

IMPACT ON ST. MARY'S COUNTY, THAT THE COMPLIANCE WITH FEDERAL AND STATE LAWS AND THE STANDARDS SET FORTH FOR THE DISTRICT SHALL NOT BE DEEMED TO CREATE ANY PRESUMPTION THAT A HEAVY INDUSTRIAL DISTRICT SHOULD BE LOCATED IN ST. MARY'S COUNTY, AND THAT THE LOCATION OF A HEAVY INDUSTRIAL DISTRICT IN ST. MARY'S COUNTY IS A MATTER SUBJECT TO THE LEGISLATIVE DISCRETION OF THE COMMISSIONERS OF ST. MARY'S COUNTY. NOTHING IN THIS ACT SHALL REQUIRE THAT THE ST. MARY'S COUNTY COMMISSIONERS ESTABLISH THAT HEAVY INDUSTRIAL USES ARE PERMITTED USES IN ST. MARY'S COUNTY.

9.04.

FOR ONE YEAR FROM THE EFFECTIVE DATE OF THIS ACT, OR UNTIL ST. MARY'S COUNTY HAS DULY ADOPTED A PLAN, ZONING ORDINANCE AND SUBDIVISION REGULATIONS PURSUANT TO THIS ACT AND THIS ARTICLE, WHICHEVER SHALL FIRST OCCUR, NO BUILDING PERMIT SHALL BE ISSUED, SUBDIVISION PLAT APPROVED OR AMENDMENT TO THE EXISTING ZONING ORDINANCE SHALL BE MADE BY THE ST. MARY'S COUNTY PLANNING COMMISSION, THE ST. MARY'S COUNTY COMMISSIONERS, OR BY ANY UNIT OR INSTRUMENTALITY OF ST. MARY'S COUNTY. THIS SECTION SHALL BE SUBJECT TO THE FOLLOWING EXCEPTIONS:

(A) THIS SECTION SHALL NOT BE APPLICABLE TO BUILDING PERMITS ISSUED BY ST. MARY'S COUNTY PRIOR TO THE EFFECTIVE DATE OF THIS ACT; PROVIDED THAT NOTHING IN THIS EXCEPTION SHALL BE DEEMED TO LIMIT THE EXISTING POWERS OF ST. MARY'S COUNTY AND THE STATE WITH RESPECT TO PROJECTS FOR WHICH A BUILDING PERMIT HAS BEEN ISSUED.

(B) THIS SECTION SHALL NOT AFFECT THE FINAL APPROVAL OF RESIDENTIAL SUBDIVISION PLATS FOR WHICH APPROVAL HAD BEEN REQUESTED PRIOR TO THE EFFECTIVE DATE OF THIS ACT, OR THE ISSUANCE OF BUILDING PERMITS FOR CONSTRUCTION IN RESIDENTIAL SUBDIVISIONS FOR WHICH SUBDIVISION PLAT APPROVAL HAD BEEN REQUESTED PRIOR TO THE EFFECTIVE DATE OF THIS ACT; PROVIDED THAT NOTHING IN THIS EXCEPTION SHALL AFFECT THE EXISTING POWERS OF ST. MARY'S COUNTY AND THE STATE WITH RESPECT TO SUCH PLATS AND PERMITS.

(C) THE ST. MARY'S COUNTY COMMISSIONERS ARE HEREBY EMPOWERED TO GRANT AN EXCEPTION FROM THIS SECTION, AFTER AN APPROPRIATE HEARING, FOR REASONS OF EXTREME PERSONAL HARDSHIP, HEALTH OR SAFETY, OR TO PREVENT THIS SECTION FROM RESULTING IN AN UNCONSTITUTIONAL DEPRIVATION OF PROPERTY WITHOUT COMPENSATION. ANY DECISION OF THE ST. MARY'S COUNTY COMMISSIONERS GRANTING OR DENYING AN EXCEPTION MAY BE APPEALED TO THE CIRCUIT COURT OF ST. MARY'S COUNTY AND ANY DECISION OF THE CIRCUIT COURT MAY BE APPEALED TO THE COURT OF SPECIAL APPEALS.