

(i) Property in the town of St. Michael's designated as an intensely developed area by an award of growth allocation approved by the Critical Area Commission before July 1, 2006; or

(ii) Any other award of growth allocation approved by the Critical Area Commission before July 1, 2008.

SECTION 8. AND BE IT FURTHER ENACTED, That:

(1) The provisions of this Act regarding lot coverage under § 8-1808.3 of the Natural Resources Article, as enacted under Section 1 of this Act, may not be construed to affect a development project, including the plans for the development project and any subsequent permits related to those plans, if the development project meets the following requirements:

(i) 1. An application for a building permit or a grading permit is filed by October 1, 2008, and the permit is issued by January 1, 2010; or

2. An initial application for development that satisfies all local requirements for submittal is filed by October 1, 2008, and the development plan is approved by July 1, 2010;

(ii) The approved permit or approved development plan remains valid in accordance with local procedures and requirements;

(iii) By July 1, 2010:

1. In accordance with the requirements of the local jurisdiction regarding impervious surface limitations applicable before the effective date of this Act, the applicant prepares a detailed lot coverage plan that is drawn to scale and shows the amounts of impervious surface area, partially pervious surface area, and developed pervious surface area in the development project; and

2. The lot coverage plan is approved by the local jurisdiction and maintained in the local jurisdiction's files; and

(iv) The development project is implemented in compliance with the approved lot coverage plan, except as authorized under paragraph (3)(ii) of this section;

(2) By October 1, 2010, a local jurisdiction shall provide the Critical Area Commission with a list of the projects for which lot coverage plans have been approved under paragraph (1)(iii)2 of this section.