

GARRETT COUNTY TIER MAP JUSTIFICATION

I. Tier I Areas (Areas shown in red)

Garrett County Tier I Areas are areas that are served by the Public Sewer Systems and are designated local growth areas or Municipal Corporations within the 2008 Garrett County Comprehensive Plan. GIS Shape Files of the official Sewer Service areas have previously been transmitted to the MD Department of Planning during development of The Draft Tier Map.

II. Tier II Areas (Tier 2A shown in yellow)

The Garrett County Tier Map does not feature any future sewer service areas because all goals contained within the current Water and Sewer Master Plan have been fulfilled. However, the County has initiated a comprehensive update to the Water and Sewer Master Plan which should project new areas to be served by public sewage systems by October, 2013. The County's Tier Map will be revised to include those planned service areas as Tier II areas subsequent to adoption of the Master Plan. The County Tier Map does illustrate Tier 2A areas which are Municipal Growth Areas that are consistent with the County Comprehensive Plan, Town Plans or both County & Town Plans.

III. Tier III Areas (Tier 3 shown in blue)

Garrett County Tier III areas are areas that are not planned for sewage service and are not planned for agricultural or resource protection or conservation. Additionally these areas are planned for large lot and rural development within the 2008 Garrett County Comprehensive Plan. In accordance with Senate Bill 236, specifically Section 1.05 (H) (3) (III) 4, one of the criteria for a Tier III area is "areas planned and zoned for large lot and rural development". Garrett County's first draft of tier mapping designated lands classified in the Comprehensive Plan as LR-1, LR-2 and Rural as Tier III. Our planned large lot and rural development areas exceed 22% of the county's land area and allows for low residential densities. In order to comply with other criteria stating that Tier III areas "... are not dominated by agricultural or forest land" (section 1.05 (H) (3) (I) of SB-236) Garrett County significantly reduced the size of our Tier III areas to include only those areas planned for rural development that can be characterized as having existing rural development pressure. After two rounds of informal comments from MDP, which were appropriately acknowledged and used to re-shape these areas and in some instances eliminate significant parcels of land, the County is confident that the adopted Tier III areas are consistent with the intent and letter of the law. Additionally, the vast majority of Garrett County's Tier III areas are not situated in the Chesapeake Bay Watershed and consequently little to no release of nitrogen or other pollutants will enter the Bay or its tributaries. After modifications, Garrett County's Tier IV areas now comprise 84% of our total land area while our Tier III areas comprise less than 10%.

The last round of informal comments offered by MDP indicated that some of the areas mapped as Tier III appear to be dominated by agricultural and forest land. The County has acknowledged these comments and has eliminated several of the comment areas from the final Tier Map. For the remaining areas designated as Tier III we offer the following justification to support Garrett County's Tier Map.

A. Linear Development Patterns

Linear Residential Development patterns already exist along many state and local roadways in Garrett County. Rural Development along highways such as the Interstate 68 Interchanges; US Routes 40 and 219; and MD Routes 42, 495, 135, 39, 546 and 38 follow existing travel corridors. These linear development patterns fall within areas planned for large lot and rural development and often connect small rural villages (PFA's). Consequently, we have designated some of these linear corridors as Tier III areas.

B. Planned Rural Development Areas adjacent to towns and employment centers. (Keyser's Ridge and West Oakland)

Garrett County asserts that rural residential development patterns should be directed as much as possible to areas surrounding existing municipalities, employment centers and near existing sewer service areas. These centers are the County's focus of economic development and offer the ability to extend sewer service from existing sewer treatment systems. One to two acre lot size is the prevailing and culturally preferred pattern of residential growth in Garrett County by both residents and second home buyers alike. Targeting areas to provide opportunity for major subdivisions close to towns and employment centers offers a much more efficient use of land by accommodating smaller lot sizes and encouraging citizens to live close to these economic centers rather than driving significant distances. Providing opportunity for this pattern of rural development close to centers is better suited to rural jurisdictions. The alternative policy of restricting land development to minor subdivisions in areas planned for rural development only compels larger lot size. What is meant by this statement is if the policies of the Act prohibiting creation of major subdivisions is imposed in all areas planned for rural development, then the resulting pattern of development will be the creation of extremely large and fragmented lots. Subdividing properties into extremely large lots completely extinguishes the resource value of the property and leads to more rapid consumption of land. Property owners wishing to develop their property would have no alternative other than to divide their property (regardless of the size of the parent tract of land) into the maximum number of lots allowed under a minor subdivision compelling much larger average lot size. The County asserts that one of the unintended consequences of the Act is that in extreme rural areas like Garrett County, the policies enacted may lead to more inefficient fragmentation of land

rather than preserving true resource land. Consequently, we have designated Keyser's Ridge and West Oakland as Tier III areas to provide for rural development patterns near economic centers so that legitimate resource lands can be preserved beyond the perimeter of these areas.

C. Resort Areas Planned as Growth Areas (Southern Deep Creek Lake)

The Deep Creek Lake area is a unique and special place. Deep Creek Lake is Maryland's largest freshwater lake, and is set amid scenic mountains and stream valleys. The combination of water, mountains, and forests in the Lake area provide year-round recreation opportunities, which have attracted residents and visitors since the early 20th century. As a result, Deep Creek Lake area has become the County's most important economic engine, and is an increasingly popular place for new year-round and seasonal housing.

The paragraph above is a quote from 2008 Garrett County Comprehensive Plan. The plan recognizes the lake area as the most significant force in the County's economy not only in the way of offering recreation and tourism related job opportunities but also substantial employment in the real estate and construction industries. These industries are driven by the demand in the second home market within the lake watershed and the resulting property values are typically not affordable to local residents. The County recognizes that it is blessed with this resource and has taken steps to preserve water quality and recreational use of the lake's surface. The northern portion of the lake watershed has been served with public sewer since mid-1980's and the southern portion will soon be planned for sewer service. While the County's Comprehensive Plan addresses the need for and expresses plans for extending sewer service to the southern portion of the lake, the County's Water and Sewer Master Plan does not currently include those goals. The County's Water and Sewer Master Plan is currently undergoing a comprehensive update and will reflect the same goals to extend public sewer to the southern end of the lake when completed. Upon adoption of the updated Water and Sewer Master Plan, a substantial portion of the Tier III areas in the southern portion of the lake will be revised to illustrate the planned sewer service areas as Tier II on our Tier Map. That updated plan is expected to be completed by October 2013.

Examination of the existing development patterns in the southern Tier III areas of Deep Creek Lake area reveals concentration of growth not only along lake front properties but also along existing local and private roads. Rural development patterns already exist in the southern portion of the lake area and it is not judicious to attempt to separate out intermittent forest or farm lands from these Tier III areas. Due to the demand in the second home market in the lake region, larger lot sizes and inefficient use of land would result from limiting subdivision activity to minor subdivisions only as explained in B above. Consequently we have currently

designated the southern Deep Creek Lake area as a Tier III area to continue to provide for rural development patterns in the resort area and to preserve the legitimate resource land that the 2008 Garrett County Comprehensive Plan identifies as Agricultural Resource and Rural Resource land within the lake watershed.

IV. Tier IV Areas (Tier 4 shown in green)

Garrett County Tier IV areas are areas not planned for sewage service and are planned for agricultural or resource protection or conservation. The areas include all planned Rural Legacy lands, lands owned or subject to covenant or conservation easement for the benefit of the State and areas dominated by agricultural lands, forest lands or other natural areas. Tier IV areas are the predominant growth tier category in Garrett County and comprise 84% of the County's total land area.