

HOUSE BILL 1428

M3

6lr2661
CF SB 748

By: **Delegates Rose, Adams, Beitzel, Bromwell, Buckel, Cassilly, Chang, Grammer, Hayes, Holmes, S. Howard, Jacobs, Kittleman, Krebs, Mautz, McComas, McKay, W. Miller, Morgan, Otto, Parrott, Rey, Shoemaker, West, B. Wilson, and Wivell**

Introduced and read first time: February 12, 2016

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Sustainable Growth and Agricultural Preservation Act – Application**

3 FOR the purpose of extending the date for a certain preliminary plan to be approved and
4 consequently exempted from certain provisions of the Sustainable Growth and
5 Agricultural Preservation Act; and generally relating to the Sustainable Growth and
6 Agricultural Preservation Act.

7 BY repealing and reenacting, with amendments,

8 Article – Environment

9 Section 9–206(b)

10 Annotated Code of Maryland

11 (2014 Replacement Volume and 2015 Supplement)

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

14 **Article – Environment**

15 9–206.

16 (b) (1) Subsections (f) through (i) and subsection (l) of this section apply to
17 residential subdivisions.

18 (2) Subsections (f) through (i) do not apply to an application for approval of
19 a residential subdivision under § 9–512(e) of this title if:

20 (i) 1. By October 1, 2012, a submission for preliminary plan
21 approval is made to a local jurisdiction that includes, at a minimum, the preliminary

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 engineering, density, road network, lot layout, and existing features of the proposed site
2 development;

3 2. By July 1, 2012, in a local jurisdiction that requires a soil
4 percolation test before a submission for preliminary approval:

5 A. An application for a soil percolation test approval for all
6 lots that will be included in the submission for preliminary approval is made to the local
7 health department; and

8 B. Within 18 months after approval of the soil percolation
9 tests for the lots that will be included in the submission for preliminary approval, a
10 submission for preliminary approval is made to a local jurisdiction that includes, at a
11 minimum, the preliminary engineering, density, road network, lot layout, and existing
12 features of the proposed site development; or

13 3. By July 1, 2012, in a local jurisdiction that requires a soil
14 percolation test before a submission for preliminary approval and the local jurisdiction does
15 not accept applications for soil percolation tests year round:

16 A. Documentation that a Maryland professional engineer or
17 surveyor has prepared and certified under seal a site plan in anticipation of an application
18 for soil percolation tests;

19 B. An application for a soil percolation test approval for all
20 lots that will be included in the submission for preliminary approval is made to the local
21 health department at the next available soil percolation test season; and

22 C. Within 18 months after approval of the soil percolation
23 tests for the lots that will be included in the submission for preliminary approval, a
24 submission for preliminary approval is made to a local jurisdiction that includes, at a
25 minimum, the preliminary engineering, density, road network, lot layout, and existing
26 features of the proposed site development; and

27 (ii) By October 1, ~~[2016]~~ **2021**, the preliminary plan is approved.

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
29 1, 2016.