




WASHINGTON COUNTY
DIVISION OF PLAN REVIEW AND PERMITTING
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MEMORANDUM

TO: All Interested Parties

FROM: Jennifer Smith, P.E, Director, DPRP 

DATE: October 10, 2012

RE: Update and clarification to grandfathering provisions of The Sustainable Growth and Agricultural Preservation Act of 2012 (SB236)

The purpose of this memorandum is to provide an update and clarification regarding the grandfathering provisions of The Sustainable Growth and Agricultural Preservation Act of 2012. As previously noted in a Memorandum dated September 25, 2012, the Sustainable Growth and Agricultural Preservation Act of 2012 (The Act) was passed by the Maryland General Assembly and signed into law by Governor O'Malley on May 2, 2012. The Act restricts where major residential subdivisions proposed on septic systems can occur in the County.

The Act includes provisions for grandfathering major subdivisions proposed on septic systems under specific conditions. The following grandfathering provisions apply to Washington County:

- Any major subdivision proposed on septic systems where a preliminary plat has been submitted to and accepted by the DPRP prior to October 1, 2012 and is approved by the Planning Commission by October 1, 2016, is considered grandfathered from the requirements of the Act .
- Any major subdivision proposed on septic systems where a preliminary plat has been submitted to and accepted by the DPRP after October 1, 2012, and whose final plat has received approval by the Planning Commission prior to December 31, 2012 is considered grandfathered from the requirements of the Act.

After December 30, 2012, no major subdivision served by septic systems may be approved by the Washington County Planning Commission in areas within the Urban Growth Area (Tier I and Tier II areas) or in areas identified as Tier IV areas.

The Department of Planning and Zoning is working with the Maryland Department of Planning and has prepared a draft map to identify where the Tier I, II, III, and IV areas are located in Washington County. Interested parties may view the draft map on the Planning and Zoning Department's webpage at <http://www.washco-md.net/planning/pdf/SGAPA.pdf>. Final determination of the Tier area limits will occur prior to December 31, 2012. All users of the draft map are cautioned

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that tier designations are subject to change prior to final adoption. Please contact the Department of Planning and Zoning if assistance is needed to determine the *draft* tier location for your proposed subdivision.

Please feel free to contact me at 240-313-2410 or Stephen Goodrich, Director, Department of Planning and Zoning, at 240-313-2438 should you have any questions.

cc: Gregory B. Murray, County Administrator (via email)
Stephen T. Goodrich, Director, Department of Planning and Zoning (via email)
John M. Martirano, County Attorney (via email)
Kirk C. Downey, Deputy County Attorney (via email)