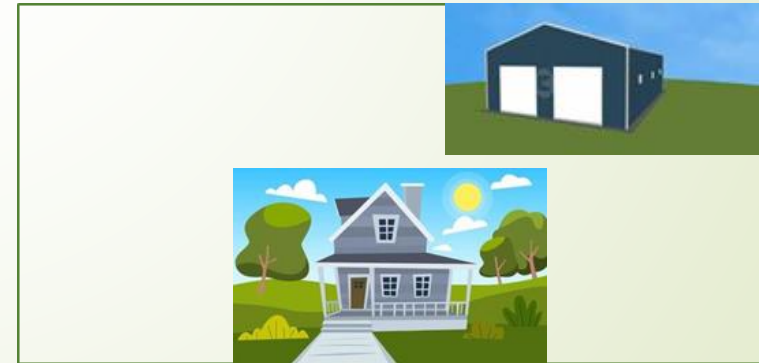
EXEMPT



2021

Pole building applied for
Disturbance >40,000 sq. ft.

NOT EXEMPT



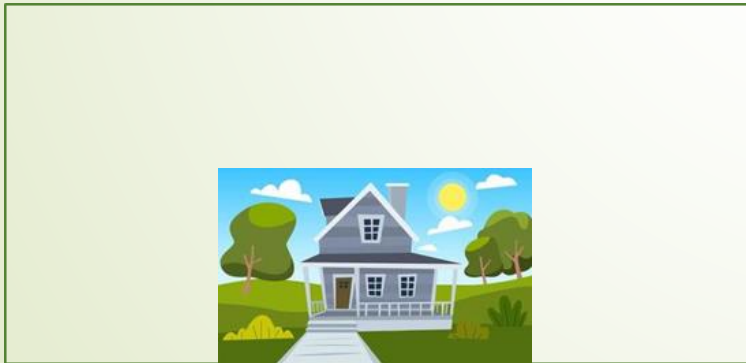
The proposed solution: revise applicability and exemptions

2011

Off-conveyance created

Property >40,000 sq. ft. in size

Forest Conservation applies

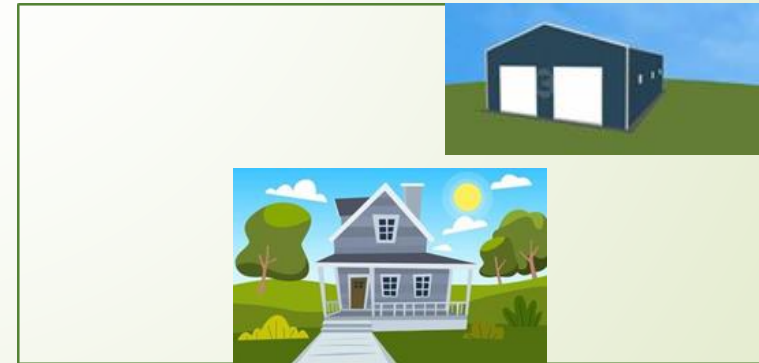


2021

Pole building applied for

Property >40,000 sq. ft. in size

**Forest Conservation has been
addressed**



Revise residential exemption

Property >40,000 sq. ft. in size
Recorded prior to the Code
Residential Activity

Current Code



Forest clearing <20,000 sq. ft.
EXEMPT

Proposed Code



Forest clearing <40,000 sq. ft.
EXEMPT

New exemptions proposed

- Commercial/industrial projects
 - <20,000 square feet disturbance
 - No forest removal
- Site redevelopment
 - In a priority funding area
 - Site has 80%+ impervious surface

Other Proposed Changes

- Specimen trees – Revise variance requirement
- Plantings – Revise inspection and maintenance period
- Reforestation – Revise formula



Comparison of Formula Changes

Current

- Ag zone
 - 0-20,000 free
 - 20,000 to 25,000 1:1
 - >25,000 2:1
- Other zones
 - 1:1

Proposed

- High priority forest
 - 2:1
- Moderate priority forest
 - 1:1
- Low priority forest
 - 0.25:1



Agriculture Land Preservation

Chapter 159

Summary & Purpose of Chapter

- Create and administer programs
- Outline Advisory Board authority and responsibilities
- Refer to State program requirements
- Provide minimum eligibility requirements

Overview of Proposed Changes:

- Remove obsolete text (ex. reference to Districts)
- Add standard sections
 - Purpose and Authority
 - Definitions
 - Penalty; Appeals
- Create individual sections for existing text
 - Ag Pres Advisory Board
 - Individual programs
- Address easements granted without purchase



Right to Farm

Chapter 160

Summary & Purpose of Chapter

- Discourage nuisance lawsuits against farmers by neighbors
 - odor, dust, noise from field work, spraying of farm chemicals
 - slow moving farm equipment
 - other occasional effects of agricultural production
- Work together with State Right-to-Farm Law

Purpose & Overview of Proposed Changes: *Housekeeping*

- Clarify Agricultural Reconciliation Committee
 - Define “Committee”
 - Expand from five to seven members
 - Revise/add representing groups
- Remove attachments and create references

Code Revision Schedule

- July 7, 2021 & August 4, 2021 – Ag Preservation Board
- July 21, 2021 – Surveyors Meeting
- July 28, 2021 – Water Resources Coordination Council
- August 17, 2021 – Planning & Zoning Commission
- August 18, 2021 – Environmental Advisory Council
- September 15, 2021 – Farm Bureau
- September – October 2021 – County Commissioners
 - Public Hearing Process

Code Review and Comment

Review Proposed Changes:

<https://www.carrollcountymd.gov/government/directory/land-resource-management/>

Email Comments or Questions: Brenda Dinne

bdinne@carrollcountymd.gov

Please provide comments by September 1st, 2021