

COUNTY ORDINANCE NO. 04-29

A BILL ENTITLED

AN ACT CONCERNING the Use of the 1966 Soils Survey for the Classification of Woodlands in the Provisions Regarding Non-contiguous Development and Transferable Development Rights in Title 18 of the Code of Public Local Laws of Queen Anne's County (1996 Ed.) ("the Code");

FOR THE PURPOSE of providing for the use of the 1966 Soils Survey to classify woodlands for certain standards related to Noncontiguous Development and Transferable Development Rights under Title 18 of the Code.

BY AMENDING Sections 18-1-98(f) and 18-1-101(a)(4) of Title 18 of the Code.

SECTION I

BE IT ENACTED BY THE COUNTY COMMISSIONERS OF QUEEN ANNE'S COUNTY, MARLYLAND that Section 18-1-98(f)(2) of Title 18 of the Code be repealed and reenacted to read as follows:

§18-1-98 Application and Standards.

(f) Noncontiguous parcel.

(2) Meets the following soils criteria as per the 1966 Soils Survey of Queen Anne's County:

- (i) At least 50% of the land shall classify as Class I, II or III soils; or
- (ii) If the land is wooded, 50% of the land is classified as woodland Groups 1 or 2; or
- (iii) If there is an insufficient percentage of Class I, II or III soils alone and there is an insufficient percentage of Woodland Groups 1 or 2 soils alone, the land must have a combination of the classifications that meets or exceeds 60%.

SECTION II

BE IT FURTHER ENACTED that Section 18-1-101(a)(4) of

Title 18 of the Code be repealed and reenacted to read as follows:

§18-1-101 Effect of Transfer.

(a) After development rights have been transferred by an original instrument of transfer, the transferor parcel:

(4) A transferor parcel must be at least twenty-four (24) acres or one-half (½) of the size of the lot of record, whichever is less and meet the following soils criteria as per the 1966 Soils Survey of Queen Anne's County;

- (i) At least 50% of the land shall classify as Class I, II or III soils; or
- (ii) If the land is wooded, 50% of the land is classified as woodland Groups 1 or 2; or
- (iii) If there is an insufficient percentage of Class I, II or III soils alone and there is an insufficient percentage of Woodland Groups 1 or 2 soils alone, the land must have a combination of the classifications that meets or exceeds 60%.
- (iv) Plats of TDR parcels must provide the location of all existing buildings.

SECTION III

BE IT FURTHER ENACTED that this Ordinance shall be effective on the forty-sixth day following its passage.

INTRODUCED BY: Commissioner Ransom

DATE: 6-15-04

PUBLIC HEARING HELD: 8-17-04

VOTE: 5 Yea _____ Nay

DATE OF ADOPTION: 9-7-04