

# Environmental Code Revisions

*Land & Resource  
Management*

## 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

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





# Code Revision Public Outreach

- December 28, 2020 – Community Rating System
- January 19, 2021 – Maryland Department of the Environment
- July 21, 2021 – Development Information Session
- July 28, 2021 – Water Resources Coordination Council
- August 17, 2021 – Planning & Zoning Commission
- August 18, 2021 – Environmental Advisory Council

# Next steps

- Questions?
- Direction:
  - Hold a work session
  - Proceed to public hearing



# Water Resource Management

*Chapter 154 & Manual*



# Summary & Purpose of Chapter

- Protect and maintain ground and surface water resources
- Minimize potential pollution and damage
- Reduce environmental degradation
- Maintain public safety



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# Purpose of Changes

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



# Code Change Highlights

- Clarify and update exemptions
- Clarify calculation of variable-width stream buffer
- Simplify Review Process

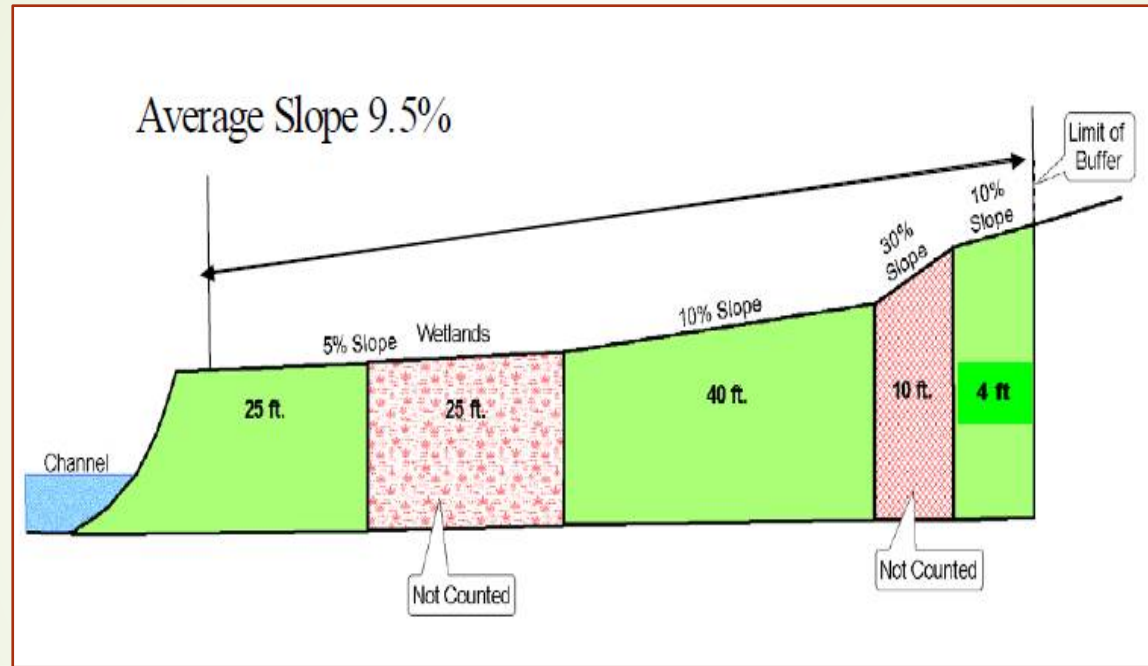




## § 154.16 Exemptions

- Existing lots of record, *not under review by the County for development as provided in Chapter 155 of the Carroll County Code of Public Ordinances.*
- Stream restoration projects that comply with all state and federal permitting requirements.

# Variable-Width Stream Buffer



Stream Buffer Calculations						
% Stream Valley Slope	Buffer Extension (2x slope)	Minimum Buffer	Wetlands	>25% Slope	Buffer Exclusion	Total buffer (Ft)
9.5	19	50	25	10	24	80

# Review Process

## ➤ § 154.15 APPLICABILITY.

- The provisions of this code and guidelines set forth by the Carroll County Water Resource Management Manual shall be enforced for all water resources shown on development plans.

## ➤ § 154.19 WATER RESOURCE IMPACT REVIEW.

- If no plat will be provided, the developer shall provide an exhibit plat or the metes and bounds description for the easement which will be attached to the deed of easement.



# Code Revision Public Outreach

- July 21, 2021 – Development Information Session
- July 28, 2021 – Water Resources Coordination Council
- August 17, 2021 – Planning & Zoning Commission
- August 18, 2021 – Environmental Advisory Council
- May 17, 2022 – Planning & Zoning Commission
- May 18, 2022 – Development Information Session

# Next steps

- Questions?
- Direction:
  - Hold a work session
  - Proceed to public hearing



# 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

# Example 1

Subject Property  
30 acres

Zoning: Conservation  
Proposed Project (3 acres)



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

## Example 2: homeowner compliance

### Subdivision Stage

disturbance <40,000 sq.ft.

Exempt



Lot 1



Lot 2

### Permit Stage

disturbance >40,000 sq.ft.

Forest Conservation applies



Lot 1



Lot 2



# Example 2: developer compliance

## Subdivision Stage

Property >40,000 sq.ft. in size  
Forest Conservation applies



Lot 1



Lot 2

## Permit Stage

Forest Conservation addressed



Lot 1



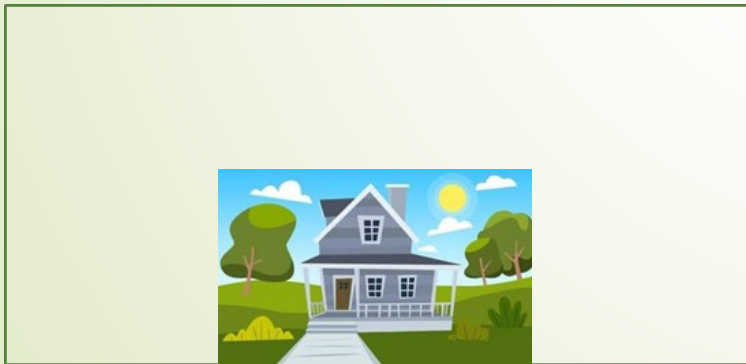
Lot 2

## Example 3: homeowner compliance

2011

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

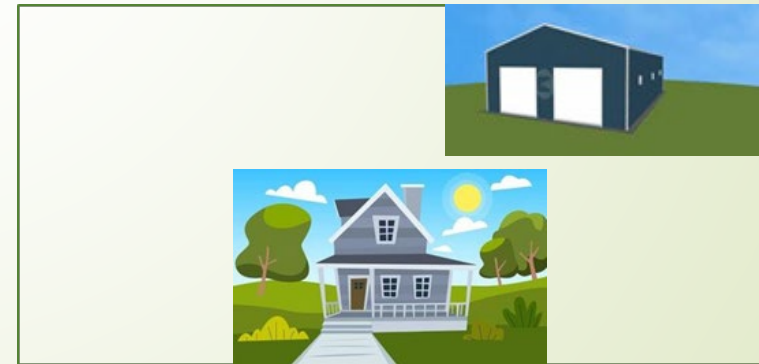
Exempt



2021

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

Forest Conservation applies

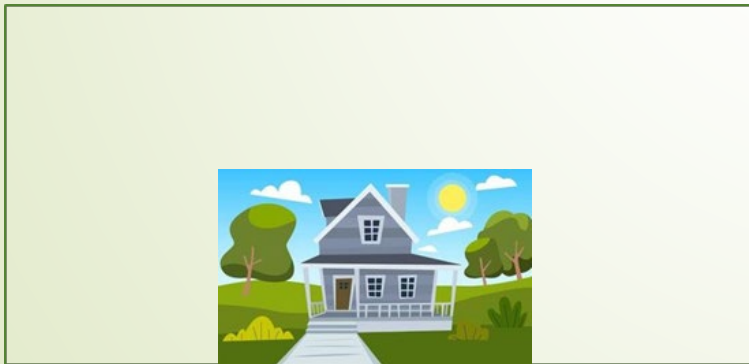


## Example 3: developer compliance

2022

Off-conveyance created  
Property >40,000 sq. ft. in size

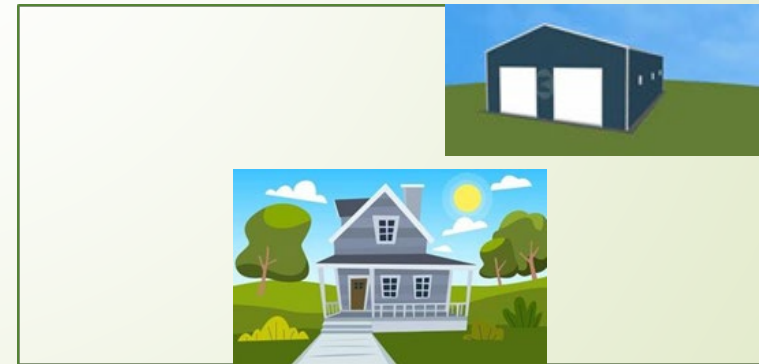
Forest Conservation applies



2032

Pole building applied for

Forest Conservation addressed



# ***New exemptions proposed***

- Site redevelopment
  - In a priority funding area
  - Site has 80%+ impervious surface
- Storm water retrofits
  - Within original LOD or
  - Part of County WIP
- Stream restoration



# Other Proposed Changes

- ▶ Timber harvests— require a harvest plan by MD licensed forester
- ▶ Plantings — increase inspection and maintenance period to 5 years
- ▶ Reforestation — 1:1 mitigation in all situations



# Code Revision Public Outreach

- July 21, 2021 – Development Information Session
- July 28, 2021 – Water Resources Coordination Council
- August 17, 2021 – Planning & Zoning Commission
- August 18, 2021 – Environmental Advisory Council
- May 17, 2022 – Planning & Zoning Commission
- May 18, 2022 – Development Information Session
- June 7, 2022 – DNR approval of draft code changes

# Next steps

- Questions?
- Direction:
  - Hold a work session
  - Proceed to public hearing





# 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

# Code Revision Public Outreach

- July 7, 2021 & August 4, 2021 – Ag Preservation Board
- July 21, 2021 – Development Information Session
- July 28, 2021 – Water Resources Coordination Council
- August 17, 2021 – Planning & Zoning Commission
- August 18, 2021 – Environmental Advisory Council
- September 15, 2021 – Carroll County Farm Bureau

# Next steps

- Questions?
- Direction:
  - Hold a work session
  - Proceed to public hearing





# 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 Public Outreach

- July 7, 2021 & August 4, 2021 – Ag Preservation Board
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# Next steps

- Questions?
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