

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL NO. 78

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 3 down through “regulations” in line 5 and substitute “clarifying the authority of a county to deny certain applications under certain local land use regulations under certain circumstances; and declaring the intent of the General Assembly”.

AMENDMENT NO. 2

On pages 1 and 2, strike in their entirety the lines beginning with line 15 on page 1 through line 1 on page 2, inclusive, and substitute:

“(A) THIS SECTION APPLIES ONLY TO APPLICATIONS AFFECTING LAND ENCUMBERED BY A DISTRICT AGREEMENT OR DEED OF EASEMENT CREATED UNDER THIS SUBTITLE.

(B) IF THE FOUNDATION HAS NOT AUTHORIZED APPROVAL OF THE APPLICATION, A COUNTY MAY DENY AN APPLICATION FOR:

(1) A SUBDIVISION PLAT OR PLAN;

(2) A BUILDING PERMIT, EXCEPT FOR:

(I) IMPROVEMENTS OR ACCESSORIES TO AN EXISTING RESIDENCE; OR

(II) A FARM BUILDING OR STRUCTURE;

(3) A NONAGRICULTURAL CONDITIONAL USE OR SPECIAL EXCEPTION; OR

(Over)

(4) ANY OTHER NONAGRICULTURAL USE OR ACTIVITY.

SECTION 2. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that this Act is clarifying only and does not limit the authority of a county to grant or deny the applications enumerated in § 2-513.1(b) of the Agriculture Article, as enacted by Section 1 of this Act.”.

On page 2, in line 2, strike “2.” and substitute “3.”.