

**Title 27 Chesapeake Bay Critical Area Commission**  
**Subtitle 02 Development in the Critical Area**  
**Resulting From State and Local Agency Programs**

**Chapter 06 Conditional Approval of State or Local Agency Programs**  
**in the Critical Area**

**CONDITIONAL APPROVAL REQUEST FORM (27.02.06.01)**

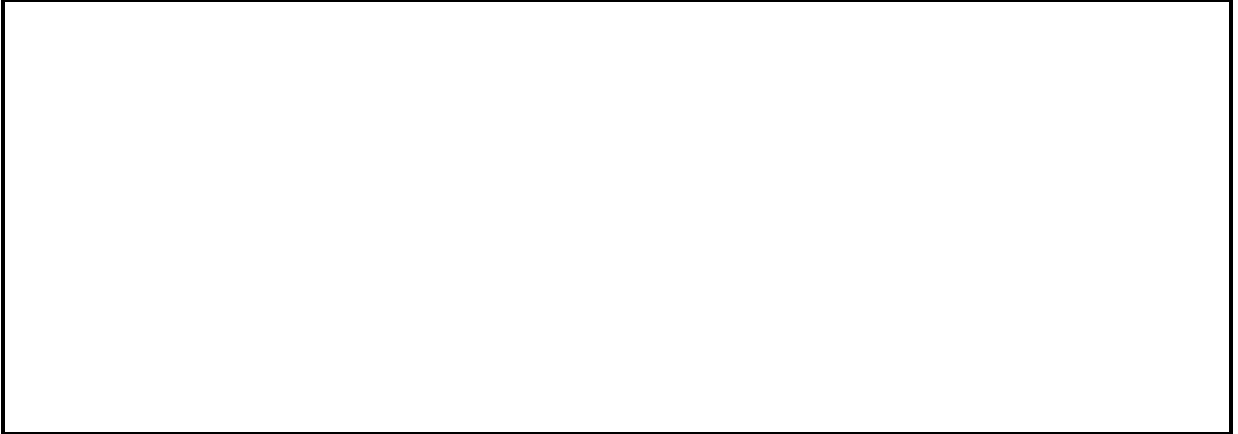
**A.** If development is proposed to be undertaken or caused in the Critical Area by State or local agency actions and this development is prohibited from occurring by the Criteria in this subtitle, the Agency proposing the development may seek conditional approval for the project or program by the Commission.

**B. (1-3)** In order to qualify for consideration by the Commission for conditional approval, it shall be shown by the proposing or sponsoring agency that the project or program has the following characteristics:

- (1) That there are special features of a site or there are other special circumstances such that the literal enforcement of these regulations would prevent a project or program from being implemented;

- (2) That the project or program otherwise provides substantial public benefits to the Chesapeake Bay Critical Area Program; and

- (3) That the project or program is otherwise in conformance with this subtitle.



**C. (1-3)** The conditional approval request must contain the following:

- (1) A showing that the literal enforcement of the provisions of this subtitle would prevent the conduct of an authorized State or local agency program or project;



- (2) A proposed process by which the program or project could be so conducted as to conform, insofar as possible, with the approved local Critical Area program or, if the development is to occur on State-owned lands, with the criteria set forth in COMAR 27.02.05; and



- (3) Measures proposed to mitigate any adverse effects of the project or program on an approved local Critical Area program or, if on State-owned lands, on the criteria set forth in COMAR 27.02.05.