

# SENATE BILL 748

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CF 6lr2661

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By: **Senator Ready**

Introduced and read first time: February 5, 2016

Assigned to: Education, Health, and Environmental Affairs

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## 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  
22 engineering, density, road network, lot layout, and existing features of the proposed site  
23 development;

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

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

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

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

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

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

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

25                                  (ii)    By October 1, [2016] **2020**, the preliminary plan is approved.

26                                  SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June  
27 1, 2016.