



Department of Permitting Services
 Division of Customer Service
 255 Rockville Pike, 2nd Floor
 Rockville, MD 20850-4166
 Phone: 311 in Montgomery County or (240)777-0311
 Fax: (240)777-6262
<http://www.montgomerycountymd.gov/permittingservices>



Permitting Facts Related to Places of Worship

A. Zoning – Where are places of worship allowed to be constructed and operated?

Churches, temples, synagogues, mosques, chapels, meeting houses, memorial gardens, convents, monasteries and other places of worship are a permitted use in all residential zones.

Places of religious worship are a permitted use in commercial zones, CBD zones, all industrial zones except for I2 – Heavy Industrial.

B. Typical Construction Projects for Places of Worship

- Building Permits: New construction, Additions, Interior Alterations
- Use and Occupancy Certificate; Change of Use from Single Family Dwelling to Commercial Building; Compliance with Parking Requirements
- Well and Septic Permits: New/Altered Well or Septic System

C. Permitting Requirements

PERMIT TYPES	REVIEWS
Commercial Building Permit	Architectural Structural Zoning Park and Planning Commission (MNCPPC) Washington Suburban Sanitary Commission (WSSC) State Highway Administration (SHA) Life Safety Mechanical Electrical
Use and Occupancy	Zoning use and parking
Sediment Control	Sediment Control, Forest Conservation
Right of Way (Driveway)	Driveway, Traffic Control Plan
Sign Permit	Zoning – size, location
Well and Septic	Location and properly sized for number of users

D. Fees

Permit Fees

DPS permit fees are set by Executive Regulation and Council Resolutions. Building Permit fees for new construction are based on the cost of construction as determined by the International Code Council. Permit fees for repairs, alterations and accessory structures are based on the cost of construction as provided by the applicant. An automation enhancement fee of 10% of each permit fee is also charged.

Impact Taxes

Current impact tax rates range from \$.35 to \$.80 per square foot of gross floor area being constructed.

Sign Permit Fees

Fees for signs for places of worship that have a 501(C)(3) status may be eligible to have their sign permit fees reduced or waived based on their annual revenue.

<u>Annual Revenue</u>	<u>Fee</u>
\$0.00 - \$50,000.00	\$0.00
\$50,000.01 - \$100,000.00	33% of Current Fees
\$100,000.01 - \$200,000.00	66% of Current Fees
\$200,000.01 and above	100% of current Fees

E. The Top 7 Issues Encountered During the Permitting Process

Issue	Description	Resolution Tips
1. As-Built Drawings	<p>When places of worship submit an application for building permits, they must have a set of as-built drawings for DPS to review the existing and the proposed structures. Many places of worship do not have a set of drawings of the existing church.</p> <p>The cost of getting an engineer to develop a set of as built drawings can be expensive, but it is necessary.</p>	Build in the cost of the as-built drawings into the total cost of your project.
2. Use of architects and engineers not familiar with Montgomery County Codes and processes	<p>Some places of worship use their members who are design professionals to submit building applications and to oversee the construction project.</p> <p>Sometimes these professionals are working in Montgomery County for the first time and are not familiar with County codes or processes, and this makes the review period and construction period a challenge.</p>	Request DPS' case, or project, management services. The primary objective we are trying to achieve by assigning cases to Permit Technicians is to inform applicants of the entire permitting process as it relates to their project; to assist applicants through the process by keeping them informed of their permit status and to resolve issues that impede the timely completion of the permitting process.
3. Single Family Homes Meeting Commercial Building Standards	Commercial building standards are required because the space will be for public use. Sometimes it is difficult for places of worship in single family homes to meet commercial building standards. The question of what criteria does DPS use to determine that a SFD is considered a place of worship is often questioned.	
4. Accessibility	<p>Federal Law – 28 CFR Part 36 Nondiscrimination on the Basis of disability by Public Accommodations and in Commercial Facilities</p> <p>4.33.3 Placement of Wheelchair Locations. Wheelchair areas shall be an integral part of any fixed seating plan and shall be provided so as to provide people with physical disabilities a choice of admission prices and lines of sight comparable to those for members of the general public. They shall adjoin an accessible route that also serves as a means of egress in case of emergency. At least one companion fixed seat shall be provided next to each wheelchair seating area.</p> <p>When the seating capacity exceeds 300, wheelchair spaces shall be provided in more than one location. Readily removable seats may be installed in wheelchair spaces when the spaces are not required to</p>	<p>Schedule a Pre-Design Consultation Meeting.</p>

Issue	Description	Resolution Tips
	accommodate wheelchair users. (Implication – the sanctuary floor must be designed level to accommodate wheelchairs.)	
5. Multi- Uses	Places of worship have many varied programs and services for church members and individuals outside of the church. It is often difficult to identify if the use is considered “place of worship” or something else (wedding chapel for profit) for zoning, building code review, and impact tax assessments.	
6. Day Care Centers	Day Care Centers have requirements from the State of Maryland, Fire Marshal, DPS, and DHHS. Coordination and compliance with all of these requirements is often cumbersome.	
7. Parking	<p><u>One parking space for each 4 persons for whom seating is provided in the main auditorium</u>; provided, that the number of spaces thus required may be reduced by not more than 30 percent if the church, synagogue or other place of worship is located within 500 feet of any public parking lot or any commercial or industrial parking lot where sufficient spaces are available during the time of services to make up the additional spaces required. This requirement does not apply to any existing building or structure located in a commercial or industrial zone which is used for religious purposes, if the existing parking meets or otherwise exceeds the requirements for any commercial or industrial uses allowed in the zone. This requirement does not apply to any existing building or structure which is used for religious purposes, nor to additions, alterations or enlargements of such existing buildings and structures, nor to new buildings on land now improved by a building in use for religious purposes, or land contiguous to such improved land, as of May 1, 1962; nor to any such building or structure for which a valid building permit has been issued prior to such date.</p> <p>Any place of worship used by a congregation whose religious beliefs prohibit the use of motor vehicles in traveling to or from religious services conducted on their Sabbath and principal holidays shall only be required to provide <u>one space for each 8 persons</u> for whom seating is provided in the main auditorium; provided further, that the spaces thus required do not have to be provided on the building site if such place of worship is located within 500 feet of any public parking lot or any commercial parking lot where sufficient spaces are available during the time or services or other proposed use of the building to provide the spaces required.</p> <p>Parking in Neighborhoods - complaints related to inadequate parking. DPS receives complaints about inadequate parking because church members are parking on neighborhood streets taking up spaces where homeowners usually park.</p>	<p>Request DPS’ case, or project, management services. The primary objective we are trying to achieve by assigning cases to Permit Technicians is to inform applicants of the entire permitting process as it relates to their project; to assist applicants through the process by keeping them informed of their permit status and to resolve issues that impede the timely completion of the permitting process.</p> <p>Schedule a Pre-Design Consultation Meeting.</p>

