

HOUSE BILL 516

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By: **Montgomery County Delegation and Prince George's County Delegation**
Introduced and read first time: January 15, 2021
Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Bicounty Agencies – Prince George's County – Use and Occupancy Permits –**
3 **Notice Requirements**

4 **MC/PG 107–21**

5 FOR the purpose of prohibiting, for Prince George's County, the Maryland–National
6 Capital Park and Planning Commission from making a certain recommendation with
7 regard to a certain permit unless the permit application contains a statement with
8 certain elements; requiring the statement to have space for the applicant to provide
9 certain information; requiring the statement to be signed by the applicant; defining
10 a certain term; providing for the application of this Act; and generally relating to
11 zoning review in Prince George's County.

12 BY repealing and reenacting, without amendments,
13 Article – Land Use
14 Section 20–503 and 20–512
15 Annotated Code of Maryland
16 (2012 Volume and 2020 Supplement)

17 BY adding to
18 Article – Land Use
19 Section 20–517
20 Annotated Code of Maryland
21 (2012 Volume and 2020 Supplement)

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

24 **Article – Land Use**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.



1 20-503.

2 (a) By zoning law, a district council may provide for:

3 (1) the issuance of use and occupancy permits; and

4 (2) a process to raise a zoning question before the preparation of all
5 structural specifications of a building or structure that may be required for a complete
6 building permit.

7 (b) In Montgomery County, all building permit applications shall be referred to
8 the Commission for review and recommendation as to zoning requirements.

9 (c) In Prince George's County, the County Council, by local law, may provide for
10 the referral of some or all building permit applications to the Commission for review and
11 recommendation as to zoning requirements.

12 20-512.

13 This part applies only in the portion of the regional district in Prince George's
14 County.

15 **20-517.**

16 **(A) IN THIS SECTION, "COMMON OWNERSHIP COMMUNITY" MEANS:**

17 **(1) A CONDOMINIUM ORGANIZED UNDER TITLE 11 OF THE REAL**
18 **PROPERTY ARTICLE;**

19 **(2) A HOMEOWNERS ASSOCIATION ORGANIZED UNDER TITLE 11B OF**
20 **THE REAL PROPERTY ARTICLE; OR**

21 **(3) A COOPERATIVE HOUSING CORPORATION ORGANIZED UNDER**
22 **TITLE 5, SUBTITLE 6B OF THE CORPORATIONS AND ASSOCIATIONS ARTICLE.**

23 **(B) THE COMMISSION MAY NOT MAKE A RECOMMENDATION AS TO ZONING**
24 **REQUIREMENTS FOR A USE AND OCCUPANCY PERMIT UNDER REVIEW BY THE**
25 **COMMISSION UNLESS THE PERMIT APPLICATION CONTAINS A STATEMENT THAT:**

26 **(1) IDENTIFIES WHETHER THE SUBJECT PROPERTY IS PART OF A**
27 **COMMON OWNERSHIP COMMUNITY; AND**

28 **(2) FOR A PROPERTY THAT IS PART OF A COMMON OWNERSHIP**
29 **COMMUNITY, THE APPLICANT HAS DELIVERED A COPY OF THE APPLICATION TO THE**
30 **GOVERNING BODY OF THE COMMON OWNERSHIP COMMUNITY.**

1 **(C) THE STATEMENT IDENTIFIED IN SUBSECTION (B) OF THIS SECTION**
2 **SHALL:**

3 **(1) INCLUDE A SPACE FOR THE APPLICANT TO IDENTIFY THE MEANS**
4 **OF DELIVERY AND PROVIDE ANY OTHER INFORMATION REQUIRED BY THE COUNTY**
5 **COUNCIL; AND**

6 **(2) BE SIGNED BY THE APPLICANT.**

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to
8 apply only prospectively and may not be applied or interpreted to have any effect on or
9 application to the review of a use and occupancy permit by the Maryland–National Capital
10 Park and Planning Commission before the effective date of this Act.

11 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
12 October 1, 2021.