

(2) THE ADDITION IS NOT MADE ELIGIBLE FOR PARTICIPATION IN ANY STATE FUNDED NOISE ASSISTANCE PROGRAM ESTABLISHED UNDER SUBTITLE 12 OF THIS TITLE.

[(b)] (C) The Administration may not grant a permit if the proposed action would:

(1) Enlarge the size of or create an impacted land use area; or

(2) Violate local land use and zoning laws.

(D) UNLESS A PERSON HAS AN APPROPRIATE PERMIT ISSUED BY THE ADMINISTRATION OR A VARIANCE GRANTED BY THE BOARD OF AIRPORT ZONING APPEALS, A POLITICAL SUBDIVISION MAY NOT APPROVE A FINAL SUBDIVISION PLAN OR ISSUE ANY PERMIT THAT IS PREREQUISITE TO THE CONSTRUCTION OF IMPROVEMENTS IN A NOISE ZONE ESTABLISHED UNDER THIS SUBTITLE.

SECTION 2. AND BE IT FURTHER ENACTED, That Section(s) 5-822(c) and (d), respectively, of Article - Transportation of the Annotated Code of Maryland be renumbered to be Section(s) 5-822(e) and (f), respectively.

SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article - Transportation

5-822.

(C) THE BOARD OF AIRPORT ZONING APPEALS SHALL CONDITION ANY VARIANCE PREREQUISITE TO THE GRANT OF A PERMIT REQUIRED BY § 5-821 OF THIS SUBTITLE SO AS TO REQUIRE THE APPLICANT TO:

(1) CONSTRUCT THE PROPOSED STRUCTURE SO AS TO COMPLY WITH ALL APPLICABLE NOISE INSULATION REGULATIONS PROMULGATED BY THE ADMINISTRATION; AND

(2) GRANT TO THE ADMINISTRATION AN AVIATION-AVIGATION EASEMENT AS DEFINED BY § 5-1201(H) OF THIS TITLE, SUCH EASEMENT INCLUDING A PROVISION RELINQUISHING ANY RIGHT TO RECEIVE REMUNERATION OR OTHER COMPENSATION OR BENEFIT UNDER ANY PROGRAM OF THIS STATE DESIGNED TO ALLAY, ABATE, OR COMPENSATE FOR THE EFFECTS OF AIRCRAFT NOISE AND EMISSIONS IN CONNECTION WITH THE OPERATION OF BALTIMORE/WASHINGTON INTERNATIONAL AIRPORT.

(D) AFTER CONSULTATION WITH THE BOARD OF AIRPORT ZONING APPEALS AND AFFECTED LOCAL GOVERNMENTS, THE ADMINISTRATION SHALL ADOPT REGULATIONS TO FURTHER THE INTENT OF THIS SECTION AND TO