

COUNTY ORDINANCE NO. 12-09

A BILL ENTITLED

AN ACT CONCERNING Landscaping Standards and Buffer Yards in connection with Cluster Subdivisions;

FOR THE PURPOSE of removing the developed parcel screening requirements of § 18:1-98. E. and revising the requirements for buffer yards along perimeter property lines in connection with cluster residential development outside of the growth areas;

BY REPEALING Section 18:1-98.E. and AMENDING § 18:1-76.D. of the Code of Public Local Laws of Queen Anne’s County, Maryland.

SECTION I

BE IT ENACTED BY THE COUNTY COMMISSIONERS OF QUEEN ANNE’S COUNTY, MARYLAND that §18:1-98.E. of the Code of Public Local Law be and is hereby REPEALED and Section 18:1-76.D. be and is hereby AMENDED to read as follows:

...

§18:1-76. Table of required buffer yards and street buffers.

A. General buffer yard and street buffer requirements. The letters in the tables below establish buffer yard requirements and standards along adjacent zoning districts and streets, unless otherwise set forth in Subsections B through E of this section. For example, a B buffer yard is described in the Table of Buffer Yard Standards as being 15 feet wide and containing two plant units, as described in §18:1-70, per 150 linear feet.  
{Amended 9-7-2004 by Ord. No. 4-25}

...

D. Cluster subdivisions. In cases where a cluster residential development is proposed in any zoning district outside of the growth areas, the developing property shall provide a vegetative buffer of native species along the perimeter property line a minimum of 30 feet in width consisting of a mixture of canopy trees, canopy tree whips, and mature plant material of significant density to provide immediate buffering capacity in the vicinity of the proposed development to provide additional protection for the existing and continuing agricultural uses on adjacent properties. The buffer will occur regardless of the presence of absence of required district boundary ~~and will consist of mature plant material of significant size and density to provide immediate buffering capacity.~~

The buffers may be used in conjunction with meeting requirements of Chapter 18:2, Forest Conservation. The Planning Director or the Planning Commission, as appropriate (for the type of subdivision approval), may modify the requirements of this section if strict compliance would not be likely to protect adjacent agricultural lands from nuisance claims or complaints.

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## SECTION II

BE IT FURTHER ENACTED that Sections 18:1-98 F. and G and Section 18:1-76 E. be redesignated as Sections 18:1-98 E. and F. and Section 18:1-76D. respectively.

## SECTION III

BE IT FURTHER ENACTED that this Act shall take effect on the forty-sixth (46<sup>th</sup>) day following its enforcement.

INTRODUCED BY: Commissioner Arentz

DATE: August 14, 2012

PUBLIC HEARING HELD: September 25, 2012 @ 6:30 p.m.

VOTE: \_\_\_\_\_ Yea \_\_\_\_\_ Nay

DATE OF ADOPTION: \_\_\_\_\_