

The Planning Board took no position on the bill due to insufficient review time; the Office of Law found it to be in proper legislative form, and staff noted several technical amendments. As a result of the amendments made to CB-101-1992, Sections 27-242 and 27-384 on pages 2 and 3 of the bill will have to be amended accordingly. The Committee also agreed to an amendment to allow more flexibility regarding an increase in impervious surface coverage. This amendment, to be inserted at the end of subsection 27-384(a)(7) of Draft 1, shall read "except if a finding of extenuating circumstances is made, such as the necessity to comply with other laws and regulations".

BACKGROUND INFORMATION/FISCAL IMPACT

(Includes reason for proposal, as well as any unique statutory requirements)

Every four years, local governments are required by State Law to perform a comprehensive review of their Critical Area Program and propose amendments as necessary. The County's four year anniversary was January 15, 1992. This Bill amends the Zoning Ordinance and the Conservation Manual in an effort to clarify Critical Area Program regulations, and facilitate program implementation. Specifically, the Critical Area Program is being revised to: allow permits to be issued for sites exceeding the Programs impervious surface limitation due to conditions existing prior to December 1, 1985, as long as there is no net increase in impervious surface coverage; clarify that special exceptions can not be granted for proposals that create or intensify a nonconforming status regarding impervious surface coverage; and clarify that waivers to the administrative process of requiring an approved Conservation Plan and Conservation Agreement before permits are issued may be granted as long as the site is in compliance with Chesapeake Bay Critical Area Overlay Zone requirements.

CODE INDEX TOPICS:

Zoning

Nonconforming Buildings, Structures, and Uses

General Requirements and Procedures

Alteration, [enlargement or] extension, or enlargement...27-242

Special Exceptions

Additional Requirements for Specific Special Exceptions

Nonconforming buildings, structures, and uses;

alterations, enlargement, extension, or

reconsideration.....27-384