

LEGAL NOTICE
CALVERT COUNTY PLANNING COMMISSION

The Calvert County Planning Commission will hold a Public Hearing on **Wednesday, May 19 2021, at 7:00 p.m.**, via Zoom, to consider and receive comments on the submitted preliminary plan for SD-138121, Rebecca's Field, Lots 1-14 a major subdivision within the Tier III areas of the adopted Growth Tier Map. This hearing is required pursuant to the Sustainable Growth and Agricultural Preservation Act of 2012, for the unincorporated areas of the county, as mapped and adopted on April 25, 2017, by Ordinance No.17-17. This project includes the following properties: **340 Cox Rd., Huntingtown, MD (Tax Map 18, Parcel 19).**

The meeting location will be confirmed with the publication of the Agenda prior to the meeting and hearing. At the time of publication, physical attendance is disallowed by Executive Order of the Governor. Written comments will be made part of the record if received by close of business the day before the public hearing (4:30 PM, May 18, 2021). This meeting will be streamed live on the County website. If you wish to listen via telephone, please call:

U.S toll free: 888-475-4499 or 877-853-5257

Meeting ID: 899 4188 8251

Passcode (if asked): #

Request to Speak: *9

Interested persons are urged to view the proposed item in its entirety by either contacting the Department of Planning & Zoning at 410-535-1600 ext. 2727, Paul.Conover@calvertcountymd.gov or viewing the posted agenda on the Calvert County website at: <http://www.calvertcountymd.gov/>. The proposal may be substantively modified, revised, amended or otherwise changed based upon comments received at the public hearing.

The Board of County Commissioners does not discriminate on the basis of age, sex (including pregnancy) (except where age or sex are essential bona fide occupational requirements), sexual orientation, marital status, ancestry or national origin, religion, race, color, genetic information, actual or perceived disability, or gender-related identity or expression. Any reasonable accommodation for persons with disabilities or linguistic barriers should be requested by contacting the Board of County Commissioners office at 410- 535-1600 ext. 2202 or TTY: 1-800-735-2258

**RESOLUTION OF THE CALVERT COUNTY
PLANNING COMMISSION**

WHEREAS, Calvert County has adopted and enacted a Comprehensive Plan and Town Center Master Plans (hereinafter, the "Plans") that, together, guide the future growth and development in the community;

WHEREAS, the County Commissioners of Calvert County, with the advice and input of the public and the Calvert County Planning Commission, have adopted the Calvert County Zoning Ordinance, the Dunkirk Zoning Ordinance, the Huntingtown Zoning Ordinance, the Lusby Town Center Zoning Ordinance, the Owings Zoning Ordinance, the Prince Frederick Zoning Ordinance; the Solomons Zoning Ordinance and St. Leonard Zoning Ordinance that, together, implement the visions of the Plans to regulate and control the zoning and use of land and buildings in the County to promote the public safety, health, and general welfare of the citizens;

WHEREAS, In 2012, the State of Maryland adopted the Sustainable Growth and Agricultural Preservation Act to limit creation of new residential subdivisions served by on-site sewage disposal systems and requires local jurisdictions to adopt growth tier maps that must then be incorporated into the local jurisdiction's comprehensive plan during its next update;

WHEREAS, the Board of County Commissioners for Calvert County, with the advice and input of the public and the Calvert County Planning Commission and the Maryland Department of Planning, adopted the Growth Tier Map Pursuant to 2012 Laws of Maryland Ch. 149, the Sustainable Growth and Agricultural Preservation Act of 2012, for the unincorporated areas of the County on April 25, 2017 by Ordinance No. 17-17. The map includes the four tier designations and is consistent with the requirements established in the State of Maryland's Sustainable Growth and Agricultural Preservation Act of 2012;

WHEREAS, pursuant to the Sustainable Growth and Agricultural Preservation Act of 2012 and implementing regulations, all proposed residential major subdivisions within Tier III areas may only be approved after, at least one public hearing is held and a review of specific information as outlined in the Act is presented to the Planning Commission to move forward with preliminary review. The review of a residential major subdivision within Tier III by the Planning Commission shall include:

- 1) The cost of providing local governmental service to the residential major subdivision unless a local jurisdictions' adequate public facilities law already requires a review of governmental services. The Planning Commission finds that pursuant to Article 7 of the Calvert County Zoning Ordinance, Adequate Public Facilities for schools and roads must be available prior to final plat approval.
- 2) The potential environmental issues or a natural resources inventory related to the proposed residential major subdivision must be provided. The Planning Commission

finds that pursuant to Article 8 of the Calvert County Zoning Ordinance, the environmental features (wetlands, steep slopes, erodible soils, forest conservation requirements) are shown on the preliminary plan along with required setbacks or buffers, along with any supporting reports and documents for review to provide adequate protection of the sensitive areas.

- 3) In addition to Planning Commission review and recommendation for approval of all major subdivisions within Tier III areas, documentation must be submitted to the local environmental health director indicating that the proposed residential major subdivision is within an adopted Tier III area. The Planning Commission finds that the preliminary plan and the final plat are both submitted for review, approval and signature from the Maryland State Health Departments Environmental Health Division prior to preliminary approval by the Planning Commission. A copy of the approved Tier Map was provided to the Environmental Health Division in May, 2017 to use in reviewing and confirming the designation on the adopted county Growth Tier Map for each proposed subdivision. This was deemed acceptable by the Maryland Department of Planning to meet this requirement.

WHEREAS, on **May 19, 2021**, following publication of due notice given pursuant to the requirements of the adopted 2012 Laws of Maryland Ch. 149;

WHEREAS, public comment was solicited and received and all persons wishing to be heard expressed their opinions regarding the proposed subdivision SD-138121 Rebecca's Field;

WHEREAS, upon consideration of the record made at the aforesaid hearing, public comment was solicited and received and all persons wishing to be heard expressed their opinions regarding the proposed project; and

WHEREAS, after having accepted and adopted the Staff Report and upon consideration of the comments of the public, written and oral, the Calvert County Planning Commission adopts the findings set forth herein and further, finds that the requirements for a major subdivision within Tier III of the Growth Tier Map have been met for this project to continue with review for preliminary approval.

NOW, THEREFORE, BE IT RESOLVED, that the Calvert County Planning Commission hereby grants its approval to proceed with further consideration as a major subdivision within Tier III, as submitted by staff.

BE IT FURTHER RESOLVED, that the foregoing recitals are hereby incorporated by reference.

DONE, this 19th day of May, 2021, by the Calvert County Planning Commission.

Subject: SD-138121, Rebecca's Field, Lots 1-14
Tier III Public Hearing
Tax Map 18, Parcel 19

Aye: _____

Nay _____

Absent/Abstain: _____

CALVERT COUNTY PLANNING COMMISSION

Steve R. Jones, Chair

Maria Buehler, Vice Chair

Wilson Freeland

Dr. Richard Holler

Gregory Kernan

Lisa Williams

John Toohey

ATTEST:

Approved for Form and Legal Sufficiency:

Paul J. Conover, Secretary

John Mattingly, Jr.
Planning Commission Attorney