

5. CONSISTENCY OF STATE FUNDING AND STATE AND LOCAL LAND USE DECISIONS WITH COMPREHENSIVE PLANS UNDER ARTICLE 66B, § 3.05 OF THE CODE.

[(b)](C) [With the approval of the Director of Planning and whenever it believes it necessary or useful for its advisory functions, the] THE Commission [may] SHALL hold [public or private] hearings [and] OR sponsor public forums in any part of the State TO ASSIST IT IN CARRYING OUT THE COMMISSION'S DUTIES AND RESPONSIBILITIES UNDER THIS SUBTITLE.

5-709.

(A) (1) BEGINNING ON JULY 1, 1998, THIS SECTION APPLIES SOLELY TO ANY LOCAL JURISDICTION THAT EXERCISES PLANNING AND ZONING AUTHORITY AND THAT IS SUBJECT TO THE REQUIREMENTS OF ARTICLE 66B, § 3.05(A)(1)(VIII) OF THE CODE, AND THAT FAILS TO ADOPT A SENSITIVE AREAS ELEMENT AS REQUIRED UNDER ARTICLE 66B, § 3.05(A)(1)(VIII) OF THE CODE.

(2) THE FOLLOWING SENSITIVE AREAS IN THE LOCAL JURISDICTION SHALL BE CONTROLLED UNDER THE REQUIREMENTS OF THIS SECTION:

(I) STREAMS AND THEIR BUFFERS;

(II) 100-YEAR FLOODPLAINS;

(III) HABITATS OF THREATENED AND ENDANGERED SPECIES;

AND

(IV) STEEP SLOPES.

(3) THE APPLICATION OF THIS SECTION TO A LOCAL JURISDICTION CEASES UPON THE ADOPTION OF A SENSITIVE AREAS ELEMENT BY THE JURISDICTION.

(B) THE REQUIREMENTS OF THIS SECTION ARE NOT INTENDED TO BE CONSTRUED AS A MODEL FOR LOCAL JURISDICTIONS. A LOCAL JURISDICTION, IN COMPLYING WITH ARTICLE 66B, § 3.05(A) OF THE CODE, HAS SOLE AUTHORITY TO DETERMINE REQUIREMENTS OF THE SENSITIVE AREAS ELEMENT IN THAT JURISDICTION AND MAY ADOPT DIFFERENT, GREATER, OR LESSER STANDARDS THAN THOSE ADOPTED BY THE COMMISSION UNDER THIS SECTION.

(C) THE COMMISSION SHALL DEFINE AND ESTABLISH STANDARDS GOVERNING ACTIVITIES IN SENSITIVE AREAS THAT SHALL APPLY IN ANY LOCAL JURISDICTION THAT IS SUBJECT TO THE PROVISIONS OF THIS SECTION. THE STANDARDS ADOPTED BY THE COMMISSION SHALL GOVERN ACTIVITIES IN THE SENSITIVE AREAS UNTIL THE LOCAL JURISDICTION ADOPTS A SENSITIVE AREAS ELEMENT AS REQUIRED UNDER ARTICLE 66B, § 3.05 OF THE CODE.