

MONTGOMERY COUNTY

REQUIRED BY LAW WHICH INCLUDES IN THE PLAN CONSTRUCTION OR DEVELOPMENT OF 50 OR MORE DWELLING UNITS AT ONE LOCATION; OR

(3) WITH RESPECT TO ALL LAND IN ZONES NOT SUBJECT TO SUBDIVISION APPROVAL OR SITE PLAN REVIEW, SUBMITS AN APPLICATION FOR A BUILDING PERMIT UNDER CHAPTER 8, TITLE, "BUILDINGS," OF THIS CODE, WHICH PERMIT IS FOR THE CONSTRUCTION OF A TOTAL OF 50 OR MORE DWELLING UNITS AT ONE LOCATION.

IN DETERMINING WHETHER OR NOT A TOTAL OF 50 OR MORE DWELLING UNITS ARE INVOLVED FOR THE PURPOSE OF APPLYING THE REQUIREMENTS OF THIS CHAPTER, ALL LAND AT ONE LOCATION WITHIN THE COUNTY AVAILABLE FOR BUILDING DEVELOPMENT UNDER COMMON OWNERSHIP OR CONTROL BY AN APPLICANT, INCLUDING THAT LAND OWNED OR CONTROLLED BY SEPARATE CORPORATIONS IN WHICH ANY STOCKHOLDER (OR FAMILY OF THE STOCKHOLDER) OWNS 10 PERCENT (10%) OR MORE OF THE STOCK, SHALL BE INCLUDED. AN APPLICANT SHALL NOT AVOID THE INTENT OF THIS CHAPTER BY SUBMITTING PIECEMEAL APPLICATIONS OR APPROVAL REQUESTS FOR SUBDIVISION PLATS, SITE OR DEVELOPMENT PLANS OR BUILDING PERMITS. ANY APPLICANT MAY SUBMIT A PRELIMINARY SUBDIVISION PLAT FOR APPROVAL, SITE OR DEVELOPMENT PLANS FOR APPROVAL, OR REQUEST FOR BUILDING PERMITS FOR LESS THAN 50 DWELLING UNITS AT ANY ONE TIME PROVIDED SUCH APPLICANT MUST AGREE IN WRITING THAT UPON THE NEXT SUCH APPLICATION OR REQUEST THE APPLICANT WILL COMPLY WITH THE REQUIREMENTS OF THIS CHAPTER WHEN THE TOTAL NUMBER OF REQUESTS AT ONE LOCATION HAS REACHED 50 OR MORE DWELLING UNITS. ALL APPLICANTS WITH RESPECT TO LAND TO WHICH THIS CHAPTER APPLIES ARE HEREBY DEEMED TO HAVE LOCAL OFFICIAL APPROVAL TO PARTICIPATE IN THE FEDERAL RENT SUPPLEMENT PROGRAM.

AT ONE LOCATION: THE PHRASE "AT ONE LOCATION" MEANS ALL ADJACENT LAND OF THE APPLICANT, THE PROPERTY LINES OF WHICH ARE CONTIGUOUS OR NEARLY CONTIGUOUS AT ANY POINT, OR THE PROPERTY LINES OF WHICH ARE SEPARATED ONLY BY A PUBLIC OR PRIVATE STREET, ROAD, HIGHWAY OR UTILITY RIGHT-OF-WAY OR OTHER PUBLIC OR PRIVATE RIGHT-OF-WAY AT ANY POINT, OR SEPARATED ONLY BY OTHER LAND OF THE APPLICANT, WHICH SEPARATING LAND IS NOT SUBJECT TO THE REQUIREMENTS OF THIS CHAPTER AT THE TIME OF ANY OF THE ABOVE-STATED REQUESTS BY THE APPLICANT.

AVAILABLE FOR BUILDING DEVELOPMENT: THE PHRASE "AVAILABLE FOR BUILDING DEVELOPMENT" MEANS ALL LAND OWNED BY, OR UNDER CONTRACT TO, THE APPLICANT, ZONED FOR ANY TYPE RESIDENTIAL DEVELOPMENT TO WHICH THE OPTIONAL ZONING PROVISIONS REFERRED TO IN SECTION 25A-5(A) OF THIS CHAPTER APPLY, WHICH WILL UTILIZE PUBLIC WATER AND SEWERAGE, AND WHICH IS READY TO BE SUBDIVIDED FOR CONSTRUCTION OR DEVELOPMENT.