

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2019, Legislative Day No. 16

Bill No. 52-19

Mrs. Cathy Bevins, Councilwoman

By the County Council, October 7, 2019

A BILL
ENTITLED

AN ACT concerning

Zoning Regulations – Permitted Uses – Alternative Uses and Development Proposals
Adjacent to the MD 43 Overlay District.

FOR the purpose of authorizing alternative uses and development proposals on certain D.R.
Zoned properties adjacent to the MD 43 Overlay District under certain conditions; and
generally relating to uses in the D.R. Zone.

BY adding

Sections 1B01.1.E and 259.11.A.4
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.

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

3
4 ARTICLE 1B - DENSITY RESIDENTIAL (D.R.) ZONES

5 SECTION 1B01 - Regulations With Respect to D.R. Zones in General

6 § 1B01.1. - General Use Regulations in D.R. Zones.

7 E. IN ADDITION TO ANY OTHER USE PERMITTED BY THIS SECTION,
8 ALTERNATIVE USES AND DEVELOPMENT PROPOSALS ARE PERMITTED ON
9 CERTAIN D.R. ZONED DEVELOPMENT TRACTS LOCATED ADJACENT TO THE MD
10 43 OVERLAY DISTRICT IN ACCORDANCE WITH SECTION 259.11.A.4.

11
12 ARTICLE 2 - ELEVATOR-APARTMENT RESIDENCE ZONES,
13 RESIDENTIAL-OFFICE ZONES, OFFICE ZONES, BUSINESS ZONES,
14 MANUFACTURING ZONES AND DISTRICTS

15 SECTION 259 – Districts

16 § 259.11. - Development standards for MD 43 Overlay District.

17 These standards are intended to be additions to, modifications of, and exceptions from the
18 standards required by the underlying zoning classification. All conflicts are to be resolved in
19 accordance with Section 259.12.

20 A. Uses permitted by right.

21 4. ALTERNATIVE USES AND DEVELOPMENT PROPOSALS.

22 A. THE FOLLOWING USES ARE PERMITTED BY RIGHT ON

1 DEVELOPMENT TRACTS ZONED D.R.2 OR D.R.3.5 IF SUCH TRACT IS: (1) ADJACENT
2 TO THE MD 43 OVERLAY DISTRICT; (2) HAS DIRECT VEHICULAR ACCESS TO
3 CAMPBELL BOULEVARD OR MD 43; AND (3) IS UNDER COMMON OWNERSHIP OR
4 CONTROL OR PART OF A COMMON SCHEME OF DEVELOPMENT AS OTHER
5 PROPERTY, WITH A TOTAL AREA OF AT LEAST 800 ACRES AND HAVING THE MD
6 43 OVERLAY DISTRICT:

7 (1) COMMERCIAL RECREATIONAL FACILITIES AND
8 ADDITIONAL COMPLEMENTARY AND ACCESSORY USES, INCLUDING, BUT NOT
9 LIMITED TO, INDOOR RECREATION CENTERS, OUTDOOR RECREATION CENTERS,
10 LIGHTED FIELDS, SPECTATOR SEATING, AQUATIC CENTERS WITH LEISURE
11 POOLS, SURF POOLS, OR OTHER POOLS, TEMPORARY LIVING QUARTERS FOR
12 OVERNIGHT CAMPS AND SIMILAR PROGRAMS, OVERNIGHT ACCOMMODATIONS,
13 RESTAURANTS, RETAIL USES, OFFICES, PARKING LOTS, WITH OR WITHOUT
14 SOLAR CANOPIES, AND SPACE FOR EQUIPMENT STORAGE; AND

15 (2) RESIDENTIAL USES AS PERMITTED AND AS LIMITED IN
16 THE D.R.5.5 ZONE, EXCEPT THAT NO MULTI-FAMILY OR SINGLE-FAMILY
17 ATTACHED UNITS ARE PERMITTED AND NO MORE THAN 5 ACRES OF THE
18 DEVELOPMENT TRACT MAY BE DEVELOPED WITH SUCH RESIDENTIAL USES.

19 B. DEVELOPMENT PROPOSALS UNDER THIS SUBSECTION SHALL
20 BE REVIEWED AND APPROVED UNDER THE PROVISIONS OF SECTION 259.11.D,
21 INCLUDING APPROVAL OF A PATTERN BOOK, WHICH MAY ALLOW WAIVER OR
22 MODIFICATION OF ANY APPLICABLE LAWS OF REGULATIONS GOVERNING

1 DEVELOPMENT, INCLUDING HEIGHT, AREA, BULK, OR PARKING REQUIREMENTS.

2

3 SECTION 2. AND BE IT FURTHER ENACTED, that this Act, having been passed by
4 the affirmative vote of five members of the County Council, shall take effect on November 18,
5 2019.