

(C) WITHIN AN AGRICULTURAL PRESERVATION DISTRICT, SPECIAL ASSESSMENTS MAY NOT BE PERMITTED FOR THE SUPPORT OF ANY PUBLIC SERVICE INCLUDING, BUT NOT LIMITED TO, WATER AND SEWER SERVICE.

12-104. AREAS DESIGNATED.

(A) (1) THE AGRICULTURAL PRESERVATION ADVISORY BOARD SHALL DESIGNATE CERTAIN PORTIONS OF THE COUNTY AS HAVING THE GREATEST POTENTIAL FOR MAINTAINING A VIABLE LEVEL OF AGRICULTURAL OR FOREST PRODUCTION. THE CRITERIA THE BOARD USES SHALL INCLUDE, BUT NOT BE LIMITED TO:

(I) PRESENT LAND USE

(II) PERCENT OF CROPLAND

(III) SUITABILITY OF THE SOIL

(IV) AMOUNT OF CONTIGUOUS FARM LAND

(2) THE AREA SPECIFIED IN THIS SECTION SHALL BE CALLED THE "DESIGNATED AGRICULTURAL AREA". WOODED PARCELS MAY BE INCLUDED IN THE DESIGNATED AGRICULTURAL AREA.

(3) ANY PERSON WHO OWNS LAND WITHIN A DESIGNATED AGRICULTURAL AREA IS NOT REQUIRED TO JOIN AN AGRICULTURAL PRESERVATION DISTRICT. THE PROGRAM IS ENTIRELY VOLUNTARY.

12-105. TRANSFER ZONES.

(A) THE BOARD OF COUNTY COMMISSIONERS SHALL DESIGNATE CERTAIN PORTIONS OF THE COUNTY, NOT IN A DESIGNATED AGRICULTURAL PRESERVATION AREA, AS A TRANSFER ZONE. THE BOARD OF COUNTY COMMISSIONERS SHALL CONSIDER THE RECOMMENDATIONS FROM THE PLANNING COMMISSION OF CALVERT COUNTY.

(B) THE OWNER OF THE DEVELOPMENT RIGHT IS PERMITTED TO INCREASE THE DENSITY OF RESIDENTIAL USE OF THE PROPERTY HE OWNS WITHIN THE TRANSFER ZONE IN ACCORDANCE WITH THIS SUBTITLE.

12-106. DEVELOPMENT OPTIONS.

(A) ONE DEVELOPMENT OPTION PER ACRE OF LAND IS ALLOCATED WITHIN AN AGRICULTURAL PRESERVATION DISTRICT.

(B) FIVE DEVELOPMENT OPTIONS SHALL BE SUBTRACTED FOR EACH RESIDENCE LOCATED ON A PARCEL IN AN AGRICULTURAL PRESERVATION DISTRICT.

(C) THOSE PERSONS WHO OWN PROPERTY WITHIN A TRANSFER ZONE MAY CREATE 1 ADDITIONAL SINGLE FAMILY RESIDENTIAL BUILDING LOT FOR EACH 5 DEVELOPMENT RIGHTS PURCHASED. THE DENSITY MAY NOT EXCEED 1 DWELLING PER 2.5 ACRES, UNLESS THE COUNTY COMMISSIONERS DEVELOP CRITERIA PERMITTING HIGHER DENSITY WHERE FAVORABLE