

COUNTY ORDINANCE NO. 25-07

A BILL ENTITLED

AN ACT CONCERNING the Subdivision or Reconfiguration of Parcels from which Development Rights Have Been Transferred;

FOR THE PURPOSE of allowing the subdivisions or reconfiguration of parcels from which development rights have been transferred under certain circumstances; prohibiting the creation of additional lots in connection with such subdivision or reconfiguration; and generally dealing with, permitting and regulating the subdivision or reconfiguration of a parcel from which development rights have been transferred;

BY AMENDING Section 18:1-101.A(1) 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 18:1-101 A of the Code of Public Local Laws be and is hereby AMENDED 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;

(1) May ~~not~~**ONLY** be subdivided or reconfigured to **ACCOMMODATE BUILDING PAD SITES, PERC SITES AND LOT LINE ADJUSTMENTS, BUT MAY NOT BE USED TO CREATE ADDITIONAL LOTS.**

(2) Shall be deemed *open space* and shall be limited to only those uses allowed pursuant to Column A of the open space table in § 18:1-12 of this Chapter 18:1;

(3) May not be used in connection with any determination of *site area* or *site capacity*, except as may be necessary in determining the number of *development rights* involved in the *transfer*; and

(4) A *transferor parcel* must be at least 24 *acres* or ½ of the size of *the lot of record*, whichever is less, and meet the following soils criteria as per the 1996 Soils Survey of Queen Anne's County: [**Amended 9-7-2004 by Ord. No. 04-29**]

(a) At least 50% of the land shall classify as Class I, II or III soils; or

(b) If the land is wooded, 50% of the land is classified as *woodland* Group 1 or 2; or

(c) If there is an insufficient percentage of Class I, II, or III soils alone and there is an insufficient percentage of *woodland* Group 1 or 2 soils alone, the land must have a combination of the classifications that meets or exceeds 60%.

(d) Plats of TDR parcels must be provide the location of all existing *buildings*.

SECTION II

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

INTRODUCED BY: Commissioner Moran

DATE: 5/13/2025

PUBLIC HEARING HELD: 6/10/25

VOTE: 0 YEA 4 NAY 1 ABSENT

DATE OF ADOPTION: FAILED