

(2000 Replacement Volume and 2003 Supplement)

Preamble

WHEREAS, It is the intent of the General Assembly to clarify the definition of "dwelling unit" and to include all structures meeting that definition for the purpose of density calculations in the resource conservation area of the critical area; and

WHEREAS, The General Assembly realizes that, subject to certain limitations and local discretion, some local governments may prefer to provide a degree of flexibility in regard to an additional dwelling unit that may be considered part of a primary dwelling unit for density calculations; and

WHEREAS, It is the intent of the General Assembly to monitor the effect of this clarification and flexibility and their related density calculations, particularly as these refinements may impact the implementation of local critical area programs, and to provide further clarification, if necessary, to ensure that local programs are implemented in accordance with underlying legislative intent; now, therefore,

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

**Article - Natural Resources**

8-1802.

(a) (1) In this subtitle the following words have the meanings indicated.

(2) "Atlantic Coastal Bays" means the Assawoman, Isle of Wight, Sinepuxent, Newport, and Chincoteague Bays.

(3) "Atlantic Coastal Bays Critical Area" means the initial planning area identified under § 8-1807 of this subtitle.

(4) "Chesapeake Bay Critical Area" means the initial planning area identified under § 8-1807 of this subtitle.

(5) "Commission" means the Critical Area Commission for the Chesapeake and Atlantic Coastal Bays established in this subtitle.

(6) "Critical Area" means the Chesapeake Bay Critical Area and the Atlantic Coastal Bays Critical Area.

(7) "Development" means any activity that materially affects the condition or use of dry land, land under water, or any structure.

(8) (I) "DWELLING UNIT" MEANS A SINGLE UNIT PROVIDING COMPLETE, INDEPENDENT LIVING FACILITIES FOR AT LEAST ONE PERSON, INCLUDING PERMANENT PROVISIONS FOR SANITATION, COOKING, EATING, SLEEPING, AND OTHER ACTIVITIES ROUTINELY ASSOCIATED WITH DAILY LIFE.

(II) "DWELLING UNIT" INCLUDES A LIVING QUARTERS FOR A DOMESTIC OR OTHER EMPLOYEE OR TENANT, AN IN-LAW OR ACCESSORY APARTMENT, A GUEST HOUSE, OR A CARETAKER RESIDENCE.