

APPENDIX 4

Family Conveyance

The Family Conveyance alternative presented in the report provides an approach to minimize the long term impacts of the resolution (over-burdened infrastructure, loss of farms and forests, difficulties in enforcement, and inequities) while providing some compensation for those landowners affected by the 1981 change in zoning that decreased density permitted in the RA zone. Approval of this alternative is not unanimous, but no other alternative presented garnered the necessary 2/3 vote of SAP members present to pass.

Nonetheless, some very important discussions took place that provide additional alternative options for revising the provisions of the existing Family Conveyance provisions. A very informative discussion took place on January 21, 2000, which resulted in five principals for amending the existing Family Conveyance provisions:

- Family conveyance lots may be conveyed to children only (including adopted children but not stepchildren). *[This was agreed to by 2/3+ of SAP members]*
- Family conveyance subdivision should be applied only to parcels owned continuously by the same person or persons, or transferred to a lineal ancestor, since the adoption of Bill 2-81. *[This was agreed to by 2/3+ of SAP members]*
- A landowner has the option of subdividing pursuant to current zoning or family conveyance, but not both. *[This was not a consensus on the "but not both" element of this principal – but there was the possibility of a compromise if a maximum number of family lots was identified, but this still did not address the inequity of subdivision potential based on the number of children]*
- A parcel that has been subdivided from its original parcel by Family Conveyance may not be subsequently resubdivided. *[There was not agreement on this item, with the majority wanting the remaining parcel to also be restricted from repeated subdivision]*
- No bonus lots. Subdivision of property may be phased. *[This was agreed to by 2/3+ of SAP members]*

Because of the lack of consensus on all the above items, another alternative lot scenario replacing family conveyance was presented in an effort to reach a consensus:

- The density for RA zoning will remain one unit per twenty acres.
- Alternative lots apply to legal parcels of record as of the adoption of Bill 2-81.

Appendix 3

- For qualifying parcels, the property is entitled to one alternative lot for each ten acres, up to 5 lots on fifty acres. The balance of the property will be subdivided at a density of one unit per twenty acres (1 du/20ac).
- There will be no further subdivision of a 10-acre or less parcel in the RA zone.
- Because the maximum lot yield can be calculated, lots can be subdivided at one time or over time. When a property is subdivided to its maximum density (alternative lots plus the 1 unit per 20-acre density lot), the property will be deed restricted to prohibit any further subdivision of any parcels or lots that are part of the subdivision.

When voted upon, this scenario failed to reach the 2/3 affirmative vote (of 16 members present, 10 voted for and 6 against).