COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2025, Legislative Day No. 21

Bill No. 96-25

Councilmembers Marks and Jones

By the County Council December 15, 2025

A BILL
ENTITLED

AN ACT concerning

Zoning Regulations – Nonconforming Dwelling Units

FOR the purpose of permitting certain nonconforming dwelling units uses in a building based upon the continuous use of the dwelling units for a certain period of time; exempting certain areas from the provisions of this Act; and generally relating to dwelling units and nonconforming uses.

BY renumbering

Section 104.8
To be Section 104.9
Baltimore County Zoning Regulations, as amended

BY adding

Section 104.8
Baltimore County Zoning Regulations, as amended

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

WHEREAS, many small apartment uses in Baltimore County have existed within single family dwellings for several decades, providing safe, suitable, and attainable housing for Baltimore County residents; and

WHEREAS, the owners of these nonconforming small apartment buildings recently received notices from Baltimore County that their rental licenses will not be renewed unless the owner can establish a certain time period that the apartment use has been in existence; and

WHEREAS, The Baltimore County Zoning Regulations lacks any provisions designating the length of time for the existence of these apartment uses; now therefore

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

ARTICLE 1 – GENERAL PROVISIONS

Section 104 – Nonconforming Uses

§ 104.8. NONCONFORMING DWELLING UNITS.

A. A BUILDING WITH AT LEAST 2 BUT NO MORE THAN 7 DWELLING UNITS <u>THAT WAS PREVIOUSLY ISSUED ONE OR MORE VALID RENTAL HOUSING LICENSES</u> SHALL BE CONSIDERED A NONCONFORMING USE IF THE OWNER OF THE BUILDING CAN ESTABLISH THAT THE DWELLING UNITS HAVE EXISTED AND <u>BEEN</u> CONTINUOUSLY USED AS DWELLING UNITS FOR AT LEAST 20 YEARS.

B. <u>UPON POSTING OF THE PROPERTY BY THE OWNER FOR 14 DAYS,</u> THE NONCONFORMING USE MAY BE APPROVED ADMINISTRATIVELY <u>BY THE</u>

DIRECTOR OF THE DEPARTMENT OF PERMITS, APPROVALS, AND INSPECTIONS THROUGH AN AFFIDAVIT UNDER OATH OF A PERSON WITH KNOWLEDGE OF THE USE OF THE PROPERTY.

C. UPON THE FILING OF A WRITTEN COMPLAINT WITHIN THE POSTING PERIOD BY AN OCCUPANT OR OWNER WITHIN 1,000 FEET OF THE SUBJECT PROPERTY CHALLENGING THE NONCONFORMING STATUS OF THE DWELLING UNITS, THE DIRECTOR OF PERMITS, APPROVALS, AND INSPECTIONS ~~MAY~~ SHALL REQUIRE A SPECIAL HEARING TO CONFIRM THE NONCONFORMING USE UNDER THIS SECTION.

D. THIS SECTION DOES NOT ELIMINATE OR REPLACE THE RIGHTS AFFORDED UNDER SECTION 104 OF THESE REGULATIONS.

E. THIS SECTION DOES NOT APPLY TO THE NEIGHBORHOOD PRESERVATION DISTRICT.

SECTION 2. AND BE IT FURTHER ENACTED, that this Act, having been passed by the affirmative vote of five members of the County Council, shall take effect 14 days from the date of its enactment.

LEGISLATION DETAIL

LEGISLATION	BILL 96-25
DISPOSITION	PASSED AS AMENDED
ENACTED	02/04/26
EFFECTIVE	02/18/26
AMENDMENTS	YES (2)

ROLL CALL - BILL

MOTION MARKS SECOND KACH

AYE	NAY	
☑	☐	Councilman Young
☑	☐	Councilman Patoka
☑	☐	Councilman Kach
☑	☐	Councilman Jones
☑	☐	Councilman Marks
☑	☐	Councilman Ertel
☑	☐	Councilman Crandell

ROLL CALL - AMENDMENTS

MOTION ERTEL SECOND JONES

AYE	NAY	
☑	☐	Councilman Young
☑	☐	Councilman Patoka
☑	☐	Councilman Kach
☑	☐	Councilman Jones
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☑	☐	Councilman Crandell

ROLL CALL - AMENDMENTS

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ROLL CALL - AMENDMENTS

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