

2009 CRITICAL AREA PROGRAM UPDATE						
STATE AND LOCAL AMENDMENTS						
SRA#09-14						
SOURCE						
	AMENDMENT	STATE REQUIRED	COUNTY STAFF	EXISTING PROGRAM DOCUMENT	COUNTY BILL PAGE REFERENCE	POTENTIAL FOR FISCAL IMPACT
SECTION 19	CHESAPEAKE BAY CRITICAL AREA OVERLAY ZONE; LOT CONSOLIDATIONS AND RECONFIGURATIONS					
	ADDED ENTIRE SECTION	YES, HB1253 (pg. 21& COMAR 27.03.01.03)			3-7	YES
SECTION 44	GENERAL SITE DESIGN STANDARDS					
	ADDED THE WORD "RARE" TO THE CATEGORIES OF SPECIES CHARLES COUNTY PROTECTS. THE CURRENT REQUIREMENTS OF APPENDIX A-1 REQUIRE PROTECTION MEASURES TO BE CONSIDERED FOR RARE SPECIES. ADDING THE WORD "RARE" TO THE LIST OF WHAT IS PROTECTED ENSURES THAT THE SUBDIVISION REGULATIONS ARE CONSISTENT THROUGHOUT.		YES	YES, CONSISTENT WITH APPENDIX A-1 SUBDIVISION REGULATIONS	7	YES
	ADDED THE CRITICAL AREA BUFFER TO THE LIST OF SPECIFIED AREAS TO BE PRESERVED AS UNDEVELOPED OPEN SPACE TO THE EXTENT FEASIBLE. THIS IS CONSISTENT WITH THE INTENDED FUNCTIONS OF THE BUFFER WHICH ARE INCLUDED IN COMAR, AS WELL AS, THE EXISTING CRITICAL AREA PROGRAM. ADDITIONALLY, BY REGULATION, DISTURBANCE TO THE BUFFER IS LARGELY PROHIBITED, MAKING THIS FEATURE MORE SUITABLE AS OPEN SPACE.		YES	YES, CONSISTENT WITH EXISTING CRITICAL AREA PROGRAM	9	NO
SECTION 53	CHESAPEAKE BAY CRITICAL AREA OVERLAY ZONES					
	REMOVED A LARGE PORTION OF THIS SECTION BECAUSE DEVELOPMENT IS ADDRESSED IN THE ZONING ORDINANCE. ADDED REFERENCE TO THE ZONING ORDINANCE		YES	YES	11-17	NO

		<u>SOURCE</u>				
	<u>AMENDMENT</u>	<u>STATE REQUIRED</u>	<u>COUNTY STAFF</u>	<u>EXISTING PROGRAM DOCUMENT</u>	<u>COUNTY BILL PAGE REFERENCE</u>	<u>POTENTIAL FOR FISCAL IMPACT</u>
	<p>SUBDIVISIONS AND/OR PLATS INCLUDING PROPERTY IN THE CRITICAL AREA</p> <p>1. "THIS PROPERTY/A PORTION OF THIS PROPERTY IS LOCATED WITHIN THE _____ ZONE OVERLAY OF THE CHESAPEAKE BAY CRITICAL AREA"</p> <p>2. "SITE TABULATIONS: TOTAL AREA: _____ TOTAL AREA IN CBCA: _____ TOTAL AREA OUTSIDE CBCA: _____ TOTAL AREA OF CBCA: _____ EXCLUSIVE OF TIDAL WATERS OR WETLANDS (IF APPLICABLE) EXISTING ALLOWABLE CBCA DENSITY: _____ PROPOSED CBCA DENSITY _____"</p> <p>3. "THERE SHALL BE NO CLEARING, GRADING, CONSTRUCTION, OR DISTURBANCE WITHIN THE CRITICAL AREA BUFFER EXCEPT AS MAY BE PERMITTED BY THE CHARLES COUNTY PLANNING DIVISION."</p> <p>FOR PROPERTIES WITHIN THE RESOURCE CONSERVATION ZONE OVERLAY OR LIMITED DEVELOPMENT ZONE OVERLAY:</p> <p>1. "TOTAL EXISTING LOT COVERAGE: _____ TOTAL PROPOSED LOT COVERAGE: _____ TOTAL EXISTING FOREST COVERAGE: _____ TOTAL PROPOSED FOREST COVERAGE: _____"</p> <p>FOR PROPERTIES SUBJECT TO INTRAFAMILY TRANSFER:</p> <p>1. LOT(S) _____ ARE CREATED UNDER THE PROVISIONS OF A BONAFIDE INTRAFAMILY TRANSFER AND MAY NOT BE TRANSFERRED OR SOLD TO A THIRD PARTY, WHO IS NOT A MEMBER OF THE OWNER'S IMMEDIATE FAMILY OR HOLDER OF A MORTGAGE OR DEED OF TRUST ON THE PROPERTY, UNLESS APPROVED BY THE PLANNING COMMISSION</p> <p>VARIATIONS OF THE ABOVE NOTES MAY BE APPROVED BY THE PLANNING DIRECTOR OR DESIGNEE AS APPROPRIATE.</p> <p>ADDITIONAL NOTES MAY BE REQUIRED BASED UPON THE NATURE OF THE</p>		<p>YES. 6 YEAR UPDATE.</p>		<p>12-13</p>	<p>NO</p>