

Article - Land Use

[\[Previous\]](#)[\[Next\]](#)

§1–508.

(a) The growth tiers adopted by a local jurisdiction shall meet the following criteria:

(1) Tier I areas are areas that are:

(i) served by public sewerage systems and mapped locally designated growth areas; or

(ii) a municipal corporation that is a priority funding area that is served by public sewerage systems;

(2) Tier II areas are areas that are:

(i) 1. planned to be served by public sewerage systems and in the municipal growth element; or

2. mapped locally designated growth areas; and

(ii) needed to satisfy demand for development at densities consistent with the long-term development policy after consideration of the capacity of land areas available for development, including in-fill and redevelopment, within the local jurisdiction;

(3) Tier III areas are areas that:

(i) are not planned for sewerage service and not dominated by agricultural or forest land;

(ii) are not planned or zoned by a local jurisdiction for land, agricultural, or resource protection, preservation, or conservation; and

(iii) are one of the following:

1. municipal corporations not served by a public sewerage system;

2. rural villages as described in § 5–7B–03(f) of the State Finance and Procurement Article;

3. mapped locally designated growth areas; or

4. areas planned and zoned for large lot and rural development; and

(4) Tier IV areas are areas that are not planned for sewerage service and are:

(i) areas planned or zoned by a local jurisdiction for land, agricultural, or resource protection, preservation, or conservation;

(ii) areas dominated by agricultural lands, forest lands, or other natural areas; or

(iii) rural legacy areas, priority preservation areas, or areas subject to covenants, restrictions, conditions, or conservation easements for the benefit of, or held by a State agency, as defined in § 9–206 of the Environment Article, or a local jurisdiction for the purpose of conserving natural resources or agricultural land.

(b) A local jurisdiction shall strive to avoid creating a Tier III area that is bounded on all sides by land in a Tier IV area.

[\[Previous\]](#)[\[Next\]](#)