

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, [1990] 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 [was in residential use or zoned for residential purposes] EXISTED on or before December 1, 1985, then man-made impervious surfaces [associated with that use] are limited to 25% of the parcel or lot.

(3) [If a parcel or lot one-fourth acre or less in size was in nonresidential use on or before December 1, 1985, then man-made impervious surfaces associated with that development are limited to 25% of the parcel or lot] IF A PARCEL OR LOT GREATER THAN ONE-HALF ACRE AND LESS THAN ONE ACRE IN SIZE EXISTED ON OR BEFORE DECEMBER 1, 1985, THEN MAN-MADE IMPERVIOUS SURFACES ARE LIMITED TO 15% OF THE PARCEL OR LOT.

(4) If an individual lot 1 acre or less in size is part of a subdivision approved after December 1, 1985, then man-made impervious surfaces of the lot may not exceed 25% of the lot. However, the total of the impervious surfaces over the entire subdivision may not exceed 15%.

(e) This section does not apply to a trailer park that was in residential use on or before December 1, 1985.

(F) A LOCAL JURISDICTION MAY ALLOW A PROPERTY OWNER TO EXCEED THE IMPERVIOUS SURFACE LIMITS PROVIDED IN ~~SUBSECTIONS (D)(2) THROUGH (D)(4)~~ SUBSECTION (D)(2) AND (3) OF THIS SECTION IF THE FOLLOWING CONDITIONS EXIST:

(1) NEW IMPERVIOUS SURFACES ON THE PROPERTY HAVE BEEN MINIMIZED;

(2) FOR A LOT OR PARCEL ONE-HALF ACRE OR LESS IN SIZE, TOTAL IMPERVIOUS SURFACES DO NOT EXCEED IMPERVIOUS SURFACE LIMITS IN SUBSECTION (D)(2) OF THIS SECTION BY MORE THAN 25% OR 500 SQUARE FEET, WHICHEVER IS GREATER;