

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL NO. 1323

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "adding" in line 3 down through "disability;" in line 7 and substitute "providing that a local government's critical area program shall include provisions for reasonable accommodations in policies and procedures when the accommodations are necessary to avoid discrimination on the basis of physical disability;"; strike in their entirety lines 9 through 14; in line 17, strike "8-1808(b) and 8-1809(j)" and substitute "8-1808(c)".

On pages 1 and 2, strike in their entirety the lines beginning with line 20 on page 1 through line 1 on page 2, inclusive.

AMENDMENT NO. 2

On page 2, strike beginning with "Section(s)" in line 3 down through "That" in line 6.

On pages 2 and 3, strike beginning with line 9 on page 2 through line 15 on page 3 and substitute:

"8-1808.

(c) At a minimum, a program sufficient to meet the goals stated in subsection (b) of this section includes:

- (1) A map designating the critical area in a local jurisdiction;
- (2) A comprehensive zoning map for the critical area;
- (3) As necessary, new or amended provisions of the jurisdiction's:

(Over)

- (i) Subdivision regulations;
 - (ii) Comprehensive or master plan;

 - (iii) Zoning ordinances or regulations;

 - (iv) Provisions relating to enforcement; and

 - (v) Provisions as appropriate relating to grandfathering of development at the time the program is adopted or approved by the Commission;
- (4) Provisions requiring that project approvals shall be based on findings that projects are consistent with the standards stated in subsection (b) of this section;
- (5) Provisions to limit the amount of land covered by buildings, roads, parking lots, or other impervious surfaces, and to require or encourage cluster development, where necessary or appropriate;
- (6) Establishment of buffer areas along shorelines within which agriculture will be permitted only if best management practices are used, provided that structures or any other use of land which is necessary for adjacent agriculture shall also be permitted in any buffer area;
- (7) Requirements for minimum setbacks for structures and septic fields along shorelines;
- (8) Designation of shoreline areas, if any, that are suitable for parks, hiking, biking, wildlife refuges, scenic drives, public access or assembly, and water-related recreation such as boat slips, piers, and beaches;
- (9) Designation of shoreline areas, if any, that are suitable for ports, marinas, and industries that use water for transportation or derive economic benefits from shore access;
- (10) Provisions requiring that all harvesting of timber in the Chesapeake Bay Critical Area be in accordance with plans approved by the district forestry board; [and]
- (11) Provisions establishing that the controls in a program which are designed to prevent runoff of pollutants will not be required on sites where the topography prevents runoff from directly or indirectly reaching tidal waters; AND

(12) PROVISIONS FOR REASONABLE ACCOMMODATIONS IN POLICIES OR PROCEDURES WHEN THE ACCOMMODATIONS ARE NECESSARY TO AVOID DISCRIMINATION ON THE BASIS OF PHYSICAL DISABILITY.

On page 3, in line 16, strike "3." and substitute "2.".