

COUNTY ORDINANCE NO. 20-04

A BILL ENTITLED

AN ACT CONCERNING Accessory Dwelling Unit Provisions in the Resource Conservation Area.

FOR THE PURPOSE of making accessory dwelling unit provisions as outlined in both Maryland Natural Resources Annotated Code Section 8-1808.1 and COMAR 27.01.02.05. consistent with the development standards in resource conservation area and the dwelling unit definition found in the Code of Public Local Laws of Queen Anne's County, Maryland.

BY ADDING §14:1-39.B.(2). Development standards in resource conservation and AMENDING §18App. Definition of Dwelling Unit found in 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 §14:1-39.B.(2). Development standards in resource conservation be and is hereby ADDED to the Code of Public Local Laws and §18App.of the Code of Public Local Laws be and is hereby AMENDED to read as follows:

Article IX. Use and Development Regulations in Development Areas

§ 14:1-39. Development standards in resource conservation.

...

B. Uses not permitted or strictly limited.

...

(2) The following shall apply to accessory dwelling units in the resource conservation area:

(A) One additional dwelling unit is permitted per lot or parcel as part of a primary dwelling unit for the purpose of the density calculation under this section if the additional dwelling unit:

[1] Is located within the primary dwelling unit or its entire perimeter is within 100 feet of the primary dwelling unit;

a. Does not exceed 900 square feet in total enclosed area; and

b. Is served by the same sewage disposal system as the primary dwelling unit; or

[2] Is located within the primary dwelling unit;

a. By its construction, does not increase the amount of lot coverage already attributed to the primary dwelling unit; and

b. Is served by the same sewage disposal system as the primary dwelling unit.

(B) The provisions of this section must be consistent with COMAR 27.01.02.05 and may not be construed to require consideration of an additional dwelling unit as part of a primary dwelling unit for the purpose of the density calculation under this subsection.

(C) An additional dwelling unit meeting all the criteria under subsection (A) of this section that is separate from the primary dwelling unit may not be subdivided or conveyed separately from the primary dwelling unit and must likewise be consistent with COMAR 27.01.02.05.

§ 18App. Definitions

Dwelling Unit.

A principal building, room or group of rooms providing, or intended to provide, living quarters for not more than one family.

Within the Critical Area, a single unit providing complete, independent living

facilities for at least one person, including permanent provisions for sanitation, cooking, eating, sleeping, and other activities routinely associated with daily life. Dwelling unit includes a living quarters for a domestic or other employee or tenant, an in-law or accessory apartment, a guest house, or a caretaker residence.

SECTION II

BE IT FURTHER ENACTED that this Ordinance shall take effect on the forty-sixth (46th) day following its adoption.

INTRODUCED BY: Commissioner J. Wilson

DATE: June 23, 2020

PUBLIC HEARING HELD: September 22, 2020 @ 6:00 pm

VOTE: 5 Yay 0 Nay

DATE OF ADOPTION: October 13, 2020

EFFECTIVE DATE: November 28, 2020