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Baltimore County

Department of Permits, Approvals, and Inspections



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Development Management and Plans Review Policy Manual

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2023 Edition

Adopted by
Baltimore County Council on _____ through Resolution _____

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Baltimore County Development Management and Plans Review Policy Manual

Section One: General Process Overview and Approach

The Purpose of This Manual

The purpose of this manual is to provide guidance on the general approach to development review in the Permits, Approvals, and Inspections Department (PAI) of Baltimore County, as well as on specific processes and methodologies. Development review engages both County and State agencies. This manual does not detail the rules and regulations of other Departments and agencies other than PAI. It also does not detail the permitting process. If this manual conflicts with the current or future Baltimore County Code (BCC), the Code controls.

Policy I: External Business Processes for Development Review

Baltimore County Code regulates development in several sections of the BCC. This manual concentrates primarily on Article 32, Titles 4, 6, and 8. Relevant code sections will be provided throughout the document. The goal of the manual is not to repeat code, but to provide guidance on how sections of the code should be implemented.

Development, including major and minor residential development, non-residential and institutional development may consist of three distinct phases. Mixed-use development is regulated largely through the Planned Unit Development (PUD) process, see below. Small mixed-use projects are reviewed as residential projects.

The development process consists of three phases:

- Phase 1: Development Plan Review, which includes major residential development that is subject to full process; minor residential development that is eligible for a limited exemption; and non-residential development subject to limited exemption. This phase may include record plats, unless they are processed during the second phase.
- Phase 2: This phase includes review of grading and stormwater plans; construction drawings; cost estimates and security agreements; as well as record plats.
- Phase 3: Final inspections, as-built review, securities reduction, and closeout.

Baltimore County Schools, Baltimore County projects, and all State projects are not subject to a Phase 1 review.

1 **Review Process: Phase 1**

2 **Full Process**

3 The following describes the typical major development review process for a project submitted to
4 PAI.

5
6 A. Concept Plan (See BCC Section 32-4-211 through 32-4-217)

- 7 • The concept plan illustrates the general site layout, location, proposed building types and
8 uses, and number of units or square footage.
- 9 • An initial concept plan check print meeting the requirements of BCC Section 32-4-213 is
10 submitted to PAI Development Management (DM) If complete, not more than 5 working
11 days after submission, DM requests that concept plan copies, other required materials,
12 and the fee are submitted. The concept plan is considered as "filed" on a date that is a
13 minimum of 10 working days prior to the first occurring Tuesday allowing for a
14 mandatory 10-working day review.
- 15 • A DM Project Manager (DM-PM) is assigned. A checklist for the concept plan can be
16 found online at:
17 <https://resources.baltimorecountymd.gov/documents/permits/development/conceptplanchecklist130607.pdf>
18
- 19 • DM distributes plans and ensure online notice. DM-PM shall hold a Concept Plan
20 Conference (CPC) on the 1st Tuesday occurring 10 working days post accepted for filing.
21 In addition to the developer's team, the following County agencies are required to attend:
22 Department of Environmental Protection and Sustainability (DEPS), Development Plan
23 Review (DPR), Department of Planning, the Zoning Review Office, Real Estate
24 Compliance, and Recreation and Parks.
- 25 • DM-PM shares County generated CPC comments with developer's team at the CPC.

26
27 B. The Community Input Meeting (CIM) (See BCC Section 32-4-217)

28 The CIM is an informational meeting scheduled by the developer's team. The intention
29 of this meeting is for the development team to inform the public about the proposal and
30 hear their responses.

- 31 • Not more than 10 working days after the CPC, development team and the DM-PM jointly
32 schedule CIM to occur at 7pm on a suitable date and at a location identified pursuant to
33 BCC Section 32-4-217.
- 34 • Development team shall post property. CIM shall be held not less than 21 or more than
35 30 calendar days after posting of the property.
- 36 • PAI shall post notice of the CIM on the development, zoning hearings and meetings
37 calendar at <https://www.baltimorecountymd.gov/meetingsandevents/pdmevents> and within
38 the Development Management Office, COB, 111, West Chesapeake Avenue, Towson,
39 MD.
- 40 • DM-PM takes written minutes of the meeting and provides to registered attendees and
41 posts minutes on the Citizens Access webpage for public review within 30 days of the
42 CIM. ([https://www.baltimorecountymd.gov/departments/permits/pdm_devmanage/search](https://www.baltimorecountymd.gov/departments/permits/pdm_devmanage/search_applications.html)
43 [applications.html](https://www.baltimorecountymd.gov/departments/permits/pdm_devmanage/search_applications.html)).

- 1 C. Development Plan (See BCC Sections 32-4-221-32-4-232)
- 2 • The development plan is a detailed plan showing existing conditions including
- 3 topography; one-hundred-year floodplains or flood areas for both riverine and tidal areas;
- 4 proposed street layout; proposed and existing water and sewer lines; and proposed and
- 5 existing utility systems and fire hydrants—generally, the specifics of the proposed
- 6 development. If required and not yet completed, a traffic study noise assessment,
- 7 drainage diversion study and/or a floodplain study shall be submitted at the time of
- 8 development plan.
- 9 • A development plan check print that meets the requirements of BCC Section 32-4-222 is
- 10 submitted to DM not more than 365 calendar days after the final CIM. A checklist for
- 11 the development plan can be found online at:
- 12 <https://resources.baltimorecountymd.gov/documents/permits/development/devplansubmit>
- 13 [talcklst150126.pdf](https://resources.baltimorecountymd.gov/documents/permits/development/devplansubmit)
- 14 • Not more than 5 working days after submission of the check print, DM requests
- 15 Development Plan copies be submitted. DM to conduct preliminary review, collect fee,
- 16 create record, facilitate digital review, pending DPC notices sent, and plans distributed to
- 17 County reviewing agencies within a target date of 5 working days (BCC allows up to 15
- 18 days).
- 19 • Development Plan status is “accepted for filing” upon distribution to County reviewing
- 20 agencies. Development Plan Conference (DPC) date set to occur not less than 15
- 21 working days from distribution to County reviewing agencies. Developer’s team to
- 22 provide plan copies and community notice to all known participants.
- 23 • DM-PM to hold DPC. DM-PM shares County generated DPC comments with
- 24 development team at the DPC.
- 25 DM-PM to schedule a Hearing Officer’s Hearing (HOH) not less than 21 nor more than
- 26 30 calendar days after plan status is “accepted for filing” and plans are distributed.
- 27 D. Hearing Officer Hearing (HOH) and the Five-Day Rule (BCC Section 32-4-227)
- 28 The Hearing Officer Hearing (HOH) is also known as a Development Plan Hearing
- 29 (DPH). These hearings occur before the Administrative Law Judge (ALJ). A Pre-
- 30 Hearing Redline Development Plan in hardcopy and digital form will be submitted to the
- 31 DM-PM involved with the project before the end of the business day 6 working days
- 32 prior to the HOH. This plan shall reflect the status of the development up to that point.
- 33 The plan will be made a part of the file delivered to the Office of Administrative
- 34 Hearings (OAH) as discussed above and will be that which is presented at the HOH. Any
- 35 changes to this plan during and as a result of the hearing will be executed in a color other
- 36 than red.

37

38 In the event the Pre-Hearing Redline Development Plan is not submitted as described

39 above, the DM-PM may postpone the HOH and, in the event of a postponement, the

40 DM-PM will require notice requirements under BCC Section 32-4-227(b) to be repeated.

41

42 A written statement to the Administrative Law Judge addressing unresolved comments

43 shall be submitted by County agencies indicating plan status within the context of BCC

44 Section 32-4-226(d)(1)(ii)-(iv) before the end of the business day 6 working days prior to

45 the hearing. These comments are to be included in the file to be delivered to the OAH.

46

1 Five-Day Rule

2 Five days before the hearing, the following takes place:

- 3 • DM-PM will deliver the development file (file) to Office of Administrative Hearings
- 4 (OAH) 5 working days before the development plan hearing.
- 5 • The DM-PM will include a written summary of the physical contents of the file along
- 6 with a redline plan from the County reviewing agencies.
- 7 • There shall be no acceptance or further processing of materials in any format by PAI-DM
- 8 once the file has been delivered to the OAH.
- 9 • The file will be under the control of the OAH who will have discretion as to additional
- 10 included materials.
- 11 • If an applicant or protestant requests a postponement, written justification for the
- 12 postponement is required pursuant to Baltimore County Zoning Regulations (BCZR)
- 13 Section 500.8 Rule 4G.

14
15 E. Inspection

16 All submitted information listed under Paragraph (1) of BCC Section 32-4-226(d) will be

17 available for public inspection at DM up to and until 6 working days prior to the hearing

18 if in the possession of DM. All reviewing agency development plan conference

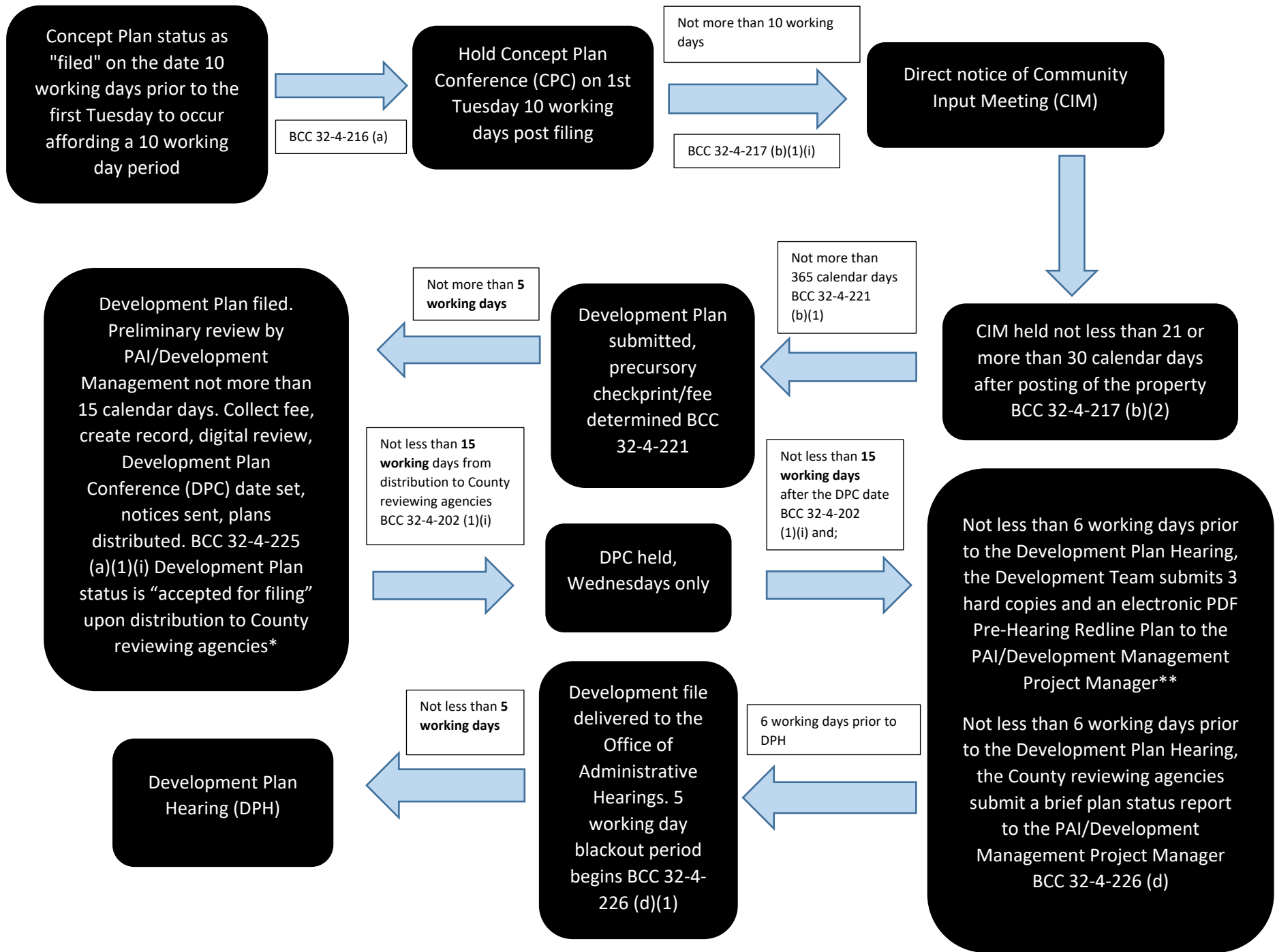
19 comments and the Pre-Hearing Redline Development Plan upon its receipt by the DM-

20 PM 6 working days prior to the hearing will be posted to:

21 [https://www.baltimorecountymd.gov/departments/permits/pdm_devmanage/searchapplic](https://www.baltimorecountymd.gov/departments/permits/pdm_devmanage/searchapplications.html)

22 [ations.html](https://www.baltimorecountymd.gov/departments/permits/pdm_devmanage/searchapplications.html)

23
24 The flow chart on the following page illustrates the Phase 1 development process.



*DM will not schedule a DPH less than 21 or more than 30 calendar days after plan status is "accepted for filing" and plans are distributed
 **The Pre-Hearing Redline Plan and County reviewing agency DPC comments will be uploaded to the citizens access portal not less than 5 working days prior to the DPH to ensure that the public has enough time to review and not cause postponement of the hearing.

1 **Planned Unit Development (PUD)** (BCC Sections 32-4-241-32-4-245)

2 A Planned Unit Development is a development process that may propose residential uses, non-
3 residential uses, or a mixture of uses. The PUD review and approval process begins with the
4 submission of an application with supporting documentation by the developer's team to the
5 County Council member in whose district the PUD is to be located pursuant to BCC Section 32-
6 4-242.

7
8 A. Preliminary PUD Review

9 Developer's team submits PUD application package to DM simultaneously with the
10 submittal to the County Council. DM will distribute these copies to the County reviewing
11 agencies who will then have 15 calendar days from the date of distribution to respond to DM
12 with a written preliminary evaluation. The agency evaluations are forwarded to the County
13 Council who will post them to the County's website.

14
15 B. Post-submission Community Input Meeting

16 The developer's team will arrange for and conduct a Post-submission Community Input
17 Meeting. This meeting shall be held between 21 and 30 days after the filing of the PUD
18 application. The developer's team shall physically post the property providing three weeks
19 advance notice of the date, time, and location of the Post-submission CIM and provide proof
20 of posting to DM. Developer's team shall provide written notice to all adjoining property
21 owners identified in the tax records and any community associations or civic organizations
22 that represent the geographic area of the subject property or any adjoining properties.

23
24 The developer's team is responsible for conducting the Post-submission CIM pursuant to
25 BCC Section 32-4-242(c)(ii). Minutes taken by the developer's team shall be provided to
26 PAI-DM who will post them on the PAI website.

27
28 C. Council Action

29 Notice of the PUD resolution shall be posted on the property at least 10 business days prior
30 to the final County Council vote.

31
32 D. Informational Meeting (Pre-concept Plan Conference)

33 Prior to the filing of a PUD concept plan, DM coordinates and conducts a required
34 informational meeting following pre-concept plan conference guidelines. The developer's
35 team will meet with relevant County departments and agencies to discuss the PUD concept
36 plan requirements.

37
38 E. PUD Processing

39 After the required informational meeting, a PUD concept plan will follow the full review
40 process as described in Policy I of this manual. PAI shall make a recommendation to the ALJ
41 on the timeline for the PUD public benefit prior to the HOH.

42
43 **The Development Review Committee** (BCC Section 32-4-106)

44 The Development Review Committee (DRC) is responsible for reviewing and recommending a
45 development process path to the Director of PAI. The DRC meets, at a minimum, every other
46 week to consider which projects meet the requirements for Limited Exemptions to the

1 development regulations or whether changes to previously approved plans meet the requirements
2 of amendments to those plans. PAI may limit the number of agenda items per meeting.

3
4 Projects that are exempt from Community Input Meeting and hearings but otherwise follow the
5 same process as major developments are known as “Limited Exemptions.” See Policy III, IV,
6 and BCC Section 32-4-106 for more information.

7
8 **Review Process: Phase 2**

9 ***County 45/30/30 Target Days Development Review Process***

10 Plans submitted under the Phase 2: County 45/30/30 target days development review process
11 shall follow the following steps:

12
13 Step 1

14 All plans shall be submitted to PAI. Every submittal shall be accompanied by
15 engineer’s transmittal and supporting documents, the required fee(s), and a completed Basic
16 Information Form (BIF). Submissions will be rejected if the required information and plans are
17 missing.

18
19 Step 2

20 DM will provide a date stamp and time stamper for logging. All plans and documents must be
21 date stamped. The engineer’s transmittal must also be date and time stamped. Plans submitted
22 after 3:00 pm will not be processed until the next business day. The due date will be established
23 by the project manager based on date of email and review cycle. The DM-PM will send an email
24 notification to all listed emails provided in the BIF and to the appropriate County agency
25 representatives indicating that the plan package is available for pickup.

26
27 Step 3

28 Plan submissions are reviewed and comments are generated. Once reviews are returned to the
29 DM-PM, an email notification will be issued to all persons listed on the basic information form.

30
31 If an agency has not submitted a comment by the due date, a follow up email to that agency will
32 confirm no comment or if additional time is needed.

33
34 If multiple agencies are involved in a review (i.e., grading and sediment control), the applicant
35 will not be able to submit revised plans until the review cycle is complete and the DM-PM has
36 issued an email notification to submit.

37
38 Step 4

39 The applicant evaluates the comments and in response submits a revised plan. The applicant
40 shall attach to the revised plan a list of the changes made to the original and revised plans. The
41 timeframe for the second or subsequent review does not begin until all review comments have
42 been addressed by the applicant.

43
44 Step 5

45 The revised plan submission must include the most recent reviewed plan and supporting
46 documents submitted to DM-PM for processing and circulation. Engineer is to repeat Step 1

1 submission requirements and procedures. The second review cycle is 30-calendar days. Plans
2 submitted after 3:00 pm will not be logged in until the next business day. The due date will be
3 established by the DM-PM provided in the email notification. Following their approval of a
4 plan, an agency can advise DM that further reviews do not need to be sent to that agency.

5
6 Step 6

7 Once the DM-PM project manager has received comments from a reviewing agency, the DM-
8 PM evaluates the results and preforms the following: (1) If the plan is returned for revisions or
9 disapproved, then an engineer’s correction period notification email will be issued to the agency
10 reviewer and listed emails on the BIF; (2) If the plan is approved, the review is complete, an e-
11 mail notification is sent to the agency reviewer and everyone listed on the basic information
12 form;(3) If an approved plan requires a Mylar for signature, an e-mail notification would be sent
13 by the DM-PM requesting that Mylar be submitted. Any agency that places a hold on a Mylar
14 should immediately notify the DM-PM and persons on the basic information form with a brief
15 explanation. If there are still outstanding comments on the revised plan, the DM-PM may follow
16 up with the respective agency/department. Based on the complexity of the comments, after the
17 second or third review, the DM-PM will convene a meeting with the relevant reviewing agencies
18 and the applicant.

19
20 ***Record Plat Processing***

21 The Department of Permits, Approval Inspections is responsible for the processing and recording
22 of record plats.

23
24 Prior to submitting an original Mylar plat for County signatures, the applicant shall submit
25 check-prints of the record plat for County review. The DM-PM will distribute the check-prints
26 to the appropriate County agencies for review and comments. Check-prints are logged in and
27 transmittal memo sent with each check-print. County agency comments will be returned to the
28 submitting engineer in approximately 15 days.

29
30 ***Final Submittal***

31 Once County agency comments from the check-print review process are addressed, the applicant
32 may submit the original Mylar record plat and two (2) prints for County approval. The applicant
33 should return the County agency comments along with the final submittal.

34
35 PAI cannot approve or record the plat until the following are in place:

- 36
- 37 • Plat shall show the correct tax account numbers of the existing lots, parcels and any other
38 property that is part of the subdivision. It is important that these be shown correctly at the
39 check-print phase.
 - 40 • Plat name shall be the same name in which the development was processed through the
41 County.
 - 42 • Plat shall bear the original signatures of the property owners of the existing lots or parcels
43 that are part of the plat.
 - 44 • A PWA if required, shall be fully executed.
 - 45 • The names of the property owner(s) shown on the PWA shall match the names of the
property owner(s) shown on the plat.

- 1 • Written evidence from the County’s Office of Budget and Finance that property taxes are
2 paid in full for the current tax year for all tax identifications on the record plat.
- 3 • Paid receipt from the County’s Office of Budget and Finance for payment of any benefit
4 assessments or construction loan charges due.

5

6 The following note must be placed on all record plats:

- 7 • "The development as proposed will include protective measures adequate to prevent erosion
8 or sloughing of any steep slopes as defined by Baltimore County Code section 32-4-101 and
9 promote the preservation of the natural topographic features of the steep slope. This will be
10 achieved by providing erosion and sediment control measures in accordance with the
11 requirements of the Baltimore County soil conservation district and the current state of
12 Maryland specifications for soil erosion and sediment control."
- 13 • All recording fees shall be paid prior to recording the plat.

14

15 Unless it is a re-subdivision or amendment to an existing plat, refinements/amendments may be
16 processed without first submitting check-prints of the plat.

17

- 18 • Please include two prints along with the Mylar record plat for processing. In addition to
19 County agency approvals of the plat, the following is required. Include the prior plat name
20 and prior recording reference on the revised/amended plat.
- 21 • Include a “reason for refinement/amendment” or “purpose of refinement/amendment” note
22 on the plat describing the nature of the refinement, amendment, or re-subdivision including
23 specific changes to the lot lines etc.

24

25 **Review Process: Phase 3**

26 ***Right-of-way and Utility Agreements (RA/UA)***

27 Agreements, referred to as an RA or UA, between the applicant and County for infrastructure
28 and construction in the County right-of-way (ROW) or private lands require cost estimates. A
29 Public Works Agreement, referred to as a PWA is an agreement with the County for construction
30 of water and sewer facilities, storm drains, streets, bridges, culverts, retaining walls, and other
31 public structures. The drafting of the PWA may begin as early as the end of the Phase 1 process.
32 For more information, see Policy X: The Construction of Improvements under Private Contracts
33 after the Approval of the Phase 1 Development Plan.

34

35

36

1 **Policy II: Coordination between PAI and DPWT**

2 The Development Plans Review section of PAI will represent the Department of Public Works
3 and Transportation (DPWT) during the typical review process. DPWT will be consulted on the
4 impacts to the public infrastructure. If additional specific expertise is required for consultation
5 DPR will pose specific questions to DPWT via memo. DPR will request digital copies of plans
6 if needed to send to DPWT.
7

8 **Examples of Items Subject to DPWT Review and Comment:**

9 Please evaluate any effects on public infrastructure for:

- 10 • Highways:
 - 11 ○ Are existing offsite sidewalk, curb, and pedestrian ramps that connect to the
 - 12 development adequate?
 - 13 ○ What is the ultimate right-of-way and paving width for County roads that front
 - 14 the subdivision?
 - 15 ○ Any ingress and egress issues?
- 16 • Storm drain:
 - 17 ○ Is all site runoff conveyed to a suitable outfall?
 - 18 ○ Are existing storm drains adequate?
 - 19 ○ Is there any documented downstream flooding?
- 20 • Floodplain:
 - 21 ○ Is additional analysis needed to determine location of floodplain
- 22 • Sanitary sewer:
 - 23 ○ Do existing sewers have capacity to accommodate the proposed flow from the
 - 24 development?
- 25 • Water:
 - 26 ○ Is there adequate pressure available at the site and is there adequate fire flow at
 - 27 the site?
 - 28 ○ Is any frontage needed for connections?
 - 29 ○ What is the material of the existing pipe being tapped or connected?
 - 30 ○ Is Cathodic Protection Required? Applies to water mains 16” and larger or where
 - 31 corrosive soils exist.
 - 32 ○ Is the proposed water main properly restrained?
- 33 • Structures:
 - 34 ○ Are there any structures proposed that impact public infrastructure such as bridges
 - 35 or retaining walls?
- 36 • Traffic:
 - 37 ○ Is sight distance from the site entrance adequate?
 - 38 ○ Are any sidewalks or bike lanes required?
 - 39 ○ Is a traffic impact study required?
- 40 • Solid waste:
 - 41 ○ Are any trash pads required, and if so, is the proposed location suitable?
 - 42

43 Digital copies of any check-prints will be forwarded to DPWT. DPWT has five business days
44 for reviews. DPR will notify the applicant if an additional review by DPWT is needed.
45

1 **Section Two: Specific Process Policies**

2 **Policy III: The Development Review Committee (DRC) and Amendments to Approved**
3 **Plans**

4
5 Development plans are subject to the amendment provisions of BCC Section 32-4-262 which
6 distinguishes residential and non-residential plan types. The process to amend these plans is
7 initiated through application to the DRC, which will make recommendation as to whether the
8 amendment is material or non-material and how the plan will be processed.

9
10 All requests for changes to an approved development plan (except for minor typographical,
11 clerical, or similar changes that do not affect the layout or intention of the original plan) shall be
12 reviewed by the DRC. In cases where the change is minor “housekeeping” the applicant may
13 ask the DRC Chair to be excused from the DRC process and may amend the plan
14 administratively. In addition to all changes to an approved development plan, all requests for
15 development plan extensions, as well as certain other requests concerning the development
16 process, will be reviewed by the committee unless the deadline for filing the extension does not
17 allow time for DRC review. The Administrative Law Judge can extend a development plan per
18 Section 32-4-261(b).

19
20 The Development Review Committee functions under the authority of the Director of Permits,
21 Approvals, and Inspections (Director). The DRC is composed of representatives so designated
22 by the Directors of each of those departments involved in the review and approval of
23 development projects within the County. The DRC shall be chaired by the Department of
24 Permits, Approvals and Inspections.

25
26 Recommendations of the DRC may be categorized as follows:

- 27 • No action: the DRC does not have the authority to consider the applicant's request or the
28 applicant's request does not require DRC approval.
- 29 • Tabled: a recommendation by the DRC is withheld pending further information. The
30 applicant returns to the DRC as "old business" agenda once outstanding issues are
31 resolved.
- 32 • An "a" or “b” exemption exempts the development proposal from portions of the
33 development review and approval process as provided for in Baltimore County Code,
34 Article 32, Title 4, Subtitle 2. A project meeting these requirements does not require a
35 concept plan, Community Input Meeting, development plan, and an Administrative Law
36 Judge hearing.

37
38 Applicants who meet one or more of the criteria for an “a” exemption may apply directly for a
39 building permit or submit a plat for review.

40
41 The Director shall set the DRC agenda in correlation with available Department resources.
42 Notice of the DRC meetings shall be posted per BCC Section 32-4-106(e) and online at:
43 <https://www.Baltimorecountymd.gov/meetingsandevents/pdmevents>

44

1 Formal DRC letters confirming the recommendation of the DRC and the decision of the Director
2 shall be available through the Citizens Access Portal:

3 <https://citizenaccess.Baltimorecountymd.gov/citizenaccess/cap/caphome.aspx?module=landman>
4 [agement&tabname=landmanagement](https://citizenaccess.Baltimorecountymd.gov/citizenaccess/cap/caphome.aspx?module=landman)

5
6 DRC letters may also be reviewed in the Development Management Office, PAI, County Office
7 Building during normal business hours. Decisions of the Director are subject to the appeal
8 provisions of the BCC Section 32-3-401.

9
10 If the DRC recommends that a proposed change to an approved development plan is material, the
11 plan is to be reviewed under the full process unless otherwise directed per the BCC. The
12 applicant shall file a petition for special hearing to amend the development plan, subject to all
13 requirements of PAI. The PM-DM will assure that all who were identified to be notified for the
14 development hearing shall be notified as to the new hearing, and the property shall be posted for
15 15 days, pursuant to Section 32-4-227(b)(2), BCC.

16
17 Fees shall be charged pursuant to the fee schedule.

18 19 20 **Policy IV: Limited Exemptions**

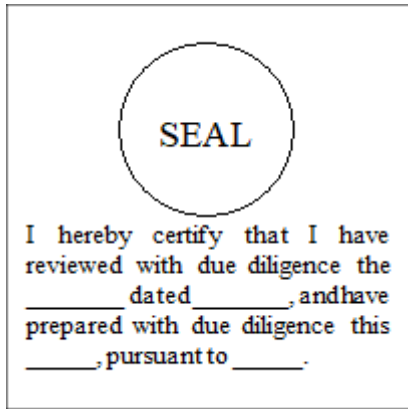
21 BCC Section 32-4-106, provides for certain exemptions from the development process. All
22 applications for Limited Exemptions shall be made through an approved DRC application form
23 with supporting materials to include a letter addressed to the Director of the Department of
24 Permits, Approvals, and Inspections.

25
26 For development applying for either the (a)(1)(vi) or (b)(8) exemptions, notice of the DRC
27 meeting shall be posted within 7 days of filing an application on the property that is the subject
28 of the application. The posting shall remain on site for a period of at least 14 consecutive days
29 and at least 7 days before the date of the meeting. The applicants shall provide a certificate of
30 posting to the department prior to the date of the DRC meeting.

31
32 Applications for an (a)(1)(vi) or (b)(8) exemption shall be supported by a written letter
33 describing the proposal and providing justification of how the proposal meets the selected
34 exemption. The DRC will use criteria including, but not limited to, existing conditions and land
35 use, character and context of the neighborhood, limit of disturbance, environmental impacts, site
36 access, the extent of public infrastructure being changed or added, and intensity of in making its
37 recommendation. An application that provides insufficient reasoning shall be tabled. The
38 application may return as old business to the next available DRC meeting upon satisfaction of
39 the application requirement.

40 41 **Seal on and Processing of Limited Exemptions Plans**

42 All approved amended development plans submitted for approval signature will be required to
43 include the following notations located within the seal block:



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If the plan is not approved after the third formal review, or if the file is inactive for a period of 90 days, PAI-DM will contact the applicant in writing to confirm the status of the plan (either active or inactive). If the plan is determined to be inactive, the plan will be denied and considered void.

Policy V: Development Plans Requesting Waivers

BCC Section 32-4-107 “Waivers” of the Development Regulations, states that a waiver of development plan and Administrative Law Judge’s hearing (other than limited exemptions) may be granted by the Administrative Law Judge (Subsection (a)) or the Director of the Department of Permits, Approvals, and Inspections (Subsection (b)).

All waiver requests considered under Subsection (b) by the Director shall first be reviewed by the DRC.

Policy VI: Minor Subdivision Process

Procedure for Minor Subdivision

The (b)(5) limited exemption, or “minor subdivision”, shall be submitted to PAI-Zoning along with the review fee and the basic filing certification. Minor Subdivisions must go to the DRC prior to project submittal. Additionally, the property shall be posted prior to return of first review comments.

Reviewing agencies include internal PAI divisions Development Management, Development Plan Review, and Zoning as well as the Department of Planning, Real Estate Compliance, the Department of Environment and Sustainability, Department of Public Works and Transportation, the Fire Department, and State Highway Administration. The Zoning Office will be the custodian of all residential minor subdivisions and will coordinate agency comments. The target review time for minor subdivisions is 30 days.

If the plan is not approved after the third formal review, or if the file is inactive for a period of 90 days, the Zoning Office will contact the applicant in writing to confirm the status of the plan

1 (either active or inactive). If the plan is determined to be inactive, the plan will be denied and
2 considered closed, A new application and fee shall be submitted to restart the review process.

3
4 Once approved, the Zoning Office will contact the applicant to request final documents including
5 any deeds of dedication required by reviewing agencies prior to final sign off of the plan by Real
6 Estate Compliance. These will be forwarded to Real Estate Compliance and to the Department
7 of Environmental Protection and Sustainability for signature. The applicant will be responsible
8 for providing PAI final signed documentation for distribution to the agencies for inclusion into
9 their files.

10 11 **Recording Minor Subdivisions**

12 It is strongly recommended that minor subdivision plans be recorded by deed and description in
13 Baltimore County Land Records office located in the Circuit Court Building, 2nd Floor, 401
14 Bosley Avenue, Towson. Plans may also be recorded in the Plan Book/Minor Subdivision
15 Book—a record plat is not required. The plans shall also be presented in an acceptable form for
16 recording, i.e., original ink on Mylar with original signatures. All plans submitted for
17 recordation shall be processed through the Department of Permits, Approvals, and Inspections
18 and accompanied by the appropriate fees. An alternative to this process is to attach a reduced
19 copy directly to the deeds.

20
21 Deeds being written for minor subdivisions setting out road widenings as separate parcels/lots
22 are not permitted. Please be aware that Baltimore County does not encourage separate parcels
23 for road widening strips unless the County has commented on the road-widening strip during
24 approval process.

25
26 Deeds, plats or plans referencing subdivision of land, merging or dividing lots or parcels, shall
27 not be recorded among the Land Records of Baltimore County without accompanying
28 documentation showing approval by PAI of any such subdivision of land. Such documentation
29 shall be attached to a deed if a record plat is not used. If a record plat is used, all relevant deeds
30 shall reference the plat. See Sections 32-4-109 and 32-4-115, Baltimore County Code.

31 32 33 **Posting of Minor Subdivisions**

34 Baltimore County requires the posting of official notice on all property for which a minor
35 subdivision is proposed. Subsequent to the filing of a plan for a minor subdivision, a sign shall
36 be conspicuously posted in the same manner and location as otherwise required by the Zoning
37 Review Office on the lot, parcel or tract that is the subject of the proposed minor
38 subdivision. The property shall be posted for a minimum of ten consecutive days before plan
39 approval.

40
41 The applicant is responsible for the posting of the property. The applicant shall engage an
42 approved sign poster. Contact the Zoning Office for a list of approved sign posters.

43
44 Certification of the posting shall be in the same format and manner as required for zoning
45 hearings. The certification and dated photographs, , shall be submitted to PAI. The certification

1 and photographs shall be received and be accepted for filing prior to the return of the first plan
2 review comments to the applicant.

3
4 The following information shall appear on the sign:

- 5 • Name of minor subdivision as it was filed.
- 6 • PAI file number.
- 7 • Acreage and number of proposed lots.
- 8 • Name of the applicant and contact information
- 9 • A note stating, “Information about the proposed subdivision may be obtained by calling
10 [name of the applicant] at [telephone number], via email at [email address] or by contacting
11 the PAI Zoning Office at [410-887-3391] or via email at
12 paizoning@baltimorecountymd.gov.”

13
14 The purpose of the posting is to provide notice to adjoining property owners that a minor
15 subdivision is being proposed.

16
17
18 **Policy VII: Private Right-of-way and Panhandle Lots and Driveways**

19
20 Ingress and egress to residential lots is regulated through BCC Section 32-4-409 and BCZR
21 Section 102.4 and 259.9(c). There are additional regulations in BCZR Section 259.9(c) for the
22 Honeygo area. If a proposed subdivision with lots of less than 20,000 square feet does not have
23 full frontage on either a public easement or a right-of-way of 30’ in width or greater, the
24 applicant may pursue the use of in-fee strips or “panhandle” design elements only under the
25 conditions set forth in the BCC. For private access to residential properties, the applicant must
26 state legal right to burden an existing right-of-way.

27
28 A use-in-common residential driveway is not required to be situated within the required in-fee
29 strips serving residential panhandle lots but it must be demonstrated that necessary private rights-
30 of-way and/or easements for ingress, egress and utilities are established to accommodate access.
31 The orientation of the proposed dwellings can be a consideration as to whether or not the use of
32 panhandle design is acceptable.

33
34 Any subdivision plans or plats submitted for County review and approval involving private
35 rights-of-way shall include this disclaimer: “Baltimore County makes no warranty expressed or
36 implied as to the right of any present or future owner of any lot shown on this plat to use all or
37 any part of that land designed as a private right-of-way for the purpose of ingress, egress,
38 regress, or the right to open or excavate the aforesaid private right-of-way for the purpose of
39 installing, constructing, and maintaining utilities such as, but not limited to, water, sewer,
40 electrical, telephone, drains, or cable television.”

41
42
43 **Policy VIII: Community Input Meetings Notice**

44
45 Per BCC Section 32-4-216(b) and upon receipt of the acceptance of concept plan submission,,
46 the Department of Planning (DoP) shall identify “all participants to be invited to the community

1 input meeting” (CIM). The Director of the Department of Planning shall consult with other
2 County agencies and organizations to identify individuals or organizations who have personal or
3 property rights “specially or adversely affected” by the proposed development.

4
5 These individuals and organizations will be included on the list with those already identified in
6 the database maintained by the DoP. If the project is not located within the boundaries of any
7 known community association or business group, an adjacent community association and
8 business group may be included. At least one day prior to the Concept Plan Conference (CPC),
9 County Council members and other County agencies may also provide the DoP with names of
10 groups or individuals who should be participants at the CIM.

11
12 The DoP participant list is provided to the developer’s team at the CPC as a part of DoP review
13 comments.

14
15 PAI shall post notice of the CIM on the development, zoning hearings and meetings calendar at
16 <https://www.baltimorecountymd.gov/meetingsandevents/pdmevents> and within the Development
17 Management Office, COB, 111, West Chesapeake Avenue, Towson, MD. Additional
18 information including minutes and questions from the public will be posted online.

21 **Policy IX: Development Plan Notice and Certification**

23 **Notice**

24 When a development plan that has been the subject of prior hearings, either before the Baltimore
25 County Planning Board, Zoning Commissioner, County Board of Appeals and/or the Courts, is
26 submitted to the County for review, any individual or group which was a party to or named in
27 any limitation, shall be notified of any development plan conference or Administrative Law
28 Judge’s hearing which involves that development.

29
30 A limitation is defined as that which is established by the Courts, County Board of Appeals,
31 Planning Board, Zoning Commissioner, or a restrictive covenant recorded with individuals or
32 groups which would limit proposed development on the site (Section 32-4-222(a)(10), Baltimore
33 County Code.)

34
35 Such notification is in addition to such other notice, which may be required by law.

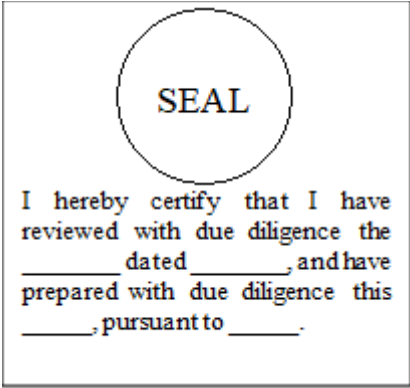
36
37 The responsibility for notification as listed above is the responsibility of the applicant. The
38 notification shall include the dates, times, and location of the meeting. The development plan
39 conference or the Administrative Law Judge’s hearing and shall include a copy of the submitted
40 development plan.

42 **Certification**

43 In order to facilitate review and signature of development plans approved pursuant to the
44 Administrative Law Judge’s order, the certification noted below shall be placed within the
45 official engineer of record’s seal block of all Administrative Law Judge’s hearing plans
46 submitted for signature. The engineer will be responsible for affixing the Administrative Law
47 Judge’s order to the approved plans prior to submittal for signature. Professional Engineers,

1 Professional Land Surveyors, and Registered Landscape Architects may seal plans as permitted
2 by Maryland law.

3
4 ***Administrative Law Judge Development Plans and Phase 2 Plans***



7
8

9 **Policy X: The Construction of Improvements under Private Contracts after the Approval**
10 **of the Phase 1 Development Plan**

11
12 **Phase 2 Construction Drawings and Cost Estimates**

- 13 • An introductory meeting may be required by PAI or requested by the applicant to review and
14 establish the process and set review and construction timelines. The meeting will include
15 participants from the applicant, PAI/DPR, DPWT/Construction Inspections (DPWT/CI), and
16 any other relevant agencies
- 17 • Phase 2 construction drawings and cost estimates are prepared, signed, and sealed by a
18 Maryland licensed professional in accordance with State requirements.
- 19 • All limits of construction on Phase 2 construction drawings shall mirror the extent of the
20 existing and proposed County rights-of-way and easements as shown on the record plat.

21
22 ***Review***

- 23 1. All plans are submitted to DM. The PM-DM shall ensure applicant's construction
24 package is complete and that review fees have been paid. Completed packages will be
25 forwarded to the DPR.
- 26 2. DPR shall be responsible for the overall approval of the construction drawings, including
27 necessary consultation with relevant County agencies including Real Estate Compliance
28 and non-County approvals (Baltimore City, MDOT, etc.).
- 29 3. During the review and approval process, DPR shall be the point of contact for technical
30 matters and maintain direct contact with the developer's engineers. The review status
31 itself shall be the responsibility of DM. All general inquiries, questions on the review
32 status, and all correspondence from the applicants or their agent shall be directed to DPR
33 with a copy to DM.

34
35 Pursuant to Section 32-4-304, Baltimore County Code, this policy shall apply to the construction
36 of improvements as required by Baltimore County in approved subdivisions or development

1 projects. Prior to construction of infrastructure or facilities intended to be owned and maintained
2 by Baltimore County, the applicant shall execute one or more of the following with the County:

- 3 • Public Works Agreement (PWA)
- 4 • Utility Agreement (UA)
- 5 • Right of Way Agreement (RA)
- 6 • Environmental Agreement (EA)

7
8 **Public Works Agreements (BCC Section 32-4-304)**

- 9 • PAI/Development Plans Review (PAI/DPR) will make a a recommendation to the Director
10 on whether to require a Public Works Agreement (PWA) at the time of development plan
11 review.
- 12 • Per Code Section 32-4-304, a PWA is required to ensure the completion of a public and/or
13 private improvement to County standards. PWAs also establish certain rights for Baltimore
14 County and set obligations on the applicant.
- 15 • The Director of PAI may waive the requirement for a PWA for minimal public
16 improvements, as outlined in Section 32-4-304(e).
- 17 • DM-PM manages the PWA submittal and processing.
- 18 • The executed PWA document is retained by PAI, OBF, and the applicant.

19
20 **Utility (UA) and Right-of-way (RA) Agreements**

21 After DPR approval of Phase 2 construction drawings and cost estimates, the applicant shall
22 prepare and submit a draft utility agreement (UA) and/or right-of-way agreement (RA). The
23 checklists can be found online at:

24 <https://www.baltimorecountymd.gov/departments/pai/development-management/forms>.

25
26 UA and RA agreements are required for infrastructure and construction of any public
27 improvements including: water, sewer, storm drains, and road improvements. Landscaping,
28 lighting, and other improvements may also be required and can be included on any agreements
29 or on a standalone agreement. In general, water, sewer and drain work will be included in a UA
30 and road work and landscaping will be in an RA; however, a small amount of water, sewer, or
31 drain work (connection, for example) may be included in an RA with the road work, or a small
32 amount of road work (new entrance, for example) may be included in a UA with a larger
33 amount of utility work. DPR will normally make the decision on whether one or both
34 agreements should be used.

35
36 If the draft agreement is acceptable, the DM-PM will create a final UA/RA package checklist.
37 Securities, inspection fees as well as verification of payment of systems charges, meter fees and
38 distribution charges are required at this time. Once the final UA/RA package is received, the PM
39 will secure the signature of the approving authority. The PM then creates the closeout file.

40
41 **Connection Charges**

42 These charges consist of water and/or sewer system connection charges, water distribution
43 charges and meter fees. They apply to each residential unit being connected with credits for each
44 unit that is or was connected before the Agreement is executed. The charge also applies to non-
45 residential development and is based on the equivalent domestic meter size as determined by a
46 professional engineer through a fixture count.

1 The procedure for determining and making the payment is set up between the following
2 agencies: Office of Budget and Finance, Department of Public Works and Transportation
3 (DPW&T), Department of Permits, Approvals, and Inspections, and the Office of Law.
4

5 Water and sewer system connection charges must be collected in their entirety prior to execution
6 of the UA, RA or public contract for all units that will receive water and/or sewer service under
7 the Agreement or contract.
8

9 ***Conveyance of Rights-of-way***

- 10 • Applicant shall prepare all deeds and certificates of title for rights-of-way, open space,
11 reservations and other areas to be dedicated to Baltimore County identified on any record plat
12 covered by a UA and/or a RA on forms approved by DM and the Office of Law.
- 13 • Before executing the UA and/or RA, all deeds for offsite drainage and utility easements shall
14 be submitted to and accepted by the Office of Law/Real Estate Compliance (OL/RESTC).
- 15 • All deeds for in-fee rights-of-way, local open space (LOS) and reservations except storm
16 water management reservations shall be submitted to and accepted after acceptance by
17 DPWT and prior to any reduction of RA security.
18

19 ***Environmental Agreement (EA)***

20 The EA is executed through the Department of Environmental Protection and Sustainability
21 under their policies and procedures.
22

23 ***Notice to Proceed***

- 24 • DM shall notify DPWT, specifically the Division of Construction Contracts Administration
25 (DCCA) and the applicant when all documents are in order, construction agreements
26 approved and all fees paid.
- 27 • Applicant shall provide to DPWT/DCCA the identification of their on-site representative
28 who will be the job contact and coordinate with Baltimore County inspectors, including the
29 scheduling of a pre-construction meeting
- 30 • DPWT/DCCA shall issue a “notice to proceed” to the applicant identified on the UA and/or
31 RA authorizing the work to begin.
- 32 • No work covered by a UA and/or RA may commence prior to the issuance of the “notice to
33 proceed” letter
34

35 ***Record Plat***

36 Prior to record plat approval (if plat is required):

- 37 1. A PWA shall be executed unless waived by the Director of PAI.
- 38 2. The plat shall be reviewed and revised per County comments
- 39 3. All property taxes, front foot assessments, and any construction loan charges shall be
40 paid.
- 41 4. Any offsite rights-of-way or easements shall be acquired.
42

43 ***Issuance of Building Permits***

44 Building permits shall only be issued once security is posted and all required deeds for
45 easements have been approved by OL/RESTC unless not required until after construction.
46

1 ***Acceptance of UA and RA Work***

- 2 • UA and RA as-built drawings are submitted directly to DPR. The as-built process shall be
3 complete before DCCA can issue a final acceptance letter (FAL) and the securities are closed
4 out. The as-built notices are filed in the DM Phase 3 closeout files along the FAL.
5 • If the project requires both a UA and RA, both agreements shall be submitted together
6 • DPR delivers as-built drawings to DPWT/DCCA
7 • DPWT/DCCA sends as-built drawings with interoffice correspondence transmittal listing
8 project#, j.o. #, contract # to various parties. DM is copied
9 • Reviewed as-built drawings are returned to DPR
10 • DPR prepares/emails letter to the applicant/engineer notifying them to retrieve the as-built
11 drawings from DPR
12 • Applicant to address all issues and updates the original construction drawings to reflect the
13 as-built conditions. If ROW is required, the process shall be immediately initiated as the
14 dedication shall be done prior to final closeout
15 • If all is acceptable DPWT/DCCA issues “final acceptance letter”
16 ○ EA IV logs into the closeout database.
17 ○ “Date of Acceptance” is included in the letter.
18 ○ If only an UA is involved, the 1-year maintenance period begins on that date of
19 acceptance.
20 ○ If a RA is also in place, the 1-year maintenance period begins on the date that the RA
21 work is accepted in that respective final acceptance letter.
22

23 ***Use and Occupancy Permits***

- 24 1. Once the entire asphalt base course is down on all roads subject to the pertinent RA and
25 other regulations are met, Use and Occupancy permits (U&O) for new residences may be
26 issued.
27 2. Failure to complete all paving will subject the applicant/developer to the
28 Nonperformance conditions found below in this policy.
29 3. U&O permits for commercial structures shall meet all requirements set by the Baltimore
30 County Buildings Engineer.
31 4. If a Federal Emergency Management Agency (FEMA) Letter of Map Change (LOMC)
32 (Amendment or Revision) is required, acceptance from FEMA must be submitted to
33 Baltimore County.
34

35 If the entire asphalt base course is not down, the owner of the new residence shall execute a
36 written acknowledgment in the form of a “Winter Occupancy Letter”. In any such Winter
37 Occupancy Letter the applicant shall acknowledge the site work is incomplete and that Baltimore
38 County may not provide all services until such time as the entire asphalt base course is down.
39 The applicant shall sign the Winter Occupancy Letter.
40

41 In the event that the applicant/developer cannot lay the entire asphalt base course down on all
42 roads prior to the issuance of the U&O permit, the asphalt base course will be laid at the
43 discretion of DPWT.
44
45

1 ***Maintenance Period***

2 All improvements constructed under an UA and/or RA for which securities are posted are
3 subject to a one (1) year maintenance period. The applicant shall maintain the property during
4 this period.

5
6 For projects having an UA and RA involving new water and sewer mains beneath new road
7 construction:

- 8 • The 1-year maintenance on the UA begins when the asphalt base course is laid and accepted
9 by DPWT.
- 10 • The 1-year maintenance on the RA begins when the work is accepted by DPWT. See
11 “Maintenance on RA Agreements Establishing Security for Landscape Work Only” below.
- 12 • The 1-year maintenance on projects having only an UA begins when the UA work is
13 accepted by DPWT.

14
15 The 1-year maintenance on projects having only a RA begins when the work is accepted by
16 DPWT. See “Maintenance on RA Agreements Establishing Security for Landscape Work Only”
17 below.

18
19 All deeds for drainage and utility easements shall be submitted to and accepted by the Office of
20 Law/Real Estate Compliance prior to beginning any UA and/or RA maintenance period.

21
22 ***Maintenance on RA Agreements Establishing Security for Landscape Work Only***

23 The approval/maintenance of a RA involving landscaping only is subject to approval by the
24 Baltimore County landscape architect. The landscape architect will establish the 1-year
25 maintenance date after approval of the landscape installation package.

26
27 The applicant shall correct all outstanding issues to the satisfaction of the Baltimore County
28 landscape architect and proceed to the closeout process outlined below.

29
30 ***Final Acceptance Letter***

31 DPWT/DCCA shall notify DM when as-builts are approved and when the UA and RA work has
32 been accepted through a written “final acceptance letter” is received from DPWT/DCCA.

33
34 DPWT/DCCA shall notify the applicant and PAI when the 1-year maintenance begins.

35
36 ***Automatic Closeout***

37 DM shall initiate the closeout process for non-residential projects and (b)(5) limited exemption
38 minor residential subdivisions upon receipt of the written “final acceptance letter” from
39 DPWT/DCCA for the UA and/or RA 6 months after receipt of letter.

40
41 ***Standard Closeout***

42 Upon written request from the applicant, DM shall initiate the closeout process for residential
43 projects involving an UA and/or RA upon confirmation that the final acceptance letter has been
44 received by DM. The request letter should include the name of the development, the PWA
45 number, plat references, recording references for recorded deeds of dedication, all job orders,
46 and a list of contract numbers with corresponding construction drawing numbers.

- 1 1. DM shall consult with all required County agencies to re-inspect the affected infrastructure
2 for approval
- 3 2. Upon any County agency disapproval, DM shall provide written notification to the applicant.
- 4 3. The applicant shall correct all outstanding issues to the satisfaction of DPWT/DCCA and
5 proceed to the closeout process outlined below.
- 6 4. Final securities will be held until 1-year maintenance period has concluded.

7
8 ***Residential and Commercial Development Projects Not Requiring a PWA***

- 9 1. Approval of Construction Drawings and Estimates. If a development is approved which
10 requires improvements within the public right-of-way but does not require a PWA, the
11 applicant shall submit construction drawings and estimates for the required improvements to
12 PAI for review and approval. Once drawings and estimates have been approved, the
13 applicant shall proceed as follows:
 - 14 a. The applicant shall submit an UA or RA, deeds for the conveyance of rights-of-way,
15 required fees and security, if required.
 - 16 b. PAI shall notify DPWT and the applicant when all documents are in order and have been
17 approved, all fees have been paid and security, if required, has been posted.
 - 18 c. The applicant shall schedule a pre-construction meeting with DPWT, EPS, and the
19 prequalified contractors. At the time of this meeting the applicant shall designate in
20 writing an authorized on-site representative. DPWT, with the recommendation of EPS,
21 may then issue a notice to proceed to the applicant authorizing the UA or RA work to
22 begin.
 - 23 d. Once the UA or RA work is complete to the satisfaction of DPWT, the applicant's
24 engineer shall provide as-built drawings to DPWT. DPWT shall accept the work after
25 approval of the as-builts. DPWT shall notify PAI of the acceptance. Where security is
26 posted, DPWT shall notify the applicant that the one-year maintenance period for the UA
27 or RA work has begun.
- 28 2. Issuance of Building Permits and Use and Occupancy Permits. Building permits may be
29 issued before the UA or RA is approved. Use and occupancy permits shall be issued after
30 having passed all inspections.
- 31 3. Maintenance Period. There shall be a one-year maintenance period for all improvements
32 constructed under the UA or RA for which security is required. The applicant is responsible
33 for the maintenance of the improvements during that period. PAI shall automatically initiate
34 the closeout process for the development prior to the completion of the maintenance period.
35 After consulting with required County agencies, PAI shall notify the applicant of project
36 closeout findings. The applicant shall correct any outstanding issues and provide information
37 required for the release of security, as outlined below.

38
39 ***Performance Security***

40 Required UA and RA performance security shall be in the form of an irrevocable letter of credit
41 (LOC), certified bank check (check), performance bond (bond) or cash. The posted security shall
42 be based upon cost estimates prepared by the applicant and approved by PAI/DPR upon approval
43 by PAI/DPR of the pertinent construction drawings.

44
45 Posted security shall be equal to one hundred ten percent (110%) of the total approved cost
46 estimates for improvements covered under the UA and/or RA.

- 1 Security shall be posted as follows:
2 1. Prior to the execution of a PWA for projects on individual well and septic systems that do not
3 require the extension of public water and/or sewer service.
4 2. Prior to the issuance of a building permit (except grading permit) for projects requiring the
5 extension of public water and/or sewer service and requiring a PWA.
6 3. Prior to the approval of any UA and/or RA for projects which do not require a PWA.
7

8 Where security is posted pursuant to a PWA prior to the issuance of a building permit (# 2
9 above) and a portion of any improvements to be secured under an UA and/or RA have been
10 completed, the security collected under said UA and/or RA may be posted in an amount based on
11 revised cost estimates prepared by the applicant/developer's engineer and approved by PAI/DPR.
12

13 PAI/DPR may require said cost estimates be updated in the event the UA and/or RA is not
14 approved within one (1) year of the date the cost estimate was approved by Baltimore County.
15 In no event shall security be posted in an amount less than ten percent (10%) of the originally
16 approved cost estimate.
17

18 Certain projects where UA and/or RA work has been completed and accepted by DPWT/DCCA
19 prior to posting security are identified on the "model list" as maintained by PAI/DM. Securities
20 for these projects shall be posted for the duration of the one (1) year maintenance period, and
21 prior to any request for building permit, except grading permit. In no event shall security be
22 posted in an amount less than ten percent (10%) of the originally approved cost estimate while
23 the maintenance period is in force. Upon filing for a building permit for an address on the model
24 list, applicant shall consult DM to confirm whether securities have been posted for said property.
25

26 DM maintains the model list and shall provide the revised list to PAI permits. The agreements
27 cannot be executed without posting securities.
28

29 ***Reduction of Security***

30 Baltimore County may only reduce security when:

- 31 1. The UA and/or RA work for which specified security is posted is at minimum fifty percent
32 (50%) complete pursuant to a construction monthly status report issued by DPWT/DCCA.
33 2. All required deeds for easements have been received by OL/RESTC.
34 3. Applicant has submitted a written request to reduce specified security to DM supported with
35 the following forms and information:
36 a. Revised and sealed red-lined cost estimates prepared by the applicant's engineer
37 establishing the cost of finishing the remaining fifty percent (50%), or less, of the
38 specified secured UA and/or RA work.
39 b. Completed typed original Baltimore County "Affidavit of Payment to Contractors" form
40 naming all parties having written contracts with the applicant/developer for UA and/or
41 RA work for which specified security is posted. Affidavit form shall confirm that all
42 parties have been paid pursuant to the terms of their respective contracts.
43 c. Written confirmation by applicant's contractors in affidavit that they are paid to date.
44 Confirmation shall be in the form of an official company letterhead.

- 1 4. All security reductions to include the sealed and red-lined cost estimates shall be reviewed by
2 DM then DPWT/DCCA for approval then to PAI/DPR for approval then after all approvals,
3 sent the Office of Budget and Finance (OBF) for signature.
- 4 5. Applicant may request further reductions as UA and/or RA work for which specified security
5 is posted is completed.
- 6 6. Upon the start of the one (1) year maintenance period, the UA and/or RA security may be
7 reduced to not less than ten percent (10%) of the originally approved cost estimate during the
8 span of said one (1) year maintenance period.

9
10 See Appendix B for more detailed information on security reduction.

11
12 ***Nonperformance*** (BCC Section 32-4-309)

13 The County shall notify the applicant in writing of any failure to complete public or private
14 improvements covered by the PWA, UA, or RA. The County agency responsible for inspection
15 and approval of those improvements shall grant the applicant a period of not less than 30 or more
16 than 120 calendar days to complete the improvements. In the event that the applicant then fails
17 to construct the improvements within the time period specified, the County may draw upon the
18 performance security posted by the applicant.

19
20 The County will use the performance securities pursuant to the provisions of BCC Section 32-4-
21 309. In accordance with BCC Section 32-4-114, if an applicant owns or has interest in a
22 development upon which a zoning or development regulation violation exists, PAI/DM will
23 withhold the processing of any work, plans, permits and or inspections submitted or requested by
24 the applicant.

25
26
27 **Policy XI: Notice of Fees and Assessments and Responsibilities**

28
29 Section 32-4-311(b)(2), BCC, requires certain notice in a contract of sale of real property to be
30 provided by the applicant to a subsequent purchaser. The notice tells the subsequent purchaser
31 that there is a fee or assessment levied against the property to cover or defray all or part of the
32 applicant's cost of installation of water and sewer facilities, and that the purchaser is responsible
33 for such charges.

34
35 The applicant is responsible for including this notice in any contract of sale in which the
36 applicant is a party to the contract of sale. The applicant is not responsible for the failure of a
37 subsequent seller to include this notice to a subsequent purchaser if the applicant is not a party to
38 said sale. See Section 32-4-311(b)(1), BCC.

39
40 A purchaser of a lot of record subject to the fee or assessment is responsible to the applicant or
41 designee for all charges levied. Such a fee or assessment constitutes a lien on the property. A
42 purchaser of a lot of record cannot void his or her obligation to pay the fee or assessment unless
43 the applicant has failed to comply with the provisions cited previously. In order to void the fee
44 or assessment, there shall be a contract entered into and executed in which the applicant and the
45 purchaser were parties. Should there be a contract to which the applicant is not a party and in

1 which the notice is not provided, the fee or assessment cannot be voided. See Section 32-4-311,
2 BCC.

3
4 Section 32-4-311(d), BCC, requires an applicant to include the notice on each plat of property to
5 be affected by the fee or assessment. Plats are recorded among the Land Records of Baltimore
6 County. Notice on the plat constitutes actual or constructive knowledge that a fee or assessment
7 exists. Failure to include such notice on an applicable plat will void the fee or assessment.
8 Should a buyer enter into and execute a contract of sale with a seller who is not the applicant, in
9 which the notice is not provided, the buyer is nonetheless charged with actual or constructive
10 notice a fee or assessment exists if the notice is included on the applicable plat and is, therefore,
11 responsible for the fee or assessment.

12

1 **Section Three: Technical Policies**

2 **Policy XII: Roads, Drains, Water and Sewer Technical Requirements**

3
4 **Roads**

5 The proposed street system shall provide safe and convenient vehicular circulation, both within
6 the tract and between it and neighboring properties or particular traffic generators. Roads shall
7 be of such widths, grades and locations as to accommodate existing and future traffic as
8 determined by existing and proposed future land use. Maps showing ultimate street and right-
9 of-way widths for all County roads are available from DPWT.

10
11 ***Existing Roads***

12 Improvements to the road frontage of existing roads abutting or impacted by a development tract
13 may be required under certain circumstances. For abutting road, these improvements may be
14 limited, at the minimum, to the dedication of appropriate right-of-way and of slope easements.
15 Other required improvements along the frontage will be determined after an evaluation of traffic
16 safety, changes to level of service, and an assessment of existing and future road conditions in
17 the street network.

18
19 The applicant shall be responsible for all costs relating to design and construction of the required
20 frontage improvements as shown on the Development Plan but width requirements will be
21 limited to 40' measured perpendicular to the centerline of the existing (or ultimate) road. Such
22 costs are recognized to be a reasonable apportionment of the cost of improving existing roads to
23 standards necessitated by community growth.

24
25 ***Road Classification***

26 Roads may be classified as either:

- 27 • Public roads—those which are constructed and inspected in accordance with Department
28 of Public Works and Transportation standards and specifications and which, after
29 satisfactory completion, are accepted by the County for ownership and maintenance.
- 30 • Private roads—those which are designed and constructed to Department of Public Works
31 and Transportation standards and specifications, but which are inspected and certified to
32 the Bureau of Development Plans Review by the applicant's engineer (P.E.) and are
33 retained for ownership and maintenance by a single entity, company, corporation, or
34 homeowners' association, or within an un-subdivided lot, parcel, or tract or within a
35 private right-of-way access easement. Private roads in non-residential developments are
36 not required to meet DPWT standards.

37
38 Driveways are not classified as roads.

39
40 ***Minimum Pavement Widths and Pavement Thickness***

41 Minimum road widths between curbs will necessarily vary with character of building
42 development and the amount of traffic anticipated and shall be designed in accordance with the
43 Department of Public Works and Transportation Design Manual and the Standard Specifications
44 and Details for Construction. Non-residential roads are exempt from these requirements.

1 **Site Plan Guidance**

2 Internal circulation between sites on major collectors and arterials should be provided in order to
3 reduce short trips and turning movements on through streets.

4
5 The following provides guidance on best practices for designing internal and external
6 connections and circulation:

- 7 • New median breaks generally will be discouraged. However, when a new median break is
8 necessary, a left-turn lane should be provided. When an entrance exists opposite a proposed
9 median break, left-turn lanes should be provided in both directions. Where a new entrance is
10 located at an existing median break, a left-turn lane should be provided.
- 11 • Sidewalks shall be provided along roadways in areas inside the URDL unless directed
12 otherwise. In all other situations, the need for sidewalks shall be determined by the Director
13 of the DPWT.
- 14 • Where practical, road widening for left-turn lanes shall be provided on arterial roads where
15 left-turning traffic would significantly impede straight-through traffic.
- 16 • Perpendicular parking—Per the BCZR Section 409.8.C.2 Design Standards, parking bays
17 may not be located on any street where the average daily traffic exceeds 800 vehicles.
- 18 • The use of traffic calming/management may be required where the Department of Public
19 Works and Transportation determines that such improvements are required.

20
21 **Development Access**

- 22 1. Maximum number of residential units with one means of access:
 - 23 a. 100 units with no future street extension proposed or required
 - 24 b. 101-150 units when a future street extension is proposed and is feasible
 - 25 c. More than 150: second means of access shall be constructed
- 26 2. Exception: These limits may be increased when restricted by a limited or controlled access
27 highway or other physical barrier or limitation as advised by the Department of Public Works
28 and Transportation.
- 29 3. Emergency access points in place of full-use access points generally will be discouraged but
30 may be approved when it would facilitate an efficient flow of traffic.
- 31 4. For commercial and industrial development, providing a second means of access is strongly
32 encouraged, but not required; however, the County accepts no liability for injury or damages
33 resulting from the lack of a second means of access.
- 34 5. When the sole or primary means of access leading to a development is substandard, as
35 determined by the Director of DPWT, the applicant shall be responsible for all costs of
36 bringing the road up to a condition approved by the Director of DPWT, including rights-of-
37 way acquisition, grading, paving, curbs and gutters, sidewalks, drainage facilities, bridges,
38 culverts, retaining walls, and any other appurtenances. If adequate access cannot be
39 obtained, the applicant will work with the Department of Permits, Approvals, and Inspections
40 in conjunction with the Department of Public Works and Transportation to assess the
41 proportionate impact and other options such as paying a fee-in-lieu.

42
43 **Number of Street Access Points**

44 Along major collectors and arterials, access points exclusive of residential driveways generally
45 shall be kept to a minimum of one (public or private). However, additional access points may be

1 permitted by the Director of the Department of Public Works and Transportation. Local roads
2 may have more entrances as needed for subdivision layout.

3
4 The number of residential and commercial driveway access points generally shall be kept to a
5 minimum on major collectors and arterials. This can be done by having a use-in-common
6 driveway for adjacent lots, by having corner lots access off the local street, or by having a private
7 driveway for a group of lots to reduce or eliminate individual driveway access on major streets.
8 Providing residential driveways on to major collectors and arterials should be avoided whenever
9 possible, by instead fronting said lots onto internal subdivision roadways.

10
11 When the property's sole frontage is on a major collector or arterial, a use-in-common entrance
12 shall be considered if the homes have frontage on the major collector or arterial and each lot is
13 accessed from the rear. Also, use-in-common entrances shall be placed on the edge of a
14 developing property for future use by an adjacent property.

15
16 ***Roads Terminating at Boundary Line.***

17 Where roads temporarily terminate at a property boundary line, a temporary "T" turnaround
18 conforming to the DPWT Design Manual shall be required and properties that abut a T
19 turnaround or a dead end shall connect existing roads unless not feasible due to grade or if
20 improvements do not lead to an efficient flow of traffic as determined by DPWT. The applicant
21 shall provide engineering drawings for an extended road grade for sufficient distance beyond the
22 property line to establish a suitable grade.

23
24 ***Road Reconstruction.***

25 Where reconstruction of an existing road is required, and if the nature of the reconstruction
26 requires a road closure or otherwise must be delayed, the County may defer the improvements
27 until a sequence of construction and/or detour of traffic can be resolved. The applicant shall
28 provide engineering drawings for the reconstruction and shall be required to post an approved
29 security for the improvements.

30
31 ***Sidewalks***

32 Sidewalks will be constructed in accordance with approved plans and at the applicant's expense.
33 As noted above, the installation of sidewalks and handicap ramps (as applicable) on both sides of
34 all interior roads and along existing road frontages shall be required in connection with all
35 development in order to provide for the safety of pedestrians and children at play and improve
36 pedestrian linkages within and between communities unless not feasible or practical due to
37 topography or other factors as determined by DPWT. For infill development on existing roads,
38 the applicant may only be required to provide improvements to one side of the street and/or
39 extend sidewalks to connect with existing sidewalks.

40

1 Specifications. Sidewalks shall be constructed in accordance with DPWT Design Manual and
 2 the following:

	Sidewalk Section Depth
Pedestrian traffic (only)	4 inches
Vehicular traffic (also)	7 inches
	Sidewalk Section Width
General residential	5 feet
Residential apartment and group development	5 feet (min.)
Commercial, industrial, and institutional as well as hike-and-bike trails	As required by the Department of Public Works and Transportation

4
 5 Sidewalks shall be installed in accordance with the County's standard details.

6
 7 Although sidewalks will not be constructed under County contract, the applicant shall advise the
 8 construction Contracts Administration Division before the date on which sidewalk construction
 9 is expected to begin.

10
 11 ***Payment for Traffic Control Devices***

- 12 1. Signals operated and maintained by Baltimore County
- 13 a. Where a traffic signal on a public street is justified on the basis of traffic from a private
 - 14 entrance, the applicant shall be responsible for the entire cost of designing and installing
 - 15 the entire signal with a County-approved private consultant and contractor.
 - 16 b. When a private entrance is to be located opposite an existing traffic signal, the applicant
 - 17 or property owner shall be responsible for the entire cost of designing and installing the
 - 18 necessary modifications by a County-approved private consultant and contractor.
 - 19 c. Where a traffic signal at the intersection of two public streets is justified on the basis of
 - 20 traffic generated by a proposed development, the applicant shall be responsible for the
 - 21 entire cost of designing and installing the entire signal by a County-approved private
 - 22 consultant and contractor.
- 23 2. Traffic signs and markings. The applicant shall be responsible for supplying and installing
- 24 the traffic signs on public streets or rights-of-way that the traffic engineer determines are
- 25 needed at the time the plan is approved. Street name signs on private roads shall have white
- 26 letters on a blue background so that highway, police, and fire personnel know that the roads
- 27 are private. Otherwise, the signs shall conform to and be installed according to the Manual
- 28 of Uniform Traffic Control Devices (MUTCD), unless otherwise outlined in specifications
- 29 supplied by the County. The applicant shall be responsible for the cost of street markings
- 30 according to the Manual of Uniform Traffic Control Devices. This includes pedestrian
- 31 crosswalks and other striping, which shall be shown on the Phase 1 development plan.

32
 33 ***Traffic Impact Study Standards***

34 The following items are intended as general standards for adequacy for traffic impact. For more
 35 information and requirements for traffic impact study methodology, refer to the Traffic Impact
 36 Study Guidelines published by the Department of Public Works and Transportation, the

1 Department that is responsible for traffic impact study guidelines and the review of traffic impact
2 analyses.

3
4 All new developments or redevelopments that generate more than 50 net new peak hour trips,
5 using the most recent version of the Institute of Transportation Engineers (ITE) Manual, are
6 required to submit a traffic impact study. A study may also be required to address safety
7 concerns or traffic operations in an area. The traffic impact analysis will be prepared based upon
8 a uniform scope of work and methodology for traffic impact analyses as determined by DPWT.
9 A scoping meeting is required before the traffic study is initiated. All traffic studies will be
10 coordinated with the appropriate agencies including State Highway Administration.

11
12 Mitigation is required if the roadway or the intersection will operate below level-of-service
13 (LOS) D with the proposed development (as defined by the most recent version of the Highway
14 Capacity Manual and Maryland Department of Transportation CLV methodology, or with
15 methodology as otherwise determined in the scoping meeting with the Department of Public
16 Works and Transportation). Under this condition, the roadway and/or intersection improvements
17 shall bring the LOS to at least LOS D.

18
19 Improvements will be required if the roadway and/or unsignalized/signalized intersection will
20 operate at LOS E or F for the horizon year(s) without the proposed development and will be even
21 worse with the proposed development. In this case, the proposed mitigation shall maintain the
22 same level of delay and ensure safety to the degree feasible as determined by DPWT.

23
24 Queueing at the study intersections cannot exceed available storage or impact adjacent
25 intersections.

26
27 An applicant whose proposed project is subject to denial or delay due to the results of a traffic
28 study shall have an opportunity to provide infrastructure funds to improve facilities directly, or to
29 donate necessary facilities in order to allow for approval of the applicant's application.

30
31 The forms and levels of mitigation required of an applicant shall be roughly proportionate to the
32 projected impact of the proposed project upon the facility or facilities and shall be determined by
33 the Director of Public Works and Transportation in consultation with the Department of Permits,
34 Approvals, and Inspections. Mitigation may include but is not limited to physical road
35 improvements, pedestrian improvements, or a fee-in-lieu.

36
37 A mitigation plan with physical improvements may be secured by bond, letter of credit or other
38 security acceptable to the County. The developer shall submit a cost estimate to establish the
39 value of construction offered in mitigation in conformance with County specifications.

40 41 **Drainage**

42 As part of any development, provision shall be made for drainage so that storm water
43 runoff is collected and conveyed in open channel systems such as swales, gutters,
44 channels, streams and rivers with culverts or bridges or in combined systems including
45 swales, gutters, inlets, drainpipes, channels, streams and rivers with culverts, retaining
46 walls, or bridges. Drainage shall be conveyed to a point of suitable outfall without

1 creating any nuisance or damage to adjacent property or public facility In the review,
2 approval or acceptance of a drainage system for maintenance, Baltimore County does not
3 warrant nor insure the developer against liability for damage to others resulting from his
4 development or from the drainage system.

5
6 ***General Classification***

7 Drainage systems may be classified as either public or private. A drainage system is
8 considered public when it:

9 Entails construction on or through an adjacent property

- 10 • Is situated on lands that are in County use and/or ownership

11 Public systems are to be designed and constructed to the Department of Public Works and
12 Transportation standards and specifications and, upon satisfactory completion, are
13 accepted for ownership and maintenance by the County.

14
15 A drainage system is considered private when it is located on lands not designated for County
16 use and/or ownership. Private systems are maintained either by a private individual or private
17 entity. (When private systems span multiple private properties they are private. Each holder of
18 a real estate interest to the lands underlying a drainage feature is solely responsible for the proper
19 function of such features, as designed and within the boundaries of their respective, tract or
20 parcel.

21
22 Public and private systems in all developments are to be designed and constructed
23 according to the Department of Public Works and Transportation Design Manual and the
24 Standard Specifications and Details for Construction.

25
26 Private systems shall be maintained by the landowner or their legally designated
27 representative, the applicant, or homeowners and condominium associations. (Public
28 systems shall be maintained by Baltimore County.) In private systems, the cost and
29 responsibility for maintenance and repair or replacement costs shall be documented in
30 homeowners' association agreements or any similar type of agreement for documentary
31 and archival purposes.

32
33 ***Suitable Outfall***

34 Prior to the development plan submittal, the applicant may be required to submit a Suitable
35 Outfall Analysis to the Bureau of Development Management. The Development Plan Review
36 Division and the Department of Environmental Protection and Sustainability will review the
37 report. PAI will coordinate the comments. The suitable outfall analysis shall be prepared by a
38 professional engineer licensed in the State of Maryland.

39
40 The Suitable Outfall Analysis may be required to assess the impacts of the proposed
41 development on offsite areas.

42
43 Outfalls that can be considered suitable without further analysis include outfalls that:

- 44 • Discharge directly to the 100-year tidal floodplain, or
45 • Discharge directly to a large (>1,000 acres) riverine floodplain, or

- 1 • Discharge directly to a riverine floodplain where there is no frequent flooding
- 2 downstream, or
- 3 • Discharge directly to an existing closed stormwater drain system of adequate capacity.

4
5 When applicable, the analysis may include, but not be limited to, the following information:

6 1. Narrative and supporting documentation

- 7 • A narrative with general site information as well as the overall scope of work
- 8 • Photographs of offsite watercourses to be utilized for conveyance of runoff from the
- 9 proposed development
- 10 • Latest 200-scale aerial photographs and 200-scale topography of offsite areas
- 11 • Existing offsite environmental constraints (wetlands, forest buffers, etc.) shall be clearly
- 12 depicted on a plan and any impacts to these sites should be discussed
- 13 • A copy of any documented flooding complaints (house, yard, road, blocked outfall, etc.)
- 14 downstream from the proposed development. This information may be on file with the
- 15 Department of Public Works, Storm Drain Design. Discharge may be directed directly to
- 16 tidal areas or to a riverine floodplain that is 1,000 acres or more.

17 2. Evaluation of existing conveyance systems (open channel, closed storm drain system, etc.)

- 18 • Drainage analysis of offsite area to quantify existing and proposed runoff for the 10- and
- 19 100-year storm events.
- 20 • Computations to confirm that the existing conveyance system has enough capacity to
- 21 convey the 10- and 100-year storm events.

22 3. Conclusions and recommendations

- 23 • If problems are found downstream, recommend possible solutions and show how the
- 24 impact of the proposed development will be mitigated. These solutions may include but
- 25 are not limited to managing the onsite 100-year storm or upgrading an offsite existing
- 26 culvert or storm drain system under a roadway.
- 27 • The proposed solutions as well as the applicant's intention to acquire any necessary
- 28 easements shall be clearly noted on the development plan.

29
30 **Water**

31 No plat shall be recorded for any development served by public water or public sewer unless the
32 development is within the Baltimore County Metropolitan District and within either a W-1
33 existing service or W-3 capital facilities area as shown on the current Water and Sewerage
34 Master Plan. The developer is responsible for all costs to provide adequate water supply and
35 pressure to the development as determined by the Department of Public Works and
36 Transportation.

37
38 ***Dual water mains***

39 The County will pay one-half the construction costs of the main serving the applicant only where
40 dual water mains are required. The dual water main policy only applies to a divided highway
41 situation. Work must be done under County-bid contract.

42
43 **Sewer**

44 No plat shall be recorded for any development served by public water or public sewer unless the
45 development is within the Baltimore County Metropolitan District and within either a W-1 and

1 S-1 existing service or W-3 and S-3 Capital Facilities area as shown on the current water and
2 sewerage master plan.

3
4 As part of any land subdivision or development of land, provision shall be made for the safe and
5 sanitary treatment and disposal of sewage without detrimental effects to the public health or
6 environment.

7
8 ***Construction Costs***

9 The developer is responsible for all costs to provide adequately-sized sewer for the development.
10 The developer may recoup costs for sewer construction through private assessments on the lots
11 created. Mains that convey less than 2.3 mgd and/or are smaller than 16-inches shall be paid for
12 by the applicant. For the requirements for private assessments of the lots created by the
13 development, see Baltimore County Code Sections 32-4-310 and 32-4-311 and Policy X for the
14 Construction of Improvements under Private Contracts after the Approval of the Phase 1
15 Development Plan.

16
17 ***Requirements***

18 Provision of sewers that flow by gravity is strongly preferred; however, there are sites where
19 gravity sewers are not possible or are impractical. In those cases, the developer may request the
20 use of grinder pumps to serve the development. The request must be made in writing to the
21 Director of DPWT and contain site plans, calculations, evidence and justification for not using
22 gravity sewers.

23
24 Public sewer extensions shall be constructed through a subdivision to serve upstream properties.
25 An easement through the site is not adequate; the sanitary sewer shall be extended through to the
26 property line adjacent to upstream property. This applies to grinder pumps systems if there is
27 adjacent or nearby property that would benefit from having sewer available.

28
29 In rare cases, neither grinder pump sewers nor gravity sewers would be possible or practical. A
30 variance to the Water and Sewer Master Plan would be required if the developer wishes to use
31 onsite septic systems. The developer must request the variance in writing. The Directors of
32 DPW&T and DEPS would decide if a variance should be granted.

33
34 ***Private Systems***

35 Any private systems that are proposed are to be maintained either by an individual or entity with
36 agreements for maintenance recorded in the land records of Baltimore County. Any private
37 systems maintenance and repair costs shall be documented in homeowners' association
38 agreements or any similar type of agreement. For more information, refer to the latest version
39 of the Department of Public Works and Transportation Design Manual and Standard
40 Specifications for Construction and Materials.

41
42
43

1 **Policy XIII: Major Facilities**

2 In the event that the County requires water, sewer, or drainage facilities that are larger than those
3 needed for the proposed development, as described below or as negotiated with the Director of
4 DPWT, the County will participate in the construction cost, subject to County funding
5 availability.

6
7 Whether a facility is a major facility must be determined by DPR with consultation with DPWT
8 during Phase 1 of the development process and be indicated clearly on the Development Plan
9 before approval. Further, the determination must be included in the PWA as a separate section
10 with County and applicant cost estimates. The PWA is the instrument for setting aside any
11 available County funds. As an alternative to the PWA, the applicant may negotiate with the
12 Director of DPWT for the County to share in construction cost. A cost-sharing agreement
13 separate from, but similar to the PWA must be executed.

14
15 If County funds are not available, the County will notify the applicant. If funding is delayed, the
16 applicant may elect to wait or pay for the entire facility.

17
18 Under the PWA, the construction contract must be publicly bid in the same manner as Capital
19 Projects. These contracts have set time frames that may not fit into the applicant’s construction
20 schedule. The applicant should consider this before agreeing to use the Major Facility process.

21
22 If the applicant and County execute a separate cost-sharing agreement, the bid method, cost
23 sharing, and credit for pre-payment of system connection charges must be spelled out in the
24 agreement.

25
26 ***Storm Drainage Major Facility Description***

27 The applicant shall be responsible for the full cost of a bridge, retaining wall, or culvert for an
28 upstream drainage area of up to 400 acres. Applicants are also responsible for ensuring that the
29 infrastructure meets Baltimore County, AASHTO, and Maryland SHA specifications.

30 Provisions must be made for safe passage of overland flow for runoff from the 100-year design
31 storm. For drainage areas of 400 acres or more, the County will contribute 1/2 of the costs for
32 the drainage area over 400 acres. County participation in costs of bridges, retaining walls, and/or
33 culverts will be limited to the structure only. See the following for an example of computation of
34 developer applicant/County cost participation for a site with a total drainage area of 1350 ac..

35
36 Total drainage area — 1350 ac

	Applicant’s Responsibility	County Responsibility
Base	400 ac	None
1/2 of area greater than 400 ac	475 ac	475 ac
Total	875 ac	475 ac
Explanation	875/1350 = 0.648 or 64.8%	475/1340 = 35.2%

37
38 The County would then be responsible for 35.2% of the cost of all construction items that are
39 directly related to the structure in place. Examples of items that the County will not contribute

1 toward include but are not limited to wetland mitigation, maintenance of traffic facilities, buffer
2 planting, grading and sediment control outside of the area needed to install the bridge, retaining
3 walls, and/or culvert, the cost of permits, pavement, right-of-way acquisitions, engineering, and
4 overhead.

5
6 The applicant shall be responsible for channel improvements needed for transition upstream and
7 downstream of the culvert in addition to any required improvements to establish a defined,
8 stabilized channel for the conveyance of a watercourse.

9
10 ***Sewer Major Facility Description***

11 Sewer mains or pumping stations that are designed to convey less than 2.3 MGD shall be
12 paid for by the developer. Sewer mains or pumping stations designed to convey 2.3 MGD
13 or more may be considered as major facilities and may be paid for using the 1/3-2/3
14 method, wherein the County pays one-third of the cost and the applicant pays two-thirds.
15 The applicant's two-thirds contribution shall be considered a prepayment of sewer system
16 connection charges for property served by the major facility within the limits of the
17 development as shown on the plan. The applicant is responsible for system connection
18 charges exceeding the amount of the prepayment.

19
20 ***Dual Sewers***

21 Where dual sewer lines are required, the County will allow and absorb one-half the construction
22 costs of the sewer serving the development. The dual sewer main policy only applies to a
23 divided highway situation.

24
25 Regardless of size, if a main or pumping station is required exclusively for the use of the
26 proposed development, it is not considered a major facility.

27
28 The County participation in costs sewer mains or pumping stations applies to the main or station
29 only. The applicant shall be responsible for all other costs including, but not limited to,
30 engineering, stakeout, maintenance of traffic, overhead, sediment control, permitting,
31 mobilization, onsite or offsite improvements, etc.

32
33 The County will not participate in costs of acquisition, engineering and administrative overhead
34 costs.

1 **Policy XIV: Noise Mitigation**

2
3 These regulations are promulgated for the purposes of:

- 4 • Protecting the public health and conserving the habitability and value of residential
5 communities in the vicinity of high-volume highways, and
- 6 • Assuring Baltimore County's eligibility for participation in the Type II noise barriers
7 program under the "Sound Barrier Policy" issued by the State Highway Administration on
8 May 11, 1998.

9
10 **Definitions**

11 For the purposes of these regulations, the following terms have the meanings indicated:

- 12 • "County Code" – The Baltimore County Code, 2003, as amended.
- 13 • "Designated highway" – A limited-access highway which is designated as an interstate
14 highway or as a freeway-expressway in the latest edition of the Federal Highway Functional
15 Classification Map approved by the Federal Highway Administration and available for
16 inspection in the Department of Planning.
- 17 • "Noise assessment" – A study prepared by a professional engineer with competency in
18 highway acoustical analysis and in accordance either with the Traffic Noise Model published
19 by the Federal Highway Administration or with the Noise Assessment Guidelines published
20 by the U.S. Department of Housing and Urban Development and including consideration of
21 maximum noise-producing scenario, as well as based on current volumes.
- 22 • "Residential development" – The construction or use of any type of buildings for human
23 habitation, including single-family detached and attached dwellings, multifamily dwellings,
24 housing for the elderly, assisted living or continuing care facilities, nursing homes, and group
25 childcare facilities, churches, hospitals and schools.

26
27 **Applicability**

28 These regulations shall apply to residential development for which a concept plan or
29 development plan (if no concept plan is required) is filed with the Department of Permits,
30 Approvals, and Inspections after June 30, 1999.

31
32 For the development of property which is subject to approval by the Administrative Law Judge
33 in accordance with Article 32, Title 4, Subtitle 2, BCC, a noise assessment report shall be
34 submitted in conjunction with the concept plan if the plan proposes development on residential
35 lots which lie within 500 feet from the edge of paving of a designated highway. The report will
36 be reviewed by PAI and PAI may ask SHA to review it for concurrence with the results.

37
38 **Requirements**

39 If the noise assessment report shows that the day night exterior sound levels (Ldn), measured
40 between the building line and the highway will reach or exceed 66 dBA, the report shall contain
41 or include proposals for the location and form of noise mitigation or attenuation to reduce Ldn
42 noise levels to below 66 dBA, including the assignment of rights and responsibilities for access,
43 use, repair and maintenance of structures, landscaping, or other mitigation features, which shall
44 be in perpetuity.

45 If the noise assessment report proposes the use of a buffer to mitigate the impact of highway noise:

- 1 • The buffer may be provided as an easement on the individual lots or as part of open space
- 2 owned and maintained by a homeowner's association.
- 3 • PAI may recommend that the applicant be required to install vegetation, berms, fencing, walls,
- 4 or a combination thereof.

5
6 The applicant shall provide to PAI how the responsibilities for access have been assigned, use,
7 repair and maintenance of structures, landscaping, or other mitigating features. Such assignment
8 shall include notice to all subsequent purchasers of lots within the residential development that
9 Baltimore County will not be responsible for the repair and maintenance of structures, landscaping
10 and any method of mitigation employed by the applicant to achieve the results required by these
11 regulations. Such assignment shall be approved by the Director of PAI prior to the issuance of
12 building permits.

13 14 **Waivers**

15 If the noise assessment report shows that it would be physically impossible to reduce the exterior
16 average day night sound levels (Ldn) to a level below 66dB or that the reduction would present an
17 exceptional hardship, the Administrative Law Judge or the Director of PAI, if a hearing is not
18 required, may grant a waiver from the exterior sound standard, provided that:

- 19 1. The applicant submits a set of construction standards for the residential development that is
- 20 the subject of the waiver request that will achieve average day night interior sound levels not
- 21 exceeding 55 dBA; and
- 22 2. A determination that the granting of a waiver will not cause an increase to the exterior average
- 23 day night sound level, impact public safety, create nuisances, cause fraud or victimization of
- 24 the public, incur public expense, or conflict with existing local and state laws and ordinances;
- 25 3. There is a showing of good and sufficient cause;
- 26 4. A determination that failure to grant a waiver would result in exceptional hardship (other than
- 27 economic) to the applicant;
- 28 5. The waiver action shall be the minimum necessary considering the construction standards
- 29 submitted by the applicant; and
- 30 6. PAI shall review all sets of construction standards and make recommendations to the
- 31 Administrative Law Judge.

32
33 If granted, the waiver shall include a requirement that deed(s) to the property from the applicant
34 to first time purchaser and in all subsequent deeds include a statement disclosing the facts and
35 requirements of the waiver. The statement shall be approved by the Director of PAI prior to the
36 issuance of permits.

37 38 39 **Policy XV: Adequate Public Facilities Conditional Development Approval (BCC Section 32-** 40 **6-109)**

41
42 This policy outlines the procedures for processing development plans that have received
43 conditional development approval and how such plans shall be held on a waiting list. In
44 accordance with Section 32-6-109, Baltimore County Code, a development plan which does not
45 meet the requirements of Section 32-6-103, BCC, overcrowded school districts, but meets all
46 other requirements provided by law or regulation, may be granted conditional development

1 approval by the Administrative Law Judge. In the event that a hearing is not required,
2 conditional development approval may be granted by the Director of the Department of Permits,
3 Approvals, and Inspections who can defer to the Development Review Committee for review
4 and recommendation.

6 **Types of Conditional Approval**

7 Conditional development approval may apply to the entire development plan, or conditional
8 development approval may apply to only a portion of the development plan as follows:

- 9 1. A plan that is divided into sections may receive full approval for those sections which meet the
10 requirements of Section 32-6-103, BCC, and conditional development approval for the
11 remaining sections.
- 12 2. A plan that is not divided into sections may receive approval for a portion or limited number
13 of lots which meet the requirements of Section 32-6-103, BCC, and conditional development
14 approval for the remainder of the plan and lots.

16 **Improvements**

17 The applicant shall construct all of the improvements required by the County for that portion of
18 the plan that has received full approval, even if the improvements shall be located within the
19 conditionally approved portion. Such improvements may include but are not necessarily limited
20 to streets, drains, bridges, retaining walls, culverts, sewers, water lines, open space, curb and
21 gutters, sidewalks and paths, streetlights, landscaping, stormwater management facilities, traffic
22 control devices, telecommunications conduits, other improvements as determined necessary and
23 appropriate by the County.

25 **Processing of Development Plans with Conditional Development Approval**

26 Development plans that receive conditional development approval for the entire plan may not have
27 a plat recorded or be issued building permits (including grading permits). Such conditionally
28 approved plans may, however, proceed through Phase 2 processing with the exception of plat
29 recordation. Conditionally approved plans may continue to be processed and receive approval of
30 construction drawings, drawings related to Department of Environmental Protection and
31 Sustainability requirements, and any other County requirements.

33 Development plans that receive conditional development approval of only a portion of the plan
34 may proceed through Phase 2 processing as described in the paragraph above. Should an applicant
35 wish to proceed to permitting, separate and distinct record plats shall be prepared and submitted
36 to the County for review and approval pursuant to the conditional approval as follows:

- 37 1. A plat which shows building lots shall be recorded for that portion of the plan which has
38 received full approval.
- 39 2. If there are improvements located in the conditionally approved portion of the plan, which shall
40 be constructed and conveyed to the County as a requirement for the fully approved portion of
41 the plan, a second plat shall be recorded showing those improvements. No building lots may
42 be shown on this second plat.

44 A grading permit may be issued for the fully approved portion of the plan. If improvements are
45 required beyond the fully approved portion of the plan, the grading permit may also cover that
46 area to the extent necessary to build the required improvements. Beyond those limits, however,

1 clearing and grading shall be strictly limited to only those areas necessary to provide the County
2 required improvements.

3
4 **Record Plats**

5 Plats may be recorded only for development plans that have received full approval for the entire
6 plan or a portion of the plan as follows:

- 7 1. A plat, if required, shall be recorded for the portion of the plan that has received full
8 approval.
9 2. A separate plat may be required for the area beyond the limit of the fully approved portion of
10 the plan. This will occur, for example, when the County requires improvements to be made
11 which are located beyond the limits of the fully approved plan. This plat shall not show any
12 building lots within the portion of the plan that has received conditional development
13 approval.
14

15 A second plat, as described above, is being required in anticipation that it will be amended to
16 show the building lots once the development plan receives full approval. Separate plats may also
17 enable the applicant to closeout the work associated with the first plat without being impacted by
18 the remaining work on the second plat.
19

20 The following notes shall appear on record plats relative to conditionally approved plans:

- 21 • For plats that show the portion of the development plan that has received full approval as
22 described above in number 1:
23 “This plat reflects part of a development plan for (Name of Subdivision and PAI Number).
24 Portions of this development plan have received conditional development approval and are
25 not shown on this plat. Purchasers are advised that all improvements and lots shown on
26 the conditionally approved portion of the development plan may not be constructed until
27 after such time as the development plan for that portion is fully approved.”
28 • For plats showing the portion of the development plan which has received conditional
29 development approval, as more particularly described in number 2 above:
30 “This plat reflects part of a development plan for (Name of Subdivision and PAI number)
31 that has received conditional development approval. This plat does not create buildable
32 lots and shall be amended after the development plan is fully approved in order to record
33 the lots.”
34

35 **Waiting Lists**

36 When a plan receives conditional development approval it will be placed on a waiting list of
37 projects within the overcrowded elementary, middle or high school districts affected. Thus, a
38 conditionally approved plan may appear on more than one list.
39

40 It is the responsibility of the applicants on the waiting lists to monitor the status of each
41 overcrowded school district in which the plans are located. When conditions are met as outlined
42 in Section 32-6-103(f), BCC, allowing approval in overcrowded school districts, an applicant
43 shall then apply in writing to PAI for confirmation of development availability. All requests will
44 be reviewed by the DRC, which will make a recommendation to the Director of PAI.
45 PAI is not responsible for notification of those on waiting lists of when a plan may go forward
46 prior to receiving a request from an applicant. Applicants are advised to work with the

1 Department of Planning and with the Board of Education to monitor the status of overcrowded
2 school districts.

3
4 Should development availability be determined and to the extent possible, PAI shall notify the first
5 applicant on the list. Applicants shall only proceed by rank order on the lists.

6
7 ***Approval of Development Plans on the Waiting List***

8 The Director of PAI shall confirm the request for development availability as described above
9 and determine that a plan may be removed from the waiting lists and proceed. PAI will then
10 notify the first applicant on the waiting list, in writing, accordingly. A plan shall be removed
11 from all waiting lists in order to proceed to record plat and building permits.

12
13 Once PAI has notified an applicant that the plan or portion thereof has development availability
14 and is off the waiting lists, the applicant shall have six months from the date of written
15 notification in which to vest the proposed development or all portions which have been given
16 confirmation of development availability.

17
18 For the purpose of securing development availability and full approval of the development plan,
19 vesting shall mean:

- 20 1. A record plat, where required, has been recorded and a building permit has been issued
21 pursuant to the approved portion of the plan, or
- 22 2. Substantial construction pursuant to a public works agreement, utility agreement, right-of-
23 way improvement agreement and environmental agreement for the approved portion of a
24 plan has started, should any be required.
- 25 3. Development plans or portions thereof which have received conditional development
26 approval cannot be vested.

27
28 If, after six months, the approved portion of the development has not been vested, the applicant
29 may apply in writing to the Director of PAI for one extension of up to six additional months in
30 order to vest the plan. The applicant shall demonstrate good cause for any extension. The
31 Director may request the DRC to review the request and notify the applicant, in writing, of its
32 decision.

33
34 If the applicant does not vest the approved portion of the development within the above-cited
35 timeframes, the applicant with the next plan on the waiting list may request, in writing, to the
36 Director of PAI for approval of its plan and removal from the waiting list. PAI shall then notify
37 the applicant of the first plan that it has been placed back at the end of the waiting list.

38
39 Conditional development approval adheres to the property to which it is granted and is not
40 transferable. Applicants shall not change the position of any plan on a waiting list in regard to
41 another plan.

1 **Policy XVI: Street Names and Addresses**

2

3 **Naming of Streets: New Street Names**

4 Street names for new streets shall be approved by the Department of Permits, Approvals, and
5 Inspections prior to recording of a plat. PAI shall coordinate the approval of new street names
6 with the United States Postal Service. PAI will review and comment on new street names as shown
7 on concept plans, development plans and record plats.

8

9 The duplication of new street names with existing street names in Baltimore County is prohibited,
10 regardless of prefix or suffix. This includes the combination of a name and prefix that would form
11 one road name. For example, if there is an existing road name of Red Maple Way, then a new
12 road name of Redmaple Way is prohibited. Also, names that sound like existing road names are
13 prohibited.

14 1. The following prefixes and grammatical devices are not allowed.

- 15 • New
- 16 • Old
- 17 • North
- 18 • South
- 19 • East
- 20 • West
- 21 • Apostrophes
- 22 • Initials
- 23 • Hyphens
- 24 • Other numerical symbols

25 2. Road names shall be of 17 characters or less, including spaces and abbreviations of the
26 following suffixes:

- 27 • Avenue – Ave.
- 28 • Circle – Cir.
- 29 • Court – Ct.
- 30 • Drive – Dr.
- 31 • Street – St.
- 32 • Boulevard – Blvd.
- 33 • Way – (no abbreviations)
- 34 • Road – Rd.
- 35 • Lane – La.

36 3. Road name suffixes are used to designate the following types of roads:

- 37 • Court and Way are for roads with only one way to enter and exit, such as turnabouts
38 and cul-de-sac.
- 39 • Lane is for private roads only.
- 40 • Circle is used for roads that loop back on themselves or loop back onto the same road
41 from which the circle takes access.
- 42 • Road, Drive, Avenue and Street are for roads with many accesses and cover long
43 distances.
- 44 • Boulevard is for a through street with a raised median.

- Terrace, Place, Garth and Green are no longer accepted as street name suffixes in Baltimore County.
- New road names may not contain a road name suffix in the name of the road. Examples are Old Court Road and Kimway Road.

Changing of Road Names

Section 18-3-101, Baltimore County Code, establishes the authority of the County to give or change the names of County roads.

Requests from Property Owners

Road name changes may be initiated by owners of property immediately impacted by such a request or by the County. If made by a property owner, the request shall be joined by property owners who own at least seventy percent (70%) of the frontage on or right-of-way access to the road that is the subject of the change. The request shall be by petition. The petition for changing the name of a road shall be submitted to PAI. The petitioner shall be able to provide verification to the satisfaction of the County that the requisite owners have joined in the petition. The petitioner will be required to notify each property owner who may be impacted by the requested name change at time of submittal to the County. A copy of the notice shall be provided to PAI and made part of the petition. After acceptance, PAI will seek comments from the U.S. Postal Service, the Department of Public Works and Transportation, and the Fire Department.

If there is no opposition from these governmental agencies, the Director of PAI will sign an order for the road name change. The order is then forwarded to all affected property owners and to the appropriate Federal, County, State and private agencies. The property owners are also issued a change of address notice. It is the responsibility of the property owner to notify tenants.

County Request

The County has the authority to change the name of a road at its discretion. However, the County will notify by letter the affected property owners advising that the County will initiate a name change. Property owners will be identified by using real estate tax records. The letter will include notice that the name of the road will change and the date at which the change will take effect, which is usually six weeks after notification. Subsequent to the notice but prior to the designated date, the Director of PAI will issue an order changing the name. The order will be distributed to all affected owners and to the appropriate Federal, State, County, and private agencies. It is the responsibility of the property owner to notify tenants.

Assigning of Address Numbers

All development plans and record plats submitted for review shall show proposed addresses. Addresses are assigned based on the following:

1. Public roads.

- Odd numbers are to be assigned to the east and south sides of roads. Even numbers are to be assigned to the north and west sides of the roads. When a road travels in more than one direction, the more units traveled over the whole length of the road will determine the direction being used in assigning house numbers.

- 1 • On a street, avenue, road, circle or drive, the address will be the hundred block which
 - 2 corresponds with what already exists on a road paralleling the new road. If the road is a
 - 3 continuation of an existing road the numbers will follow the same numerical range.
 - 4 • Courts shall use only unit block numbers.
 - 5 • In subdivisions, single lots receive one address, skipping one address at intersecting streets
 - 6 and skipping one address for open space or right-of-way access for open space.
 - 7 • If a large frontage occurs in a subdivision other than a lot, then skip one house number for
 - 8 every 50 feet of frontage.
 - 9 • Corner lots shall receive two addresses, one address for each street of the intersection.
- 10 2. Panhandle driveways.
- 11 Panhandle driveways may not be named, and the lots are addressed to the road on which the
- 12 panhandle has frontage. One address will be assigned to each panhandle lot.
- 13 3. Private roads.
- 14 For private roads, addresses will be assigned to align with the existing parallel County road.

15

16 ***Fractions and Decimals***

17 Fractions and decimals shall not be used in assigning address numbers. When it is necessary to

18 insert an address between two existing sequentially numbered lots, a letter shall be used. For

19 example, should an address need to be assigned between 2000 and 2002 Mayfield Drive, the new

20 address would be 2000A Mayfield Drive.

21

22

23 **Policy XVII: Procedures for Watershed Studies - Floodplain Studies and Waterway**

24 **Crossing Studies**

25

26 For technical information regarding floodplain studies, see the Department of Public Works and

27 Transportation’s Design Manual, Section 7 Storm Drainage Design. These standards apply to all

28 projects in Baltimore County.

29

30 **Floodplain Regulations**

31 The Baltimore County Code states in Section 32-8-202 that the Director of Public Works and

32 Transportation is responsible for the actual delineation of the floodplain area and defines the

33 100-year frequency floodplain as that area inundated by the runoff from a 30 acre or greater

34 drainage area generated by rainfall which has an annual 1 percent chance of occurrence (100-

35 year frequency storm).

36

37 Generally, the floodplain area includes, at a minimum, those areas “that are subject to the 100-

38 year frequency flood, delineated on the most recent revision of the floodway maps and flood

39 insurance rate maps and described in the Flood Insurance Study prepared for the county by the

40 Federal Emergency Management agency” and the “delineation of the floodplain area shall also

41 include the 100-year frequency flood elevations, which shall not be less than those established in

42 the Flood Insurance Study”.

43

44 Additional floodplain regulations can be found in BCC Section 32-4-414. Per this section, in

45 “areas where the base flood elevation has not been established, the county shall determine the

46 riverine floodplain and flood elevation by means of a flood study prepared in accordance with

1 the requirements of the Department of Public Works and Transportation Design Manual and
2 sealed by a registered professional engineer before the issuance of a permit or the recording of a
3 subdivision plat.”

4
5 ***Timing of a Floodplain Study***

6 Depending on the topography of the site and its proximity to a water body, a floodplain study
7 may be required for any property in a watershed that drains more than 30 acres by open channel
8 or closed system. If a floodplain study is required, it shall be submitted prior to the submittal of
9 a development plan application.

10
11 Additionally, overbank flood protection may be required if the receiving floodplain, flow path, or
12 storm drain system is insufficient to handle the flow from a 10-year storm.

13
14 The study shall contain a table showing cross section number, flow (CFS), 100-year WSEL, 100-
15 year WSEL X’ plus Freeboard, Energy Gradient Elevation, and 100-year Flood Protection
16 Elevation.

17
18 The study shall be certified by a professional engineer in accordance with Baltimore County
19 policies and regulations.

20
21 ***Computer Programs***

22 Use of computer programs shall comply with the section "use of computer programs" in the
23 general instructions section of DPWT Design Manual. Hydrology programs shall be used only
24 as stated in the "hydrology – methods criteria" area of the Storm Drainage Section of the Design
25 Manual.

26
27
28 **Policy XVIII: Streetlights**

29 This streetlight policy shall apply equally to all land used, or to be used, for residential purposes,
30 including apartments, and to commercial, industrial, institutional or other types of public or non-
31 public usage in Baltimore County.

32
33 Provisions for streetlighting shall accompany plans for all residential development of two or
34 more lots and all other developments as required.

35
36 In new residential development, streetlights shall be installed by the Baltimore Gas & Electric
37 (BGE) Company in the public street rights-of-way. The applicant shall be completely responsible
38 for the installation of streetlights in private street rights-of-way.

39
40 The applicant shall pay the estimated costs for streetlighting installation before approval of the
41 utility and/or rights-of-way agreements.

42
43 **Streetlights for New Subdivisions**

44 Streetlights are required in all new subdivisions. The applicant’s engineer prepares a layout of
45 the streetlights on the subdivision road plans pursuant to criteria adopted by Baltimore County
46 Department of Public Works and Transportation in accordance with Baltimore Gas & Electric

1 Company approved traffic schedule. The full cost of poles and fixtures are paid by applicant to
2 BGE, 100% billable. BGE requires a 90 to 120-day notice before installation for the first phase
3 of the development and 60-day notice for subsequent phases.
4

5 ***Review/Billing Process***

6 Preliminary road construction plans will be sent to Traffic Engineering by the plan review
7 section for review of streetlights and street signs. A red line set of road construction plans will
8 be sent back to the applicant.
9

10 Final road construction plans (3 sets) will be sent to Traffic Engineering with any corrections
11 having been made. The final road construction plans are to include a streetlight schedule which
12 shows the type and size of each pole and fixture, station location and the quantity of each in a
13 format acceptable by PAI. Traffic engineering will verify that the road construction plans and
14 schedule are correct with regards to streetlighting and signage. Assuming the road construction
15 plans and schedule are acceptable, traffic engineering will stamp the road construction plans and
16 schedule approved and return one copy to the development plan review section and one copy to
17 BGE with a cover letter. Any deviations from the approved road construction plans shall be
18 approved by traffic engineering in writing. At this stage traffic engineering's involvement in the
19 development process will be completed until after installation.
20

21 Once notice to proceed has been issued to start construction of the development, the applicant
22 shall contact BGE's Baltimore County outdoor lighting account representative (see
23 <https://www.bge.com/Pages/default.aspx> for more information).
24

25 The applicant shall be responsible for providing BGE with a County-approved set of road
26 construction plans and associated schedule as well as payment for the lighting project prior to the
27 commencement of work by BGE.
28

29 The applicant shall provide BGE with a road construction plan of the development, including the
30 location and type of lights to be installed. The road construction plan shall be the final road
31 construction plan, which has been approved by the County.
32

33 The road construction plan will include a streetlight schedule regarding quantities and types of
34 lighting fixtures and poles to be installed, upgraded, or removed. It will also include whether the
35 equipment will be leased by the County or whether it will be purchased. BGE will provide a
36 template regarding the information to include in the streetlighting schedule.
37

38 Upon review of the road construction plans, BGE will provide the applicant, or their agent, an
39 invoice for the installation of the lighting. If the applicant wishes to segment the lighting project
40 into smaller jobs, the applicant can provide BGE with a letter identifying which road
41 construction plans will be included in each job. Separate jobs and separate billing will be created
42 by BGE to satisfy the request.
43

44 The applicant will be responsible for payment prior to construction by BGE. The applicant is
45 responsible for staking or marking the streetlight locations.
46

1 When the subdivision is completed and the applicant petitions the County (through the
2 development closeout process,) to release any security a representative from traffic engineering
3 will inspect the site to confirm that all the appropriate lights and signs have been installed as per
4 the approved road construction plans.

5
6 Once installed, Baltimore County will be responsible for the energy cost. The applicant, will be
7 responsible for any damage that may occur to the streetlights up to the closeout. Damaged
8 lighting equipment will not be accepted and the closeout will be denied until the damaged
9 equipment is repaired/replaced. Repairs shall be performed by BGE.

10
11 If the streetlights and signs have not been installed correctly the closeout will be denied. The
12 applicant will then have to rectify the problem in order to have his security released.

13 14 **Standards for Urban and Rural Areas**

15 ***Urban Area Subdivisions***

16 Streetlights are placed at all new intersections, tee-turnarounds, and cul-de-sacs. For streets of
17 30' in width or less, the standard 14' black fiberglass pole with 100-watt LED or 150-watt LED
18 equivalent colonial type fixture is to be used and the type of light shall be approved by DPWT.
19 Lights are placed along the public roadways at spacing of approximately 150' to 175'

20
21 Streets with a width of more than 30' require a 25' or 30' steel pole or a 30' Fiberglass pole with a
22 150-watt LED pendant mounted fixture on a standard 6' arm, unless otherwise directed by
23 DPWT and depending on traffic volume and type of traffic. These lights are placed
24 approximately 175' to 200' apart on alternating sides of the street. Larger width roads with truck
25 traffic may require 250-watt LED equivalent pendant or greater. May not exceed 400-Watt
26 LED.

27
28 In residential developments, DPWT will consider 14-foot ornamental streetlights for roadways
29 up to 40 feet upon written request by the applicant.

30 31 ***Rural Subdivisions***

32 1. Locations for lights:

- 33 • Intersection with existing County or State Road
- 34 • Intersections of internal subdivision streets cul-de-sacs or turnarounds
- 35 • Panhandle driveways for multi-lot panhandles of three (3) or more.
- 36 • Culvert crossings which require guardrail

37 2. Other location criteria

- 38 • Place lights on property lines alternating sides of the street or on the same side as the
39 service main.
- 40 • Place lights on the outside of curves
- 41 • Place lights 2 feet behind shoulder on roads with no curbs panhandles directly
42 accessing existing County or State roads

43 3. Panhandle lots directly accessing existing County or State Roads

- 44 • Treat multi-lot panhandles as a new subdivision road
- 45 • Review streetlight location in connection with existing streetlight and utility Poles
46 which should be located by applicant engineer

1 **Requests from Citizens for Streetlights**

2 Besides the installation of streetlighting as part of every new development, the County receives
3 many requests from individuals and homeowner associations for new and/or improved
4 streetlighting. The Department of Public Works and Transportation requires each individual or
5 group requesting changes in streetlighting to file a written request and include a petition from the
6 adjacent property owners. The petition should demonstrate that a major portion of residents
7 directly affected by the proposed streetlight are in favor of the change. Petitioners should attempt
8 to obtain approval of property owners adjacent to and across the street from the proposed
9 streetlight.

10
11 After a petition is received, the request is reviewed in the field to conform the need and location.

12
13 If the streetlight is deemed warranted, a work order is prepared and forwarded to the Baltimore
14 Gas & Electric company. A form letter is sent to the citizen notifying them that an order for the
15 light has been placed.

16
17 **Assessment of Cost for Streetlights**

18 In new construction involving a residential or commercial subdivision, the full cost of poles and
19 fixtures are paid upfront by the applicant to BGE. The poles and fixtures are then turned over to
20 Baltimore County and maintained by BGE for a fee.

21
22 In existing developments with overhead electric service on utility poles, Baltimore County will
23 rent or buy the fixture to be installed on an existing wooden utility pole. If no pole exists where
24 the streetlight is required, Baltimore County will also rent a wood pole for installation by BGE.

25
26 If the overhead wiring is located in the rear of the property and the customer will not accept an
27 overhead installation (wood pole, overhead-type fixture) in front of the property in the street
28 rights-of-way, the County will request BGE to provide an underground installation and an
29 ornamental pole and fixture.

30
31 The customer is charged for the pole and installation and Baltimore County owns the fixture. The
32 cost will be based on the average charge and is subject to yearly review and adjustment.

33
34 In existing developments with underground electrical service, ornamental poles and fixtures are
35 installed. The customer is charged for a new 14-foot ornamental pole which becomes the
36 property of Baltimore County. The County rents or buys the fixture, depending on BGE, from
37 BGE. Customers are required to pay in advance, whereupon an account is set up and a work
38 order prepared. The BGE invoice is paid from the customer account.

39
40 **Other Streetlight Issues**

41 Requests from executive office, Council members and COPE (Citizens Oriented Police
42 Enforcement) Requests of this nature are promptly handled; and if at all possible, the originating
43 citizen is required to submit a petition as in all other situations.

1 ***Deteriorated Pole Replacements***

2 Streetlight poles, particularly fluted cast iron poles, become deteriorated over a period of time
3 and require replacement. Notice of a deteriorated pole may come from BGE, a County citizen or
4 through observation and report by County personnel. Each report is investigated and a
5 determination is made whether the pole requires replacement.

6
7 In the event a deteriorated pole is to be replaced, the fixture will be reused with the new pole, if
8 possible. Baltimore County will purchase the new pole from the general streetlight account.
9 Should the fixture not be usable, Baltimore County will purchase a new fixture.

10
11 ***Shades***

12 Complaints about the disturbance of a homeowner's sleep because of a newly installed streetlight
13 are investigated. Approval of the installation of a shade on an overhead streetlight is given if the
14 request is a reasonable one and does not compromise the original intention of the streetlight
15 installation. Shades can be placed on ornamental fixtures (colonial-type) on the house side or
16 back-of-pole. Shades are not provided on the street side of the fixture. A fee for the shade is
17 assessed per shade.

18
19 Shade requests are handled the same as a request for a new streetlight including a petition from
20 all affected property owners.

21
22 ***Relocations Caused by Construction***

23 County capital construction projects for either a new roadway or construction of an existing
24 roadway require identification of type and location for new installations or relocations of existing
25 streetlights. Design is handled by the County's design consultant, or the Highway Design Section
26 and is sent to Traffic Engineering. Relocations caused by an applicant's project or relocation
27 requirement identified in the field during construction is frequently sent to the County in the
28 form of a recommendation and a request for authorization by BGE. Past practices were that the
29 BGE requests were sent directly to streetlight coordinator who reviewed the plan and returned it
30 directly to BGE for implementation. This resulted in the Bureau of Engineering and
31 Construction not being fully informed on changes in design or construction and eventually
32 improper billing, payment from the wrong fund sources, and delayed payment to BGE. The
33 streetlight coordinators will forward all BGE requests to the appropriate bureau with the
34 recommendation. The Bureau of Engineering and Construction will in turn authorize BGE to
35 perform the work.

36
37 ***Private Area Lighting***

38 Examples of private area lighting in which the County may become involved are park and ride
39 lots and streetscape-type projects where the lighting is not on a public road.

40
41 In such cases, Baltimore Gas & Electric Company provides both installation and maintenance;
42 usually the electric service is metered and individual bills are sent to the County.

1 ***Requests to Upgrade Existing Street Lighting***

2 Frequently requests are received from citizens, County police or County Council members to
3 provide a community or a block or street with more lights, brighter lights or longer arms on
4 existing lights.

5

6 These are handled in the same manner as other streetlight requests; that is, the community is
7 requested to circulate petition through the neighborhood to obtain citizen support for the project.

8

1 **Appendix A**

2
3 **Development Management Forms**
4 **As of November 15, 2022**

5 <https://www.baltimorecountymd.gov/departments/pai/development-management/forms>

6
7 The Department of Permits, Approvals and Inspections publishes these downloadable forms and
8 applications used in the Development Management Process.

- 9 • [Assessment Disclosure Notice](#)
- 10 • [Basic Information Submittal Form](#)
- 11 • [Concept Plan Timeline](#)
- 12 • [Concept Plan Submittal Checklist](#)
- 13 • [Corporate Checklist](#)
- 14 • [Dedication Table](#)
- 15 • [Developers Notification Letter to The Community](#)
- 16 • [Development Plan Timeline](#)
- 17 • [Development Plan Submittal Checklist](#)
- 18 • [Development Regulations—Limited Exemptions](#)
- 19 • [Development Review Committee \(DRC\) Application and Checklist](#)
- 20 • [Development Plan and HOH Notification Letter](#)
- 21 • [Insurance Certificate for Developers](#)
- 22 • [Insurance Certificate for Prequalified Contractors](#)
- 23 • [Insurance Certificate for Solar Decommissioning Projects](#)
- 24 • [Local Open Space Fee Installment Agreement](#)
- 25 • [Local Open Space Waiver Request](#)
- 26 • [Minor Subdivision Requirements and Submittal Checklist](#)
- 27 • [45-45-30 Day Development Review Process](#)
- 28 • [Project Closeout Request Requirements](#)
- 29 • [Record Plat Processing](#)
- 30 • [Record Plat Checklist](#)
- 31 • [Residential Water and Sewer House Connection](#)
- 32 • [Right-Of-Way](#)
- 33 • [Snow Policy for the Cancellation Of Community Input Meetings and Hearing Officers'](#)
- 34 [Hearings](#)
- 35 • [Submission Requirements for Noise Assessments](#)

36
37 **Agreements**

- 38 • [Right of Way Agreement Landscape Only Submittal Checklist](#)
- 39 • [Right of Way Improvement Agreement \(RA\)](#)
- 40 • [Right of Way Improvement Agreement \(RA\)](#)
- 41 • [Solar Facility Decommissioning and Security Agreement](#)
- 42 • [Solar Facility Decommissioning and Security Agreement Additional Signature Sheet](#)
- 43 • [Solar Facility Decommissioning and Security Agreement Submittal Checklist](#)
- 44 • [Utility Agreement \(UA\)](#)
- 45 • [Utility Agreement \(UA\)](#)
- 46 • [Utility Agreement and Right of Way Agreement Submittal Checklist](#)

1 **Public Works Agreements**

- 2 • Corporate Secretary's Certification
- 3 • LLC Certificate and Agreement
- 4 • Partner's Certificate and Agreement
- 5 • Public Works Agreement (PWA)
- 6 • Public Works Agreement (PWA)—Draft Submittal Checklist
- 7 • Public Works Agreement (PWA)—Full Submittal Checklist
- 8 • Public Works Agreement (PWA)—Title Certification
- 9 • Resolution of Corporate Authority

10

11 **Development Plan and Phase 2 Fees**

- 12 • Development Management Fee
- 13 • Apartment Development
- 14 • Industrial Development
- 15 • Single Unit Development
- 16 • Townhouse Development

17

18 **Security**

- 19 • Affidavit of Payment to Contractor
- 20 • Request to Post Reduced Security UA and RA Information
- 21 • Reductions to Security Posted for Public Works Agreement (PWA), Utility Agreement
- 22 (UA) and Right of Way Improvement Agreement (RA)
- 23 • Reduction to Security Posted for Public Works Agreements and Private Contracts
- 24 Executed Prior to June 22, 1998
- 25 • Sample Letter of Credit for Local Open Space Waiver Fee Agreement
- 26 • Sample Letter of Credit for Public Works Agreements
- 27 • Sample Letter of Credit for Right of Way Improvement Agreements
- 28 • Sample Letter of Credit for Solar Facility Decommissioning and Security Agreement
- 29 • Sample Letter of Credit for Utility Agreements
- 30 • Sample Bond

31

32 **Signs for Posting Property**

- 33 • Approved Sign Posters
- 34 • Procedure for Approved Sign Posters
- 35 • Certificate of Posting
- 36 • Community Input Meeting Sign
- 37 • Hearing Officer Hearing Sign
- 38 • Minor Subdivision Procedure and Sign
- 39
- 40

1 **Appendix B**

2
3 **Reduction of Security Addendum**

4
5 ***Security Reduction without a Final Acceptance Letter***

6 Deeds have to be received before any security is released.

- 7
8 1. DM shall obtain a request letter from developer/applicant receiving the following
9 information:
- 10 a. Project name;
 - 11 b. Job Order #;
 - 12 c. Contract #;
 - 13 d. if applicable PWA #, Plat #;
 - 14 e. Redline cost estimates sealed by engineer; copy of Exhibit A from UA/RA.
 - 15 f. Completed Affidavit of Payment to Contractors; and
 - 16 g. Letter on company letterhead that the assigned contractor to the project was paid in
17 full; OR paid to date letter from contractor.
- 18 2. Post “Intention to Reduce Letter” in lobby for 30 days.
- 19 3. To DCCA and Real Estate Compliance (OL/RESTC) – Send Interoffice Memo to RESTC
20 (no redlines); DCCA receives redline cost estimates and Exhibit A for approval:
- 21 a. DCCA approval
 - 22 b. Real Estate Compliance
 - 23 c. Send Interoffice Memo to DPR for approval
- 24 4. Once all approvals, DM will scan the cost analysis sheet, copy of construction status report
25 entry, affidavits, paid to date/full contractor letter to OBF.
- 26 5. Once approved by OBF, send a letter to developer/applicant stating reduction was approved
27 and requesting the following:
- 28 a. If LOC, requesting an amendment to the original LOC in the reduced amount or
 - 29 b. If Performance Bond, request a RIDER to the original Performance Bond or
 - 30 c. If cash security, send interoffice memo
- 31

32 ***Security Reduction with a Final Acceptance Letter***

33 Deeds have to be received before any security is released.

- 34
35 1. DM shall obtain a request letter from developer/applicant receiving the following
36 information:
- 37 a. Project name;
 - 38 b. Job Order #;
 - 39 c. Contract #;
 - 40 d. if applicable PWA #, Plat #;
 - 41 e. Redline cost estimates sealed by engineer; copy of Exhibit A from UA/RA.
 - 42 f. Completed Affidavit of Payment to Contractors; and
 - 43 g. Letter on company letterhead that the assigned contractor to the project was paid
44 in full; OR paid to date letter from contractor.
- 45 2. Post “Intention to Reduce Letter” in lobby for 30 days.
- 46 3. Real Estate Compliance – Send Interoffice Memo to OL/RESTC;

- 1 4. Real Estate Compliance
- 2 a. If approved, move to step 6
- 3 b. If denied, hold for approval by OL/RESTC
- 4 5. If Landscape is on Exhibit A, send interoffice memo to Landscape Architect
- 5 a. If approved, will provide a reduce amount
- 6 b. If denied, the landscape amount will remain in full on the worksheet analysis.
- 7 6. Closeout Specialist to complete worksheet
- 8 7. Closeout Specialist will scan the cost analysis sheet, DCCA final acceptance letter, affidavits,
- 9 paid in full contractor letter to OBF.
- 10 8. Once approved by OBF, Closeout Specialist to send a letter to developer/applicant stating
- 11 reduction was approved and requesting the following:
- 12 a. If LOC, requesting an amendment to the original LOC in the reduced amount or
- 13 b. If Performance Bond, request a RIDER to the original Performance Bond or
- 14 c. If cash security, send interoffice memo.
- 15

1 **Appendix C**

2
3 **Priority Status Review Request**

4
5 In order to create a more efficient review, specific applications can be awarded a priority process
6 due to the type of and impact of the development on the community. The following outlines a
7 policy for when PAI responds to requests related to the development review or permitting
8 process.
9

10 ***Priority Processing***

11 Typically, reviews are done in the chronological order in which they are received. However, a
12 project that has been given a “priority status” will be reviewed as soon as the application is
13 received within each agency including the Soil Conservation District. This status means
14 applications will be moved ahead of other applications currently sent out for review regardless of
15 chronological order, unless there is more than one priority project in the queue. In this case, staff
16 will order the reviews chronologically for these priority projects.
17

18 Baltimore County and its residents have a vested interest in projects which provide a “significant
19 economic or community impact”. Therefore, these projects receive priority status to ensure that
20 they are reviewed in a timely and efficient manner. A “significant economic impact” includes
21 but is not limited to:

- 22 • A significant number of employment opportunities
23 • The attraction of new businesses that creates direct as well as indirect jobs
24 • Significant construction and related economic activity
25 • The creation of meaningful new public revenue
26 • Transit oriented development projects
27 • Projects located in commercial revitalization districts or other economic or community
28 development designated zones
29 • Projects that further strategic community development goals that may or may not be included
30 in community or master plans
31 • Special events that attract sponsors and visitors from outside the Baltimore area.
32

33 A “significant community impact” includes but is not limited to:

- 34 • Projects that improve the health, well-being or quality of life of a community (i.e., projects
35 that provide additional community amenities above and beyond those required as part of the
36 development approvals such as recreational amenities)
37 • Projects of concern to community leaders
38 • Public or private non-profit institutions
39 • Public facilities
40 • Projects that are fully or partially funded by the government
41 • Creation of affordable housing
42 • Stream restoration or other environmental preservation/enhancements
43 • Historic preservation
44

1 The process in order to deem a project/application a “priority status” begins with a written
2 request (by the applicant) to the Director of Permits, Approvals and Inspections justifying why
3 the project should be given a priority status. Once the justification is provided, the Director will
4 convene a committee meeting of department heads or their designee’s including Planning (DoP),
5 Environmental Protection and Sustainability (EPS), Economic and Workforce Development
6 (DEWD), and Public Works and Transportation (DPWT). The purpose of the meeting is to
7 determine if a project qualifies as having significant economic or community impact. Following
8 a determination of priority status, the Department will convene a meeting or meetings of County
9 staff/agencies employees to establish an expedited review process.

10
11 ***Simultaneous Review***

12 As an alternative to a “priority status” review, a project may be granted a simultaneous review of
13 Phase 1 and Phase 2 plans. Phase 1 plans are typically site development plans, Phase 2 plans are
14 typically construction type plans (grading and stormwater management). In many instances,
15 projects are under a self-imposed timeframe to complete the project. These timeframes typically
16 include contractual (settlement agreements), court ordered, or seasonal requirements to complete
17 the project within a specific timeframe or date.

18
19 The process requires the applicant to explain in writing to the Department the justification for a
20 simultaneous review. Prior to making the determination the Department will consult with other
21 respective departments and agencies regarding the request and justification. If the Department
22 approves the simultaneous review a pre-application meeting with the applicant may be
23 required—depending upon the complexity of the project. The applicant accepts in writing the
24 responsibility and recognizes that they are proceeding at their own risk. If changes are necessary
25 during the review process to Phase 1 plans the applicant shall correct any changes to the Phase 2
26 plans which may incur additional costs and delays.