

Amendment 1 to Amendment 1 to Council Bill No. 1-2013

**BY: Chairperson at the request
of the County Executive**

**Legislative Day No. 2
Date: February 4, 2013**

Amendment No. 1

(This amendment substitutes a page to further clarify certain grandfathering and to require that certain reports contain information regarding the successes and impacts of Growth Tiers.)

- 1 Remove page 76.1 from Amendment 1 and substitute revised 76.1 as attached to this
- 2 Amendment to Amendment 1.

THAT HAVE INITIATED "GRANDFATHERING" UNDER SENATE BILL 236 BY APPLYING FOR SEPTIC "PERC" TESTING PRIOR TO JULY 1, 2012. IN ADDITION, OTHER PARCELS, FOR WHICH THE DEVELOPMENT PROCESS WAS INITIATED PRIOR TO THE ADOPTION OF SENATE BILL 236, WILL BE ABLE TO CONTINUE THE DEVELOPMENT PROCESS IN ACCORDANCE WITH THE GRANDFATHERING PROVISIONS OF SENATE BILL 236.

THE PURPOSE STATEMENTS IN THE RR AND THE RC ZONING DISTRICTS CLEARLY REFLECT THE PLANNING OBJECTIVES FOR THESE TWO GROWTH TIERS, AND THE EXCEPTIONS RELATE TO SPECIFIC EXEMPTIONS AND INCLUSIONS ENVISIONED BY SENATE BILL 236.

WHILE TIER IV PROPERTIES WILL NO LONGER BE ALLOWED TO SUBDIVIDE MORE THAN FOUR LOTS, REMAINING DEVELOPMENT RIGHTS MAY CONTINUE TO BE TRANSFERRED UNDER THE DEO (DENSITY EXCHANGE OPTION) TO THE TIER III DISTRICT, OR THEY MAY BE SOLD TO THE COUNTY IF A PROPERTY ENTERS THE COUNTY'S AGRICULTURAL LAND PRESERVATION PROGRAM. THE REGULATIONS FOR THE COUNTY'S AGRICULTURAL LAND PRESERVATION PROGRAM SHOULD BE REVIEWED AND AMENDED AS NEEDED TO FACILITATE OPEN ENROLLMENT.

AS PART OF THE INITIAL REVIEW TO BE PROVIDED TO THE COUNCIL UNDER POLICY 2.1 ACTION C., THE SUCCESSES AND IMPACTS OF THE GROWTH TIERS AND RELATED POLICIES AS REQUIRED UNDER SENATE BILL 236 SHOULD BE ADDRESSED.