

- (2) 100-YEAR FLOOD PLAINS;
- (3) HABITATS OF THREATENED AND ENDANGERED SPECIES;
- (4) STEEP SLOPES; AND
- (5) OTHER AREAS IN NEED OF SPECIAL PROTECTION, AS DETERMINED IN THE PLAN.

DRAFTER'S NOTE: The definition of "sensitive areas" in subsection (i) of this section is derived without substantive change from former § 3.05(a)(1)(viii) and (a)(2) of this article.

[(i)] (J) "Special exception" means a grant of a specific use that would not be appropriate generally or without restriction and shall be based upon a finding that certain conditions governing special exceptions as detailed in the zoning ordinance exist, that the use conforms to the plan and is compatible with the existing neighborhood.

[(j)] (K) (1) "Subdivision" means the division of a lot, tract, or parcel of land into two or more lots, plats, sites, or other divisions of land for the IMMEDIATE OR FUTURE [purpose, whether immediate or future, of sale] PURPOSES OF SELLING THE LAND or of building development.

(2) (I) [Subdivision] "SUBDIVISION" includes [resubdivision and, when] RESUBDIVISION.

(II) AS appropriate to the context, [relates to] "SUBDIVISION" MAY INCLUDE EITHER the process of resubdividing or [to] the land or territory [subdivided] RESUBDIVIDED.

[(k)] (L) "Variance" means a modification only of density, bulk, or area requirements in the zoning ordinance [where such modification will not be] THAT IS:

(1) NOT contrary to the public [interest and where owing] INTEREST; AND

(2) [to conditions peculiar to the property, and not the results of any action taken by the applicant,] SPECIFIED BY THE LOCAL GOVERNING BODY IN A ZONING ORDINANCE TO AVOID a literal enforcement of the ordinance THAT, BECAUSE OF CONDITIONS PECULIAR TO THE PROPERTY AND NOT ANY ACTION TAKEN BY THE APPLICANT, would result in [either, as specified by the local governing body in a zoning ordinance,] unnecessary hardship or practical difficulty.

1.01. VISIONS.

IN ADDITION TO THE REQUIREMENTS OF § 3.05(C) OF THIS ARTICLE, A COMMISSION SHALL IMPLEMENT THE FOLLOWING VISIONS THROUGH THE PLAN DESCRIBED IN § 3.05 OF THIS ARTICLE:

- (1) DEVELOPMENT IS CONCENTRATED IN SUITABLE AREAS.
- (2) SENSITIVE AREAS ARE PROTECTED.