

## LOCAL GOVERNMENT HAVING SUCH POWER.

9.06. LAND USE PLANS AND CONTROLS—RIVER ZONE PROTECTION. —(A) IN EFFECTUATING THE PLAN OR PORTIONS THEREOF ADOPTED PURSUANT TO SECTION 9.04, THE COMMISSION SHALL ASSIST LOCAL AGENCIES IN DEVELOPING COORDINATED COMPREHENSIVE LAND USE PLANS FOR THE PRESERVATION, RESERVATION, ENHANCEMENT, AND ORDERLY DEVELOPMENT OF THE SCENIC, HISTORIC, RECREATIONAL, OPEN SPACE AND NATURAL RESOURCES OF THE RIVER ZONES AND PROPOSE STATE AND LOCAL LAND USE CONTROLS FOR THEIR EFFECTUATION. THE COMMISSION MAY ACCEPT STATE AND LOCAL COMPREHENSIVE LAND USE PLANS, AND STATE AND LOCAL ZONING AND OTHER LAND USE CONTROLS WHICH EFFECTUATE SUCH ACCEPTED PLANS.

(B) EXCEPT PURSUANT TO THE PROVISIONS OF STATE OR LOCAL ZONING OR OTHER LAND USE CONTROLS WHICH HAVE BEEN ACCEPTED BY THE COMMISSION, LAND WITHIN ANY RIVER ZONE ESTABLISHED BY THE COMMISSION MAY NOT BE USED FOR ANY PURPOSE OTHER THAN THAT FOR WHICH IT WAS ACTUALLY AND LAWFULLY BEING USED WHEN THE RIVER ZONE WAS ESTABLISHED OR THE AMENITIES PLAN OR PORTION THEREOF RELATING THERETO WAS ADOPTED BY THE COMMISSION PURSUANT TO SECTION 9.04, WHICHEVER SHALL BE LATER; PROVIDED, THAT UNTIL SUCH STATE OR LOCAL ZONING OR OTHER LAND USE CONTROLS HAVE BEEN ACCEPTED BY THE COMMISSION, THE COMMISSION MAY AUTHORIZE CHANGES FROM EXISTING USES OF LAND IF IT FINDS THAT SUCH CHANGED USES WILL BE COMPATIBLE WITH ITS AMENITIES PLAN ADOPTED PURSUANT TO SECTION 9.04. THE COMMISSION SHALL NOT ACCEPT ANY ZONING OR OTHER LAND USE CONTROLS UNLESS THEY PROVIDE THAT, INsofar AS THE COMMISSION MAY PRESCRIBE, ANY CHANGE IN, OR SPECIAL EXCEPTIONS OR VARIANCES THEREAFTER MADE OR AUTHORIZED RELATING TO THE USE TO WHICH ANY LAND MAY BE PUT, SHALL NOT BECOME EFFECTIVE WITH RESPECT TO LAND WITHIN A RIVER ZONE UNTIL ACCEPTED BY THE COMMISSION AS COMPATIBLE WITH ITS AMENITIES PLAN. THE COMMISSION SHALL BY REGULATION PROVIDE FOR THE EFFECTUATION OF THE PROVISION OF THIS SUBSECTION (B).

(C) WHENEVER ANY JURISDICTION HAS ENACTED AND IS ENFORCING ZONING OR OTHER LAND USE CONTROL LAWS, ORDINANCES OR REGULATIONS, SUBSECTIONS (A) AND (B) HEREOF SHALL NOT APPLY, AND THE POWER OF THE COMMISSION SHALL BE LIMITED TO THE MAKING OF RECOMMENDATIONS FOR THE IMPLEMENTATION OF ITS AMENITIES PLAN.