**Building and Development Application (BDA) Report Guidance for Residential Development for Jurisdictions with a population of at least 150,000**

**Overview**

On or before July 1 each year, each local jurisdiction subject to the requirements of Section [§7–105](https://mgaleg.maryland.gov/mgawebsite/Laws/StatuteText?article=glu&section=7-105&enactments=false) of the Land use Article ([HB131)](https://mgaleg.maryland.gov/2024RS/Chapters_noln/CH_213_hb0131t.pdf) shall report to the Department of Planning (MDP) and the Department of Housing and Community Development (DHCD) the following information for each building or development permit application which includes a residential housing component as part of the development considered by the local jurisdiction during the immediately preceding calendar year.

Each jurisdiction that meets the definition in [§7–105](https://mgaleg.maryland.gov/mgawebsite/Laws/StatuteText?article=glu&section=7-105&enactments=false) must submit a BDA report to MDP and DHCD by July 1 each year. The report must be submitted, or linked, via email to MDP to: mdp.planreview@maryland.gov and the report copied to DHCD. The report may be included with the [Local Jurisdictional Annual Report](https://planning.maryland.gov/Pages/OurEngagement/sggannualreport.aspx), pursuant to [§1-207(b)](https://mgaleg.maryland.gov/mgawebsite/Laws/StatuteText?article=glu&section=1-207&enactments=False&archived=False), or the report may be submitted under separate cover, or both. Additionally, the BDA report must be posted on the jurisdiction’s website and meet all of the provisions of  [§7-105(b)(9(c)(1)-(3)](https://mgaleg.maryland.gov/mgawebsite/Laws/StatuteText?article=glu&section=7-105&enactments=false)**.** must submit a BDA Report to MDP and DHCD by July 1 each year. The BDA Report must be submitted, or linked, via email to MDP at: mdp.planreview@maryland.gov, and the BDA Report copied to DHCD. The report may be included with the Local Jurisdictional Annual Report, pursuant to [§1-207(b)](https://mgaleg.maryland.gov/mgawebsite/Laws/StatuteText?article=glu&section=1-207&enactments=False&archived=False), or the report may be submitted under separate cover, or both. Additionally, the BDA Report must be posted on the jurisdiction’s website and meet all of the provisions of  [§7-105(b)(9(c)(1)-(3)](https://mgaleg.maryland.gov/mgawebsite/Laws/StatuteText?article=glu&section=7-105&enactments=false)**.**

**BDA Annual Report Template Worksheet Guide**

MDP has prepared the following as the template guide for the newly enacted  [§7–105](https://mgaleg.maryland.gov/mgawebsite/Laws/StatuteText?article=glu&section=7-105&enactments=false). Local jurisdictions are encouraged to use the template guide and worksheet to ensure that all the required information is provided. If the jurisdiction has current limitations in collecting any of the required information, then the jurisdiction should provide an explanation of the limitation and describe any local efforts to overcome such limitation. Please explain the rationale for the deviation below tables **4E: Development Permit Applications for Housing**, or **4F: Building Permit Applications for Housing** or as part of a response to one of the numbered questions.

The worksheet is intended to serve as a model to ensure that each jurisdiction is reporting the required data as uniformly as possible with the other reporting jurisdictions. MDP understands that each reporting jurisdiction has a unique permit monitoring system, capabilities, and resources. Reporting jurisdictions are encouraged to openly communicate with MDP about any suggestions to improve the usefulness of this worksheet in meeting the legislative requirement with local monitoring systems and procedures.

**Building Permit vs Development Permit**

After initial discussions and a survey of local jurisdictions with at least 150,000 residents, it was generally the consensus that the new legislation applied to both **Building** **Permits** and **Development** **Permits** as two distinct categories. The building permit process is generally associated with building construction, ending with a certificate of occupancy (CofO), or similar. The development permit process is generally associated with land use and zoning compliance, ending with the issuance of a building permit. Therefore, this section of the BDA Annual Report Worksheet is divided into Section (A) for Development Permit Data, and Section (B) for Building Permit Data.

To the extent feasible, your report should differentiate between a development permit and a building permit for residential housing development projects or units. The discussions also revealed that further clarification and definition is advisable on several provisions within the legislation, including the definition of a residential housing development project. Local jurisdictions are encouraged to provide a local definition used in their reporting, however, it is MDPs position that an application for an individual residential housing unit on a single lot may be included in the definition of a residential housing development housing project, as no threshold is currently provided in the legislation.

**Complete Applications**

The building and permit applications, tallied in Tables 4E and 4F, should only be counted in this analysis once the application has been deemed to be complete submission containing all required components of the local jurisdictions permitting process. The local permitting authority will determine when the permit application is complete. In some instances, the local jurisdiction may need to account for permit applications that undergo one or more amendments during the process, thus potentially skewing the report data. A potential option is to track these types of permits separately, or as a new line item in the table. The temporal analysis should commence from the day of receipt (of a complete application) and continue through final approval. Only final approvals within the reporting calendar year should be included in the BDA Report.Only building permits and development permits approved, issued a CofO, or denied, would be reported in the BDA Report.

**MDP Annual Report Long-Form Worksheet**

The existing [Annual Report Long Form Worksheet](https://planning.maryland.gov/Pages/OurEngagement/sggannualreport.aspx) recognizes the differences between development permits, building permits, and the potential for multiple residential units to be approved under a single permit. For example, Annual Report Long-Form Worksheet Table 1 recognizes the legislative requirement thresholds for residential building permits. Any jurisdiction that approves more than 50 new residential building permits within a calendar year must address the Measures and Indicators. The threshold is the total number of permits, not the total number of units. In the [Annual Report Long Form Worksheet](https://planning.maryland.gov/Pages/OurEngagement/sggannualreport.aspx) Table 4A, of the Measures and Indicators, the total number of units associated with the total number of permits must be identified to complete the amount and net density of development analysis. Therefore, Tables 4E and 4F must also track and be consistent with the total of permits identified in the Annual Report Long-Form Worksheet Tables 1, and 4A. Table 4E, will further expand the number of units, by approved housing type, per local code.

Additionally, the Annual Report Long-Form Worksheet Tables 4A-4C are recommended to be modified to add residential development that occurs on an existing building lot, and not only newly approved minor and major subdivision applications. This addition should help to track permits on existing lots that are not part of a new minor or major subdivision application.

***Note****:* *One issue to be clarified is the net total processing time analysis between receipt and approval of the various residential development housing types and projects. The MDP discussion with local jurisdictions revealed that permit approvals can be pending for up to three years; however, the legislation suggests that the analysis be based upon the calendar year. This can be a challenge, as permit processes may often extend into one or more future calendar years, and the feasibility of approving a building or development permit within the last days, weeks, or months of the calendar year are likely to cross over into the following calendar year.*

*To address this timing issue, MDP is suggesting that the local jurisdictions start this process with building and development permit applications that were first filed, and determined to be complete, after January 1, 2024. Complete means that the application was submitted and was determined to be sufficient to commence the local review process.* *Repeat: Only building permits and development permits approved, issued a certificate of occupancy, or denied, would be reported in the CY2024 BDA Report. This would capture new residential submission and would not require jurisdictions to perform a retroactive analysis for permit applications filed before January 1, 2024.*

*In each future reporting year, the BDA Report would be required to track applications that were submitted in prior years but approved within the reporting calendar year. Example 1: the permit was submitted in November 2024, but final approval did not occur until October 2025. This approved permit would be included in the CY2025 BDA Report. Example 2: the permit was submitted in November 2024, but final approval did not occur until March 2026 BDA Report.*

**Questions and Technical Assistance**

Please contact david.dahlstrom@maryland.gov if you have any questions or comments.

This template may be modified by each jurisdiction to meet local conditions. A Word version is available at: [Annual Report Tools](https://planning.maryland.gov/Pages/OurEngagement/sggannualreport.aspx), Report Template Worksheets.

**Submission Requirements**

The BDA Report must be submitted, or linked, via email to MDP at: mdp.planreview@maryland.gov, and the report copied to DHCD. A courtesy copy to david.dahlstrom@maryland.gov and your jurisdiction’s [MDP Regional Planner](https://planning.maryland.gov/Pages/OurWork/PBP/local-gov-plng/local-planning-staff.aspx), is encouraged. Upon receipt, MDP will acknowledge receipt of the BDA Report. The BDA Report may be included with the Local Jurisdictional Annual Report, pursuant to [**§1-207(b)**](https://mgaleg.maryland.gov/mgawebsite/Laws/StatuteText?article=glu&section=1-207&enactments=False&archived=False), or the BDA Report may be submitted under separate cover, or both. Additionally, the BDA Report must be posted on the jurisdiction’s website and meet all of the provisions of  [[§7-105(b)(9(c)(1)-(3)](https://mgaleg.maryland.gov/mgawebsite/Laws/StatuteText?article=glu&section=7-105&enactments=false)](https://mgaleg.maryland.gov/mgawebsite/Laws/StatuteText?article=glu&section=7-105&enactments=false)**.**

**Building and Development Application (BDA) Report Worksheet**

**Reporting (Calendar) Year 2024**

**For local jurisdictions with at least 150,000 residents**

**Section (A) – Development Permit Data**

1. **Development Permit Data Which Includes a Residential Housing Component**

For each development permit including a residential housing component:

1. For residential development permit projects, provide the total number of units.

2. For residential development permit projects in commercial or mixed-use development plans, provide the total number of residential units approved within a commercial site plan.

3. For the total net approved residential development permit applications listed in BDA report Table 4E.1, provide the mean and median processing times for (complete) development permit applications (approved) and the standard deviation from the mean that is required by HB0131.

***Note:*** *There may be multiple amendments to an original permit application, therefore, local jurisdictions should consider how these permit application amendments are considered.*

4. For the total net approved residential development permit applications within Commercial Site Plans listed in BDA report Table 4E.2, provide the mean and median processing times for (complete) development permit applications (approved) and the standard deviation from the mean that is required by HB0131.

5. For the total net residential development permit applications listed in Table 4E.1, provide the amount of time (in total calendar days) spent by agencies of the jurisdiction in:

1. reviewing applications (approved or denied);
2. reviewing application amendments (approved or denied); and
3. reviewing any public notice or comment time periods (approved or denied)

6. For the total net complete residential development permit applications within Commercial Site Plans listed in Table 4E.2, provide the amount of time (in total calendar days) spent by agencies of the jurisdiction in:

1. reviewing applications (approved or denied);
2. reviewing application amendments (approved or denied); and
3. any public notice or comment time periods (approved or denied).

**Table 4E: Development Permit Applications Which Include Residential Development**

|  |  |  |  |
| --- | --- | --- | --- |
| **Housing – Calendar Year 2024****(DEVELOPMENT PERMIT DATA)** | **#Units in Complete Development Permit****Applications** **(see note below on next page for complete application definition)**  | **#Units Denied in Complete Development Permit Applications** | **#Units****Approved in Complete Development Permit Applications** |
| **1.Total Net #Housing Units in Residential Development Projects (Single-Use)** |       |       |       |
| **2.Total Net #Housing Units in Commercial or Mixed-use development plans** |       |       |       |
| **SUB TOTAL** |       |       |       |
| **Total by Housing Type\*\*** | (Sum of lines 3 – 14 must equal Sum of lines 1 and 2) |
| **3.(Example)Single-family detached** |       |       |       |
| **4.(Example)Single-family attached** |       |       |       |
| **5.(Example)Duplex** |       |       |       |
| **6.(Example)Townhouse** |       |       |       |
| **7.(Example)Cottage** |       |       |       |
| **8.(Example)Multi-family/****Condo/Apartment** |       |       |       |
| **9.(Example)Modular** |       |       |       |
| **10.(Example)Accessory Dwelling Unit** |       |       |       |
| **11.(Example)Commercial Apartment** |       |       |       |
| **12.(Example)Live-Work** |       |       |       |
| **13.(Example)Assisted-Living/Group Home** |       |       |        |
| **14.(Example)Farmworker housing** |       |       |       |

\*Total housing units approved by type must match Table 4C, Line 4, in MDP Annual Report Long-Form Worksheet.

\*\*Local Governments are encouraged to list each housing unit, by type, defined per local code, and delete rows or example housing types that are not locally applicable

7. Indicate and describe any type of expedited development permit application process(es) that the local jurisdiction employed in calendar year 2024 to accelerate residential housing development projects.

8. Calculate and include the total number of residential housing development projects that benefited from an expedited permit application process; including the type of expedited process(es) used.

***Note:*** *A complete permit application is a permit application determined to meet the minimum locally determined qualifications to commence the permit review. If a local jurisdiction provides any type of expedited development permit application process, the jurisdictions may define what constitutes a housing development project or may propose multiple housing project types.* *For example, a single or duplex housing unit on a single infill lot may be defined differently than a multi-unit subdivision, or multi-unit apartment.*

9. Provide any other information your jurisdiction considers relevant.

**Section (B) – Building Permit Data**

1. **Building Permit Data Which Includes a Residential Housing Component**

For each building permit which includes a residential housing component:

For each residential building permit indicated in the Local Jurisdictional Annual Report Worksheet Table 1, and associated total residential units in Table 4A, lines, 1, 6, 11 and 14, provide the total number of units, by type.

1. For each residential unit indicated in the Local Jurisdictional Annual Report Worksheet Table 4A, line 14, provide the total number of units, by type.
2. Provide the total number of residential units, if any, approved within a commercial or mixed-use site plan indicated in BDA report Table 4D, line 7.
3. For the total residential permit applications listed in Table 4E.1, provide the mean and median processing times for (complete) permit applications (approved) and the standard deviation from the mean. ***See Note on Page 3.***
4. For the total residential permit applications listed in Table 4E.1, provide the amount of time (in total calendar days) spent by agencies of the jurisdiction in:

a. reviewing applications (approved or denied);

b. reviewing application amendments (approved or denied); and

c. reviewing any public notice or comment time periods (approved or denied).

**Table 4F: Building Permit (Projects) Which Include Residential Housing**

|  |  |  |  |
| --- | --- | --- | --- |
| **Housing – Calendar Year 2024****(BUILDING PERMIT DATA)** | **#Units in Complete Building Permit****Applications** | **#Units Denied in Complete Building Permit Applications** | **#Units Approved in****Complete Building Permit Applications** |
| **1.Total Net #Housing Units in Residential Building Projects (Single-use)** |       |       |       |
| **2.Total Net #Housing Units in Commercial or Mixed-Use Building Projects** |       |       |       |
| **SUB TOTAL** |       |       |       |
| **Total by Housing Types\*\*** | (Sum of lines 3 – 14 must equal Sum of lines 1 and 2) |
| **3.(Example) Single-family detached** |       |       |       |
| **4.(Example) Sigle-family attached** |       |       |       |
| **5.(Example) Duplex** |       |       |       |
| **6.(Example) Townhouse** |       |       |       |
| **7.(Example) Cottage** |       |       |       |
| **8.(Example) Multi-family** |       |       |       |
| **9.(Example) Modular** |       |       |       |
| **10.(Example) Accessory Dwelling Unit** |       |       |       |
| **11.(Example) Commercial Apartment** |       |       |       |
| **12.(Example) Live-Work** |       |       |       |
| **13.(Example) Assisted-Living/Group Home** |       |       |       |
| **14.(Example) Farmworker housing** |       |       |       |

\*Total housing units approved by type must match Table 4C, Line 1, in the MDP Annual Report Long-Form Worksheet.

\*\*Local Governments are encouraged to list each housing by type, defined per local code.

6. For the total net complete residential development permit applications within Commercial Site Plans listed in Table 4E.2, provide the amount of time (in total calendar days) spent by agencies of the jurisdiction in:

1. reviewing applications (approved or denied);
2. reviewing application amendments (approved or denied); and
3. any public notice or comment time periods (approved or denied).

7. Indicate and describe any type of expedited permit application process(es) that the local jurisdiction employed in calendar year 2024 to accelerate residential housing development projects.

8. Calculate and include the total number of residential housing development projects\* that benefited from an expedited permit application process; including the type of expedited process(es) used.

***Note:*** *Local jurisdictions may define what constitutes a housing development project or may propose multiple housing project types. For example, a single or duplex housing unit on a single infill lot may be defined differently than a multi-unit subdivision, or multi-unit apartment.*

9. Provide any other information your jurisdiction considers relevant.

**Section (C) – Reporting Requirements**

1. **Weblink and Public Access**

 Provide a weblink to the jurisdiction's website:

1. Including a link to this annual report;
2. Including a link to the website announcement stating the relevant local department contact person; or
3. Including a description of where this annual report is publicly available if the jurisdiction does not maintain a website.