

(3) Except as provided in paragraph (5) of this subsection, no more than [half] ONE-HALF of the expansion allocated in the criteria of the Commission may be located in resource conservation areas;

(4) New intensely developed or limited development areas to be located in the resource conservation area shall conform to all criteria of the Commission for [such] THE areas and shall be designated on the comprehensive zoning map submitted by the local jurisdiction as part of its application to the Commission for program approval or at a later date in compliance with § 8-1809(g) of this subtitle; and

8-1808.2.

(d) A bona fide intrafamily transfer from a parcel of land shall be a subdivision of the parcel of land that is subject to local approval under “the subdivision control” subtitle of Article 66B OF THE CODE, under Title 7 of Article 28 of the Code, or under any subdivision control provisions of a charter county.

(e) (1) A local jurisdiction:

(I) [may] MAY approve the subdivision of a parcel of land into the number of lots indicated in this subsection by means of a bona fide intrafamily transfer[,]; and

(II) [may] MAY not approve any greater subdivision of the parcel of land or any portion of [it] THE PARCEL OF LAND.

(g) If a local jurisdiction includes provisions for bona fide intrafamily transfers as part of [its] THE LOCAL JURISDICTION’S local program, the local jurisdiction shall establish standards and procedures, subject to the approval of the Commission, by which the local jurisdiction will permit the subsequent conveyance of lots to persons other than immediate family members. The standards and proceeds shall assure that:

(1) The lot was created as part of a bona fide intrafamily transfer and not with the intent of subdividing the original parcel of land for purposes of ultimate commercial sale; and

(2) (i) A change in circumstances has occurred since the original transfer was made that is not inconsistent with this subtitle and that warrants an exception; or

(ii) Other circumstances that are consistent with this subtitle and with the Commission’s criteria to maintain land areas necessary to support the protective uses of agriculture, forestry, open space, and natural habitats in resource conservation areas warrant an exception.

8-1808.3.

(c) For stormwater runoff, man-caused impervious areas shall be limited to 15 [percent] % of a parcel to be developed. However, impervious surfaces on any lot not exceeding 1 acre in size in a subdivision approved after June 1, 1986 may be up to 25 [percent] % of the lot.