

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND  
Legislative Session 2022, Legislative Day No. 13

Bill No. 51-22

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Councilmembers Kach, Quirk, Marks, Patoka & Jones

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By the County Council, July 5, 2022

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A BILL  
ENTITLED

AN ACT concerning

Development – Review and Approval Process – Limited Exemptions

FOR the purpose of providing a process for applying for a certain limited exemption from the development review and approval process; requiring certain notice of an application for a limited exemption and providing for certain requirements of such notice; requiring a decision of the Director of the Department of Permits, Approvals, and Inspections to be posted on the Department’s website; providing for an appeal of the decision of the Director; and generally relating to the development review and approval process.

BY adding

Section 32-4-106(e) and (f)  
Article 32 – Planning, Zoning, and Subdivision Control  
Title 4 – Development  
Subtitle 1 – In General  
Baltimore County Code, 2015

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.  
[Brackets] indicate matter stricken from existing law.  
~~Strike out~~ indicates matter stricken from bill.  
Underlining indicates amendments to bill.

1           SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF BALTIMORE  
2 COUNTY, MARYLAND, that the Laws of Baltimore County read as follows:

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4           ARTICLE 32. – PLANNING, ZONING, AND SUBDIVISION CONTROL

5                           Title 4 – Development

6                                   Subtitle 1 – In General

7  
8           § 32-4-106. Limited Exemptions.

9                   (E)     (1) AN APPLICATION FOR A LIMITED EXEMPTION UNDER THIS  
10 SECTION SHALL BE FILED WITH THE DEPARTMENT OF PERMITS, APPROVALS,  
11 AND INSPECTIONS ON A FORM APPROVED BY THE DIRECTOR OF THE  
12 DEPARTMENT.

13                           (2) UPON RECEIPT OF THE APPLICATION BY THE DEPARTMENT, THE  
14 DIRECTOR OR THE DIRECTOR’S DESIGNEE SHALL REVIEW THE APPLICATION  
15 AND SUPPORTING DOCUMENTATION, INCLUDING RECEIVING INPUT FROM  
16 RELEVANT COUNTY AGENCIES THAT REVIEW AND APPROVE DEVELOPMENT.  
17 THE DIRECTOR OR DESIGNEE ~~MAY~~ SHALL CONVENE A STAFF AN OPEN MEETING  
18 WITH ~~APPROVING~~ COUNTY AGENCY REPRESENTATIVES TO CONSIDER THE  
19 APPLICATION AND RECEIVE RECOMMENDATIONS AS TO WHETHER THE  
20 APPLICATION QUALIFIES FOR A LIMITED EXEMPTION.

21                           (3) A REQUEST FOR A LIMITED EXEMPTION FOR A COMMERCIAL OR  
22 INDUSTRIAL DEVELOPMENT UNDER SUBSECTIONS (A)(1)(VI) OR (B)(8) OF THIS  
23 SECTION SHALL COMPLY WITH THE FOLLOWING:

1 (I) ~~A STAFF~~ AN OPEN MEETING CONVENED BY THE DIRECTOR  
2 OR DESIGNEE SHALL NOT BE HELD EARLIER THAN 30 DAYS NOR LATER THAN 60  
3 DAYS AFTER RECEIPT OF THE APPLICATION BY THE DEPARTMENT AND SHALL  
4 BE OPEN FOR OBSERVATION BY THE PUBLIC.

5 (II) THE DEPARTMENT SHALL ENSURE THAT NOTICE OF THE  
6 DATE, TIME AND PLACE OF THE ~~STAFF~~ OPEN MEETING IS PROVIDED BY  
7 REQUIRING THE APPLICANT AT ITS EXPENSE, WITHIN 7 DAYS OF FILING AN  
8 APPLICATION, TO CONSPICUOUSLY POST A SIGN OF THE NOTICE ON THE  
9 PROPERTY THAT IS THE SUBJECT OF THE APPLICATION FOR A PERIOD OF AT  
10 LEAST 14 CONSECUTIVE DAYS AND AT LEAST 7 DAYS BEFORE THE DATE OF THE  
11 OPEN MEETING, AND TO PROVIDE A CERTIFICATE OF POSTING TO THE  
12 DEPARTMENT ~~ON~~ PRIOR TO THE DATE OF THE ~~POSTING~~ OPEN MEETING. THE  
13 SIGN SHALL MEASURE AT LEAST 24 INCHES BY 36 INCHES IN SIZE AND BE  
14 PLACED WITHIN VIEW OF A PUBLIC ROAD WHERE POSSIBLE.

15 (III) THE NOTICE SHALL PROVIDE:

16 1. THE ADDRESS OF THE PROPERTY THAT IS THE  
17 SUBJECT OF THE APPLICATION OR, IF NOT AVAILABLE, A DESCRIPTION OF THE  
18 PROPERTY;

19 2. THE SPECIFIC SUBSECTION AND PARAGRAPH UNDER  
20 WHICH THE LIMITED EXEMPTION IS REQUESTED BY THE APPLICATION; AND

21 3. THE DATE, TIME, AND PLACE OF THE ~~STAFF~~ OPEN  
22 MEETING TO CONSIDER THE APPLICATION.

23 (4) FOLLOWING RECEIPT OF AN APPLICATION FOR A LIMITED

1 EXEMPTION, NOTICE SHALL BE POSTED ON THE DEPARTMENT'S WEBSITE FOR  
2 AT LEAST 14 CONSECUTIVE DAYS AND AT LEAST 7 DAYS BEFORE THE DATE THE  
3 APPLICATION IS SCHEDULED FOR ~~A STAFF~~ AN OPEN MEETING TO CONSIDER THE  
4 APPLICATION AND RECEIVE COUNTY AGENCY RECOMMENDATIONS, AND SHALL  
5 CONTAIN THE FOLLOWING:

6 (I) THE PROJECT NAME AND ADDRESS, OR IF NOT AVAILABLE,  
7 A DESCRIPTION OF THE PROPERTY;

8 (II) THE SPECIFIC SUBSECTION AND PARAGRAPH UNDER  
9 WHICH THE LIMITED EXEMPTION IS REQUESTED BY THE APPLICATION; AND

10 (III) THE DATE, TIME, AND PLACE OF THE ~~STAFF~~ OPEN  
11 MEETING TO CONSIDER THE APPLICATION.

12 (5) WITHIN 5 DAYS OF A DECISION BY THE DIRECTOR UNDER THIS  
13 SECTION, NOTICE OF THE DECISION SHALL BE POSTED ON THE WEBSITE OF THE  
14 DEPARTMENT AND SHALL CONTAIN THE FOLLOWING:

15 (I) THE APPLICATION REQUIRED UNDER THIS SUBSECTION;

16 (II) IF AN APPROVAL OR DISAPPROVAL WAS RECOMMENDED  
17 AT ~~A STAFF~~ THE OPEN MEETING, A WRITTEN SUMMARY OF THE  
18 RECOMMENDATION; AND

19 (III) THE WRITTEN DECISION FROM THE DIRECTOR, WHICH  
20 SHALL INCLUDE THE SPECIFIC FACTUAL AND LEGAL BASIS FOR GRANTING OR  
21 DENYING THE EXEMPTION.

22 (F) (1) A DECISION OR ORDER OF THE DIRECTOR UNDER THIS SECTION  
23 MAY BE APPEALED TO THE BOARD OF APPEALS ~~BY FILING NOTICE OF THE~~

1 ~~APPEAL, IN WRITING, WITH THE DEPARTMENT OF PERMITS, APPROVALS AND~~  
2 ~~INSPECTIONS WITHIN 30 DAYS AFTER THE DECISION OR ORDER AND PAYING THE~~  
3 ~~REQUIRED FEE.~~

4 ~~(2) THE BOARD OF APPEALS SHALL HEAR THE APPEAL AS PROVIDED~~  
5 ~~IN THE RULES OF PROCEDURE ESTABLISHED BY THE BOARD OF APPEALS IN~~  
6 ~~ACCORDANCE WITH § 32-3-401 OF THIS CODE.~~

7  
8 SECTION 2. AND BE IT FURTHER ENACTED, that this Act, having been passed by  
9 the affirmative vote of five members of the County Council, shall take effect on August 15,  
10 2022.



# LEGISLATION DETAIL

LEGISLATION

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DISPOSITION

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ENACTED

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EFFECTIVE

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AMENDMENTS

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## ROLL CALL - LEGISLATION

MOTION		SECOND
AYE	NAY	
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Quirk
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Patoka
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Kach
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Jones
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Marks
<input type="checkbox"/>	<input type="checkbox"/>	Councilwoman Bevins
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Crandell

## ROLL CALL - AMENDMENTS

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<input type="checkbox"/>	<input type="checkbox"/>	Councilman Quirk
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<input type="checkbox"/>	<input type="checkbox"/>	Councilman Jones
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Marks
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