

HOUSE BILL 963

M1

5lr1895

By: **Delegate McMillan**

Introduced and read first time: February 13, 2015

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Chesapeake and Atlantic Coastal Bays Critical Area – Lot Coverage –**
3 **Calculation for Swimming Pools**

4 FOR the purpose of requiring, under the Chesapeake and Atlantic Coastal Bays Critical
5 Area Program, the lot coverage for certain swimming pools be calculated in a certain
6 manner; providing for the application of this Act; and generally relating to the
7 Chesapeake and Atlantic Coastal Bays Critical Area.

8 BY repealing and reenacting, without amendments,
9 Article – Natural Resources
10 Section 8–1802(a)(17)
11 Annotated Code of Maryland
12 (2012 Replacement Volume and 2014 Supplement)

13 BY repealing and reenacting, with amendments,
14 Article – Natural Resources
15 Section 8–1808.3(d)
16 Annotated Code of Maryland
17 (2012 Replacement Volume and 2014 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
19 That the Laws of Maryland read as follows:

20 **Article – Natural Resources**

21 8–1802.

22 (a) (17) (i) “Lot coverage” means the percentage of a total lot or parcel that
23 is:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 1. Occupied by a structure, accessory structure, parking
2 area, driveway, walkway, or roadway; or

3 2. Covered with gravel, stone, shell, impermeable decking, a
4 paver, permeable pavement, or any manmade material.

5 (ii) "Lot coverage" includes the ground area covered or occupied by a
6 stairway or impermeable deck.

7 (iii) "Lot coverage" does not include:

8 1. A fence or wall that is less than 1 foot in width that has
9 not been constructed with a footer;

10 2. A walkway in the buffer or expanded buffer, including a
11 stairway, that provides direct access to a community or private pier;

12 3. A wood mulch pathway; or

13 4. A deck with gaps to allow water to pass freely.

14 8-1808.3.

15 (d) (1) Except as otherwise provided in this subsection for stormwater runoff
16 **AND SUBJECT TO PARAGRAPH (5) OF THIS SUBSECTION**, lot coverage is limited to 15%
17 of a parcel or lot.

18 (2) If a parcel or lot one-half acre or less in size existed on or before
19 December 1, 1985 in the Chesapeake Bay Critical Area or on or before June 1, 2002 in the
20 Atlantic Coastal Bays Critical Area, then lot coverage is limited to 25% of the parcel or lot.

21 (3) If a parcel or lot greater than one-half acre and less than one acre in
22 size existed on or before December 1, 1985 in the Chesapeake Bay Critical Area or on or
23 before June 1, 2002 in the Atlantic Coastal Bays Critical Area, then lot coverage is limited
24 to 15% of the parcel or lot.

25 (4) Unless otherwise restricted by a local jurisdiction, lot coverage in a
26 subdivision approved after December 1, 1985 in the Chesapeake Bay Critical Area or after
27 June 1, 2002 in the Atlantic Coastal Bays Critical Area may not exceed 15%. However, the
28 total lot coverage on an individual lot one acre or less in size may exceed 15%.

29 **(5) (I) THIS PARAGRAPH APPLIES TO A SWIMMING POOL THAT IS**
30 **CONSTRUCTED IN A MANNER THAT ALLOWS FOR THE ABSORPTION OF 6 ADDITIONAL**
31 **INCHES OF WATER DURING A RAIN EVENT.**

1 **(II) THE LOT COVERAGE FOR A SWIMMING POOL SHALL BE**
2 **CALCULATED BASED ON 50% OF THE SURFACE AREA OF THE SWIMMING POOL.**

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
4 October 1, 2015.