

COUNTY ORDINANCE NO. 05-27

A BILL ENTITLED

AN ACT CONCERNING Noncontiguous Development.

FOR THE PURPOSE of requiring that the non-contiguous development sending parcel and receiving parcel must be owned by the same property Owner and providing new definitions for "NCD Sending Parcel", "NCD Receiving Parcel", "Ownership Qualification Date" and "Subdivision Application Date".

BY ADDING a new Section 18:1-98.G. to Chapter 18 of the Code of Public Local Laws of Queen Anne's County, Maryland (1996 Ed.).

SECTION I

BE IT ENACTED BY THE COUNTY COMMISSIONERS OF QUEEN ANNE'S COUNTY, MARYLAND that a new §18:1-98.G. be added to Chapter 18 of the Code of Public Local Laws of Queen Anne's County to read as follows:

**Part 6 Development Alternatives and Bonuses
ARTICLE XIX Noncontiguous Development**

§18:1-98. Application and standards.

...

G. Notwithstanding anything herein to the contrary, the noncontiguous development technique can only be used for subdivisions for which legal title to both the "NCD Sending Parcel" and the "NCD Receiving Parcel" were and are owned by the same property owner on the "Ownership Qualification Date" and the "Subdivision Application Date."

As used in this subsection, the following phrases have the specified meanings:

NCD Sending Parcel: The parcel from which non-contiguous development rights are transferred.

NCD Receiving Parcel: The parcel to which non-contiguous development rights are transferred.

Ownership Qualification Date: The date which is five (5) years prior to the Subdivision Application Date.

Subdivision Application Date: The date upon which the property owner

requests approval for a project using the noncontiguous development technique by submitting an application to the Queen Anne's County Department of Planning and Zoning.

SECTION II

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

INTRODUCED BY: Gene Ransom

DATE: December 20, 2005

PUBLIC HEARING HELD: January 17, 2006

VOTE: 1 Yea 4 Nay

DATE OF ADOPTION: Failed