

COUNTY ORDINANCE NO. 07-16

A BILL ENTITLED

AN ACT CONCERNING Sliding-Scale Subdivisions As Part of Development Applications Utilizing Noncontiguous Development or Cluster Subdivisions;

FOR THE PURPOSE of prohibiting sliding-scale subdivisions in combination with or as part of a subdivision application proposing cluster subdivision or noncontiguous development; prohibiting applications for sliding-scale subdivision or cluster development (including noncontiguous development) for the same tract or parcel of land within twenty-four (24) months of recordation of an approved subdivision plat; prohibiting further subdivision of lots created through the cluster subdivision technique except under certain circumstances.

BY AMENDING Section 18:1-13 K. 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 Section 18:1-13 K. of the Code of Public Local Laws of Queen Anne's County, Maryland be amended to read as follows:

ARTICLE V
District Standards

§ 18:1-13. *General district regulations.*

. . .

K. Special restrictions on large-lot, sliding-scale, and single-family cluster subdivisions.

(1) A lot or parcel, or a part thereof, created by single-family large-lot or large-lot agricultural subdivision meeting the minimum lot size requirements set forth in this section may not be further subdivided as a single-family cluster or multifamily development; or be used as a transferor parcel for the transfer of development rights.

(2) Existing lots of record in the AG or CS Zoning District that were not created by the cluster, large-lot, or sliding-scale subdivision techniques may be reduced in size below 20 acres but not to less than 20,000 square feet in size.

- (3) *Properties created through the large-lot subdivision technique may not be reduced in size below 20 acres.*
- (4) *The number of sliding-scale lots allowed will be based only on the original parcel size, and any future sliding-scale potential will be the right of the original parcel's owner. Applicants for newly proposed sliding-scale subdivisions must provide to the Planning Director a cover letter outlining the history of the original parcel and any future subdivision potential.*
- (5) *An application proposing a sliding-scale subdivision may not be submitted in combination with or as part of a subdivision application proposing cluster subdivision or noncontiguous development in accordance with Article XIX of this Chapter 18. Applications for either a sliding-scale subdivision or cluster development (including noncontiguous development) for the same tract of land or parcel may not be submitted within twenty-four (24) months of recordation of an approved subdivision plat for either sliding-scale or cluster development (including noncontiguous development).*
- (5) *6) Lots created through the cluster subdivision technique may not be further subdivided, except as provided for in §18:1-174.B.(6) of this Chapter 18.*

SECTION II

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

SPONSORED BY: Commissioner Wargotz

CO-SPONSORED BY: N/A

DATE INTRODUCED: May 8, 2007

PUBLIC HEARING HELD: May 29, 2007 @ 6:45 p.m.

VOTE: _____ YEA _____ NAY

DATE OF ADOPTION: Withdrawn – August 21, 2007

FISCAL IMPACT NOTE

Legislation No: O-07-16 **Hearing Date:** 5-29-07
Date Introduced: 5-8-07 **Note Date:** 5-23-07

Legislation Title: Sliding-Scale Subdivision As Part of Development Applications Utilizing Noncontiguous Development or Cluster Subdivisions.

Description:

The purpose of this legislation is to prohibit sliding-scale subdivisions in combination with or as part of a subdivision application proposing cluster subdivision or noncontiguous development, and for prohibiting applications for sliding-scale subdivision or cluster development for the same tract or parcel of land within twenty-four months of recordation of an approved subdivision plat, and prohibiting further subdivision of lots created through the cluster subdivision technique.

Analysis of Fiscal Impact:

There is no fiscal impact produced by this legislation, as it is simply a text amendment.