

HOUSE BILL 576

L5, M3, N1

0lr0756

By: **Prince George's County Delegation and Montgomery County Delegation**

Introduced and read first time: February 3, 2010

Assigned to: Environmental Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 26, 2010

CHAPTER _____

1 AN ACT concerning

2 **Prince George's County and Montgomery County Delegation – Development**
3 **Permits – Expedited Review for Qualifying Redevelopment Projects**

4 **PG/MC 115–10**

5 FOR the purpose of requiring Prince George's County to approve or disapprove
6 applications for certain development permits for certain qualifying
7 redevelopment projects and to provide applicants with certain notice of the
8 approval or disapproval within a certain amount of time; extending the amount
9 of time under certain circumstances within which Prince George's County has to
10 approve or disapprove a certain application and provide applicants with certain
11 notice; ~~requiring the district council for Prince George's County to define a~~
12 ~~certain term by ordinance for a certain purpose; requiring the district council to~~
13 ~~require~~ a certain project to incorporate ~~a certain minimum number of~~ certain
14 environmentally responsible design elements; ~~requiring the district council to~~
15 ~~set forth certain procedures by ordinance;~~ defining certain terms; and generally
16 relating to redevelopment in the portion of the Maryland–Washington Regional
17 District located in Prince George's County.

18 BY adding to

19 Article 28 – Maryland–National Capital Park and Planning Commission

20 Section 8–128

21 Annotated Code of Maryland

22 (2003 Replacement Volume and 2009 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
2 MARYLAND, That the Laws of Maryland read as follows:

3 Article 28 – Maryland–National Capital Park and Planning Commission
4 8–128.

5 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE
6 MEANINGS INDICATED.

7 (2) “COUNTY” MEANS PRINCE GEORGE’S COUNTY.

8 (3) “COUNTY AGENCY” INCLUDES THE:

9 (I) COMMISSION;

10 (II) PRINCE GEORGE’S COUNTY DEPARTMENT OF
11 ENVIRONMENTAL RESOURCES;

12 (III) PRINCE GEORGE’S COUNTY DEPARTMENT OF PUBLIC
13 WORKS AND TRANSPORTATION;

14 (IV) PRINCE GEORGE’S COUNTY FIRE/EMS DEPARTMENT;

15 (V) PRINCE GEORGE’S COUNTY HEALTH DEPARTMENT;

16 AND

17 (VI) WASHINGTON SUBURBAN SANITARY COMMISSION.

18 ~~(3)~~ (4) “DEVELOPMENT” HAS THE MEANING SET FORTH IN
19 ARTICLE 66B, § 1.00 OF THE CODE.

20 (5) “DEVELOPMENT PERMIT” MEANS A BUILDING OR OTHER
21 PERMIT ISSUED IN WRITING, AS REQUIRED BY COUNTY ORDINANCE OR
22 REGULATION, TO AUTHORIZE THE BEGINNING OF CONSTRUCTION ACTIVITIES
23 FOR THE ALTERATION, ENLARGEMENT, CONVERSION, RECONSTRUCTION,
24 REMODELING, REHABILITATION, ERECTION, DEMOLITION, OR RELOCATION OF
25 AN EXISTING STRUCTURE.

26 ~~(4) “DISTRICT COUNCIL” MEANS THE COUNTY COUNCIL FOR~~
27 ~~PRINCE GEORGE’S COUNTY.~~

28 ~~(5)~~ (6) “QUALIFYING REDEVELOPMENT PROJECT” MEANS A
29 DEVELOPMENT PROJECT TO REHABILITATE DILAPIDATED REAL PROPERTY
30 THROUGH DEMOLITION, RECONSTRUCTION, OR REUSE THAT QUALIFIES FOR

1 EXPEDITED PERMIT REVIEW UNDER THIS SECTION, ~~AS SET FORTH BY~~
2 ~~ORDINANCE BY THE DISTRICT COUNCIL FOR PRINCE GEORGE'S COUNTY IN~~
3 ~~ACCORDANCE WITH THIS SECTION.~~

4 (B) THIS SECTION APPLIES ONLY IN PRINCE GEORGE'S COUNTY.

5 (C) THE PURPOSE OF THIS SECTION IS TO ENCOURAGE
6 ENVIRONMENTALLY RESPONSIBLE URBAN RENEWAL AND REVITALIZATION
7 THROUGH EXPEDITED REVIEW OF DEVELOPMENT PERMITS REQUIRED FOR
8 QUALIFYING REDEVELOPMENT PROJECTS.

9 (D) (1) ~~WITHIN~~ EXCEPT AS PROVIDED IN PARAGRAPHS (2) AND (3) OF
10 THIS SUBSECTION, WITHIN 90 DAYS AFTER RECEIVING AN APPLICATION FOR A
11 DEVELOPMENT PERMIT FOR A QUALIFYING REDEVELOPMENT PROJECT, THE
12 COUNTY SHALL:

13 ~~(1)~~ (I) APPROVE OR DISAPPROVE THE APPLICATION; AND

14 ~~(2)~~ (II) PROVIDE THE APPLICANT WITH WRITTEN NOTICE OF
15 THE APPROVAL OR DISAPPROVAL.

16 (2) THE COUNTY SHALL HAVE AN ADDITIONAL 60 DAYS TO
17 COMPLY WITH PARAGRAPH (1) OF THIS SUBSECTION IF:

18 (I) 1. A COUNTY AGENCY INVOLVED IN THE REVIEW OF
19 THE APPLICATION DETERMINES THAT THE EXTENSION IS NECESSARY TO
20 COMPLETE THE REVIEW BASED ON THE NATURE OR COMPLEXITY OF THE
21 APPLICATION OR UNRESOLVED ISSUES RELATED TO THE APPLICATION; AND

22 2. THE COUNTY AGENCY PROVIDES WRITTEN
23 NOTICE OF THE EXTENSION TO THE APPLICANT; OR

24 (II) 1. THE APPLICANT MODIFIES THE APPLICATION FOR
25 ANY REASON, INCLUDING FOR THE PURPOSE OF RESPONDING TO A REQUEST
26 FROM A COUNTY AGENCY THAT IS INVOLVED IN THE REVIEW OF THE
27 APPLICATION; AND

28 2. THE MODIFICATION IS MADE DURING THE
29 ORIGINAL 90-DAY PERIOD PROVIDED UNDER PARAGRAPH (1) OF THIS
30 SUBSECTION.

31 (3) IN ADDITION TO THE 60-DAY EXTENSION PROVIDED UNDER
32 PARAGRAPH (2) OF THIS SUBSECTION, THE COUNTY SHALL HAVE AN
33 ADDITIONAL 30 DAYS TO COMPLY WITH PARAGRAPH (1) OF THIS SUBSECTION
34 IF:

1 **(I) THE APPLICANT MODIFIES THE APPLICATION FOR ANY**
 2 **REASON, INCLUDING FOR THE PURPOSE OF RESPONDING TO A REQUEST FROM A**
 3 **COUNTY AGENCY THAT IS INVOLVED IN THE REVIEW OF THE APPLICATION; AND**

4 **(II) THE MODIFICATION IS MADE DURING THE 60-DAY**
 5 **EXTENSION PROVIDED UNDER PARAGRAPH (2) OF THIS SUBSECTION.**

6 **~~(E) THE DISTRICT COUNCIL SHALL BY ORDINANCE:~~**

7 **~~(1) DEFINE A QUALIFYING REDEVELOPMENT PROJECT FOR THE~~**
 8 **~~PURPOSE OF IMPLEMENTING THIS SECTION;~~**

9 **~~(2) REQUIRE A QUALIFYING REDEVELOPMENT PROJECT TO~~**
 10 **~~SHALL INCORPORATE AT LEAST ONE ENVIRONMENTALLY RESPONSIBLE DESIGN~~**
 11 **~~ELEMENT, ELEMENTS AS DEFINED BY THE DISTRICT COUNCIL, INCLUDING A~~**
 12 **~~DESIGN ELEMENT THAT PROMOTES PROMOTE:~~**

13 **~~(1) WATER CONSERVATION BY USING PRACTICES,~~**
 14 **~~TECHNIQUES, AND TECHNOLOGIES THAT:~~**

15 **(I) REDUCE THE CONSUMPTION, LOSS, OR WASTE OF**
 16 **WATER;**

17 **(II) IMPROVE EFFICIENCY IN THE USE OF WATER; OR**

18 **(III) MAKE MORE EFFICIENT USE OF THE WATER**
 19 **TREATMENT INFRASTRUCTURE;**

20 **~~(2) ENERGY EFFICIENCY BY USING PRACTICES,~~**
 21 **~~TECHNIQUES, AND TECHNOLOGIES THAT REDUCE AND MINIMIZE THE~~**
 22 **~~CONSUMPTION, LOSS, OR WASTE OF ENERGY; ~~OR~~ AND~~**

23 **~~(3) THE USE OF RECYCLED OR RECYCLABLE BUILDING~~**
 24 **~~MATERIALS; AND~~**

25 **~~(3) SET FORTH PROCEDURES FOR THE UNIFORM PROCESSING OF~~**
 26 **~~REQUESTS FOR THE REVIEW OF DEVELOPMENT PERMITS IN ACCORDANCE WITH~~**
 27 **~~THIS SECTION.~~**

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
 29 October 1, 2010.