

# Chapter 424

(House Bill 576)

AN ACT concerning

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

**PG/MC 115-10**

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

BY adding to

Article 28 – Maryland–National Capital Park and Planning Commission  
Section 8–128  
Annotated Code of Maryland  
(2003 Replacement Volume and 2009 Supplement)

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

### **Article 28 – Maryland–National Capital Park and Planning Commission**

**8–128.**

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

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

(3) “COUNTY AGENCY” INCLUDES THE:

(I) COMMISSION;

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

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

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

(V) PRINCE GEORGE’S COUNTY HEALTH DEPARTMENT;

AND

(VI) WASHINGTON SUBURBAN SANITARY COMMISSION.

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

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

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

~~(5)~~ (6) “QUALIFYING REDEVELOPMENT PROJECT” MEANS A DEVELOPMENT PROJECT TO REHABILITATE DILAPIDATED REAL PROPERTY THROUGH DEMOLITION, RECONSTRUCTION, OR REUSE THAT QUALIFIES FOR EXPEDITED PERMIT REVIEW UNDER THIS SECTION, ~~AS SET FORTH BY ORDINANCE BY THE DISTRICT COUNCIL FOR PRINCE GEORGE’S COUNTY IN ACCORDANCE WITH THIS SECTION.~~

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

~~(i) (1) WATER CONSERVATION BY USING PRACTICES, TECHNIQUES, AND TECHNOLOGIES THAT:~~

~~(i) REDUCE THE CONSUMPTION, LOSS, OR WASTE OF WATER;~~

~~(ii) IMPROVE EFFICIENCY IN THE USE OF WATER; OR~~

~~(iii) MAKE MORE EFFICIENT USE OF THE WATER TREATMENT INFRASTRUCTURE;~~

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

~~(iii) (3) THE USE OF RECYCLED OR RECYCLABLE BUILDING MATERIALS; AND~~

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

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

Approved by the Governor, May 4, 2010.