



654904

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/11/2014	.	
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The Committee on Community Affairs (Simpson) recommended the following:

**Senate Amendment (with title amendment)**

Delete lines 64 - 99  
and insert:

(a) Such fuel terminals may be expanded within the physical boundary of the parcel upon which the fuel terminal is located regardless of the current land use designation of the parcel.

1. Local governments may adopt and enforce reasonable land development regulations for the expanded portion of the fuel terminal only. Such regulations may address only setback,



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11 landscaping, buffering, screening, lighting, or other aesthetic  
12 compatibility-based standards. Vegetated buffers or screening  
13 may not be required to have a mature height in excess of 14  
14 feet.

15 2. This paragraph does not limit a local government's  
16 authority to grant a variance from setback, landscaping,  
17 buffering, screening, lighting, or other aesthetic  
18 compatibility-based standards to a fuel terminal owner upon the  
19 owner's request.

20 (b) A local government may not amend its comprehensive  
21 plan, land use map, zoning districts, or land development  
22 regulations in a manner that would conflict with a fuel  
23 terminal's classification as a permitted and allowable use under  
24 this section, including, but not limited to, an amendment that  
25 causes a fuel terminal to be a nonconforming use, structure, or  
26 development.

27 (4) This section does not limit the authority of a local  
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29 ===== T I T L E A M E N D M E N T =====

30 And the title is amended as follows:

31 Delete lines 8 - 19

32 and insert:

33 of such fuel terminals; authorizing limited local  
34 government regulation of expanded fuel terminals;  
35 prohibiting a local government from amending its local  
36 comprehensive plan, land use map, zoning districts, or  
37 land development regulations to make such fuel  
38 terminals a nonconforming use under the provisions  
39 thereof;