

**CHAPTER 177**

**(House Bill 323)**

AN ACT concerning

**Chesapeake Bay Critical Area – Impervious Surfaces Limitation**

FOR the purpose of altering an exception provided for certain parcels or lots in the Chesapeake Bay Critical Area from certain impervious surface limitations; and generally relating to impervious surface limitations in the Chesapeake Bay Critical Area.

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 8-1808.3  
Annotated Code of Maryland  
(1990 Replacement Volume and 1990 Supplement)

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) 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, 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 OR ZONED FOR RESIDENTIAL PURPOSES on or before December 1, 1985, then man-made impervious surfaces associated with that use are limited to 25% of the parcel or lot.

(3) If a parcel or lot one-fourth acre or less in size was in nonresidential use on or before December 1, 1985, then man-made impervious surfaces associated with that development are limited to 25% of the parcel or lot.

(4) If an individual lot 1 acre or less in size is part of a subdivision approved after December 1, 1985, then man-made impervious surfaces of the lot may not exceed 25% of the lot. However, the total of the impervious surfaces over the entire subdivision may not exceed 15%.