

(i) Any deed for a lot that is created by a bona fide intrafamily transfer shall contain a covenant stating that the lot is created subject to the provisions of this section; and

(ii) A lot created by a bona fide intrafamily transfer may not be conveyed subsequently to any person other than a member of the owner's immediate family, except under procedures established pursuant to subsection (g) of this section.

(2) This subsection does not prevent the conveyance of the lot to a third party as security for a mortgage or deed of trust.

(g) If a local jurisdiction includes provisions for bona fide intrafamily transfers as part of 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 procedures 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.

(a) This section applies notwithstanding:

(1) Any other provision of this subtitle; or

(2) Any criteria or guideline of the Commission adopted under this subtitle.

(b) This section controls over any other requirement concerning impervious surfaces limitations in limited development areas and resource conservation areas in the critical area.

(c) On or before December 31, 1996, a local jurisdiction shall amend its local critical area protection program to meet the provisions of this section.

(d) (1) Except as otherwise provided in this subsection for stormwater runoff, man-made impervious surfaces are limited to 15% of a parcel or lot.

(2) If a parcel or lot one-half acre or less in size existed on or before December 1, 1985 IN THE CHESAPEAKE BAY CRITICAL AREA OR ON OR BEFORE ~~APRIL 17, 2001~~ JUNE 1, 2002 IN THE ATLANTIC COASTAL BAYS CRITICAL AREA, then man-made impervious surfaces are limited to 25% of the parcel or lot.