

(ii) Any residences for special populations serving 17 or more people shall be subject to local government approval.

(iii) Regulations adopted under this subsection may not be less stringent than any provisions of existing State law governing siting for the respective special populations].

(II) ANY REGULATIONS ADOPTED SHALL COMPLY WITH THE FEDERAL FAIR HOUSING AMENDMENT ACT OF 1988.

[(iv)](III) Prior to the adoption of any regulations proposed under this subsection, the Secretary shall conduct a public hearing for the sole purpose of allowing all the governing bodies of each county and municipality the opportunity to review and comment on the proposed regulations.

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(a) To qualify for a license, an applicant shall satisfy the Secretary that the proposed private group home:

(1) Is needed;

(2) Is compatible with the nature and character of the area involved;

(3) [Is not within 1,000 feet of another private group home, a jail, a detention center, a correctional camp, or a group home for special populations, such as parolees, mentally retarded individuals, juveniles, alcoholics, or drug addicts;

(4)] Is near transportation facilities;

[(5)] (4) Meets or, on completion, will meet the requirements of this subtitle and the rules and regulations that the Secretary adopts under this subtitle; and

[(6)] (5) Meets or, on completion, will meet all general zoning requirements that apply to the site and that relate to:

(i) The height and size of any buildings that are involved;

(ii) The land that may be covered or occupied;

(iii) The size of yards that require open space;

(iv) The density of population; and

(v) The use of the land and buildings.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1991.

Approved May 14, 1991.