
By: **Delegate Weir**

Introduced and read first time: February 21, 2000

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Natural Resources - Critical Areas - Reasonable Accommodations**

3 FOR the purpose of adding an element to the list of elements that are included in a
4 local government's critical areas program; requiring the Chesapeake Bay
5 Critical Area Commission to approve a local government's amendment that
6 allows for reasonable accommodations to avoid discrimination on the basis of
7 physical disability; and generally relating to the Critical Area Protection
8 Program.

9 BY renumbering

10 Article - Natural Resources
11 Section 8-1809(k) through (s), respectively
12 to be Section 8-1809(l) through (t), respectively
13 Annotated Code of Maryland
14 (1990 Replacement Volume and 1999 Supplement)

15 BY repealing and reenacting, with amendments,

16 Article - Natural Resources
17 Section 8-1808(b) and 8-1809(j)
18 Annotated Code of Maryland
19 (1990 Replacement Volume and 1999 Supplement)

20 BY repealing and reenacting, without amendments,

21 Article - Natural Resources
22 Section 8-1809(h) and (i)
23 Annotated Code of Maryland
24 (1990 Replacement Volume and 1999 Supplement)

25 BY adding to

26 Article - Natural Resources
27 Section 8-1809(k)
28 Annotated Code of Maryland

1 (1990 Replacement Volume and 1999 Supplement)

2 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
3 MARYLAND, That Section(s) 8-1809(k) through (s), respectively, of Article - Natural
4 Resources of the Annotated Code of Maryland be renumbered to be Section(s)
5 8-1809(l) through (t), respectively.

6 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland
7 read as follows:

8 **Article - Natural Resources**

9 8-1808.

10 (b) A program shall consist of those elements which are necessary or
11 appropriate:

12 (1) To minimize adverse impacts on water quality that result from
13 pollutants that are discharged from structures or conveyances or that have run off
14 from surrounding lands;

15 (2) To conserve fish, wildlife, and plant habitat; [and]

16 (3) To establish land use policies for development in the Chesapeake Bay
17 Critical Area which accommodate growth and also address the fact that, even if
18 pollution is controlled, the number, movement, and activities of persons in that area
19 can create adverse environmental impacts; AND

20 (4) TO MAKE REASONABLE ACCOMMODATIONS IN POLICIES OR
21 PROCEDURES WHEN THE ACCOMMODATIONS ARE NECESSARY TO AVOID
22 DISCRIMINATION ON THE BASIS OF PHYSICAL DISABILITY.

23 8-1809.

24 (h) (1) As often as necessary but not more than 4 times per calendar year,
25 each local jurisdiction may propose program amendments and program refinements
26 to its adopted program.

27 (2) (i) Except for program amendments or program refinements
28 developed during program review under subsection (g) of this section, a zoning map
29 amendment may be granted by a local approving authority only on proof of a mistake
30 in the existing zoning.

31 (ii) The requirement in paragraph (2)(i) of this subsection that a
32 zoning map amendment may be granted only on proof of a mistake does not apply to
33 proposed changes to a zoning map that:

34 1. Are wholly consistent with the land classifications in the
35 adopted program; or

