

WHEREAS, Chapter 234 of the Acts of the General Assembly of 1988 expanded the authority of the Joint Committee on the Chesapeake Bay Critical Areas to include, among other things, a determination of whether the criteria need to be strengthened in any area to make the Chesapeake Bay Critical Area Protection Program more effective in the protection of the water quality and habitat of the Chesapeake Bay and its tributaries; and

WHEREAS, During the 1989 Interim, the Joint Committee on Chesapeake Bay Critical Areas held open meetings on the upper and lower Eastern and Western Shores of the Chesapeake Bay in Cambridge, Chestertown, Prince Frederick, and Towson and gathered public comments from representatives of counties and municipalities having land within the critical areas, landowners in the critical areas, and other interested parties; and

WHEREAS, After due consideration of the issues raised, the Joint Committee on Chesapeake Bay Critical Areas adopted a legislative program to address some of the problem areas encountered in its study; now, therefore,

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

**Article – Natural Resources**

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) For stormwater runoff, man-caused impervious areas shall be limited to 15 percent of a parcel to be developed. However, impervious surfaces on any lot not exceeding 1 acre in size in a subdivision approved after June 1, 1986 may be up to 25 percent of the lot.]

(C) ON OR BEFORE DECEMBER 31, 1990, 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, ~~PEOPLE CAUSED~~ 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 ON OR BEFORE DECEMBER 1, 1985, THEN ~~PEOPLE CAUSED~~ MAN-MADE IMPERVIOUS SURFACES ASSOCIATED WITH