

HB 2384 -- APPLICATIONS FOR PROPERTY DEVELOPMENTS

SPONSOR: Jones (12)

This bill prohibits any county or municipality from enacting or maintaining any ordinance, regulation, or other policy that requires an owner, builder, or developer to implement green or otherwise excessive building design and construction practices for one- or two-family dwellings, condominiums, multiunit townhouses, multiunit apartment buildings, or commercial or industrial buildings, with the intent to improve sustainability, energy efficiency, high-performance energy standards, environmental responsiveness and other standards specified in the bill, that threaten the affordability of the construction, maintenance, repair or renovation.

The bill prohibits any county or municipality from enacting or maintaining any ordinance, regulation, or other policy that prohibits a building of less than six stories with a Group R-2 occupancy, or its equivalent, under certain conditions described in the bill.

This bill requires a political subdivision to approve or deny an application for a permit, license, variance, or any other kind of prior approval related to construction within 30 calendar days. If no response is received by the applicant within 30 days, the request will be deemed approved and the applicant authorized to proceed with construction.

If the request is approved, the political subdivision cannot later impose additional requirements on the applicant related to the request.

If the request is denied, the political subdivision must state the reason for denial in writing to the applicant. Details that are required to be included in the written denial are provided in the bill.

A request can also be denied as incomplete. In this instance the political subdivision must also state in writing why the request is incomplete, with required details described in the bill. A political subdivision will have twenty days to deny a request as incomplete.