

DRAFTER'S NOTE:

Error: Ambiguous language in § 8-1808.1(c)(4) of the Natural Resources Article.

Occurred: Ch. 6, § 2, Acts of 1990.

8-1808.2.

(g) If a local jurisdiction includes provisions for bona fide intrafamily transfers as part of the local jurisdiction's local program, the local jurisdiction shall establish standards and procedures, subject to the approval of the Commission, by which the local jurisdiction will permit the subsequent conveyance of lots to persons other than immediate family members. The standards and [proceeds] PROCEDURES shall assure that:

(1) The lot was created as part of a bona fide intrafamily transfer and not with the intent of subdividing the original parcel of land for purposes of ultimate commercial sale; and

(2) (i) A change in circumstances has occurred since the original transfer was made that is not inconsistent with this subtitle and that warrants an exception; or

(ii) Other circumstances that are consistent with this subtitle and with the Commission's criteria to maintain land areas necessary to support the protective uses of agriculture, forestry, open space, and natural habitats in resource conservation areas warrant an exception.

DRAFTER'S NOTE:

Error: Incorrect word usage in § 8-1808.2(g) of the Natural Resources Article.

Occurred: Ch. 603, Acts of 1986.

8-1808.4.

(a) This section does not apply to any project involving the construction of a dwelling unit or other [nonwater] NON-WATER dependent structure on a pier located on State or private wetlands within the Critical Area in Prince George's County.

(e) (1) Except as provided in paragraphs (2), (3), and (4) of this subsection, a local jurisdiction may not issue a building permit for any project involving the construction of a dwelling unit or other [nonwater] NON-WATER dependent structure on a pier located on State or private wetlands within the Critical Area.

(2) This section does not prohibit or restrict a local jurisdiction from issuing a building permit for a project involving the construction of a dwelling unit or other [nonwater] NON-WATER dependent structure on a pier located on State or private wetlands within the Critical Area that was issued a permit by the Secretary on or before January 1, 1989.