

HOUSE BILL 913

L6

6lr3522
CF SB 366

By: **Delegates Aumann and West**

Introduced and read first time: February 10, 2016

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Land Use – Department of Planning – Permit for Development Projects**

3 FOR the purpose of requiring a person that undertakes a certain development project to
4 apply to the Department of Planning for a permit; requiring the Department to
5 provide an opportunity for public comment on the permit application; requiring the
6 Department to take certain factors into consideration when reviewing the permit
7 application; requiring the Department to adopt certain regulations; providing for the
8 application of this Act; and generally relating to development projects.

9 BY repealing and reenacting, with amendments,
10 Article – Land Use
11 Section 1–401 and 10–103
12 Annotated Code of Maryland
13 (2012 Volume and 2015 Supplement)

14 BY adding to
15 Article – Land Use
16 Section 1–601 to be under the new subtitle “Subtitle 6. Miscellaneous”
17 Annotated Code of Maryland
18 (2012 Volume and 2015 Supplement)

19 BY repealing and reenacting, without amendments,
20 Article – Transportation
21 Section 8–725(e)
22 Annotated Code of Maryland
23 (2015 Replacement Volume and 2015 Supplement)

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

26 **Article – Land Use**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 1-401.

2 (a) Except as provided in this section, this division does not apply to charter
3 counties.

4 (b) The following provisions of this division apply to a charter county:

5 (1) this subtitle, including Parts II and III (Charter county
6 – Comprehensive plans);

7 (2) § 1-101(l), (m), and (o) (Definitions – “Plan”, “Priority funding area”,
8 and “Sensitive area”);

9 (3) § 1-201 (Visions);

10 (4) § 1-206 (Required education);

11 (5) § 1-207 (Annual report – In general);

12 (6) § 1-208 (Annual report – Measures and indicators);

13 (7) Title 1, Subtitle 3 (Consistency);

14 (8) Title 1, Subtitle 5 (Growth Tiers);

15 (9) **§ 1-601 (DEVELOPMENT PROJECT PERMIT);**

16 **(10) § 4-104(b) (Limitations – Bicycle parking);**

17 **[(10)] (11) § 4-208 (Exceptions – Maryland Accessibility Code);**

18 **[(11)] (12) § 4-210 (Permits and variances – Solar panels);**

19 **[(12)] (13) § 5-102(d) (Subdivision regulations – Burial sites);**

20 **[(13)] (14) § 5-104 (Major subdivision – Review);**

21 **[(14)] (15) Title 7, Subtitle 1 (Development Mechanisms);**

22 **[(15)] (16) Title 7, Subtitle 2 (Transfer of Development Rights);**

23 **[(16)] (17) Except in Montgomery County or Prince George’s County, Title**
24 **7, Subtitle 3 (Development Rights and Responsibilities Agreements);**

25 **[(17)] (18) Title 7, Subtitle 4 (Inclusionary Zoning);**

1 **(3) ANY OTHER FACTORS THE DEPARTMENT OF PLANNING**
2 **CONSIDERS NECESSARY.**

3 **(D) THE DEPARTMENT OF PLANNING SHALL ADOPT REGULATIONS TO**
4 **CARRY OUT THIS SECTION.**

5 10–103.

6 (a) Except as provided in this section, this division does not apply to Baltimore
7 City.

8 (b) The following provisions of this division apply to Baltimore City:

9 (1) this title;

10 (2) § 1–101(m) (Definitions – “Priority funding area”);

11 (3) § 1–101(o) (Definitions – “Sensitive area”);

12 (4) § 1–201 (Visions);

13 (5) § 1–206 (Required education);

14 (6) § 1–207 (Annual report – In general);

15 (7) § 1–208 (Annual report – Measures and indicators);

16 (8) Title 1, Subtitle 3 (Consistency);

17 (9) Title 1, Subtitle 4, Parts II and III (Home Rule Counties
18 – Comprehensive Plans; Implementation);

19 (10) **§ 1–601 (DEVELOPMENT PROJECT PERMIT);**

20 (11) § 4–104(b) (Limitations – Bicycle parking);

21 [(11)] **(12)** § 4–205 (Administrative adjustments);

22 [(12)] **(13)** § 4–207 (Exceptions – Maryland Accessibility Code);

23 [(13)] **(14)** § 4–210 (Permits and variances – Solar panels);

24 [(14)] **(15)** § 5–201(d) (Subdivision regulations – Burial sites);

25 [(15)] **(16)** Title 7, Subtitle 1 (Development Mechanisms);

