

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND  
Legislative Session 2020, Legislative Day No. 11

Bill No. 52-20

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Mrs. Cathy Bevins, Chair  
By Request of County Executive

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By the County Council, May 4, 2020

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A BILL  
ENTITLED

AN ACT concerning

Zoning Regulations – Uses as of right – Public Schools

FOR the purpose of repealing “Public schools” from the list of uses as of right in the R.C. 2 and R.C. 4 Zones; making conforming changes; updating a certain definition; and generally relating to uses in Resource Conservation Zones.

By repealing and reenacting, with amendments

Sections 101.1 (Definition of “Baltimore County Code”), 1A02.2.B, 1A03.3.A, and 1A05.2.F.2  
Baltimore County Zoning Regulations

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

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

1 SECTION 101 - Definitions

2 § 101.1. - Word usage; definitions.

3 BALTIMORE COUNTY CODE — The Baltimore County Code of [2003] 2015, as amended.

4 SECTION 1A01 - R.C.2 (Agricultural) Zone

5 § 1A01.2. - Use regulations.

6 B. Uses permitted as of right. The following uses only are permitted as of right in all R.C.2

7 Zones:

8 1. Dwellings, one-family detached.

9 2. Farms and limited acreage wholesale flower farms (Section 404).

10 3. Open space, common.

11 4. [Public schools.

12 5.] Streets and ways.

13 [6.] 5. Telephone, telegraph, electrical-power or other lines or cables, provided that any  
14 such line or cable is underground; underground gas, water or sewer mains or storm drains;  
15 or other underground conduits, except interstate or international pipelines.

16 [7.] 6. Trailers or mobile homes, provided that any trailer or mobile home allowed under  
17 this provision must be used or stored in accordance with the provisions of Subsection B,  
18 C, E or F of Section 415.1 and Section 415.2.A.1 or 415.3.C.1, as applicable.

19 [8.] 7. Antennas used by CATV systems operated by companies franchised under Article  
20 25 of the Baltimore County Code, if situated on property owned by the county, state or  
21 federal government or by a governmental agency.

1 [9.] 8. Accessory uses or structures, including, but not limited to, the following:

2 a. Excavations, uncontrolled.

3 b. Farmer's roadside stand and produce stand, subject to the provisions of Section  
4 404.4.

5 c. Home occupations (see Section 101).

6 d. Offices or studios of physicians, dentists, lawyers, architects, engineers, artists,  
7 musicians or other professional persons, provided that any such office or studio is  
8 established within the same building as that serving as the professional person's  
9 primary residence at the time of application; does not occupy more than 25 percent  
10 of the total floor area of that residence; and does not involve the employment of more  
11 than one nonresident employee.

12 e. Parking space, including residential-garage space and space for recreational vehicle  
13 (Section 415A).

14 f. Piers, wharves, docks and bulkheads, subject to the provisions of Section 417.

15 g. Radio operator antennas, subject to Section 426A.

16 h. Swimming pools, tennis courts, garages, utility sheds, satellite receiving dishes  
17 (subject to Section 429) or other accessory structures or uses (subject to the height  
18 and area provisions for buildings as set forth in Section 400).

19 i. Tenant houses, including mobile homes used as tenant houses.

1 j. Rubble landfills, provided that the actual fill area does not exceed three percent of  
2 the total contiguous acreage of the property in the same ownership and subject to the  
3 provisions of Section 412.7 only.

4 k. Signs, subject to Section 450.

5 [10.] 9. Commercial film production, subject to Section 435.

6 [11.] 10. Transit facilities.

7 [12.] 11. Equestrian centers, provided that any such equestrian center has access to two  
8 roads, one of which is a road having, within two miles from the equestrian center, an  
9 interchange with an interstate expressway; contains no permanent grandstand; and  
10 contains no lights other than those consistent with farm use. Temporary structures, such  
11 as removable tents, viewing stands and seating, are permitted, provided that they are  
12 removed within a reasonable time following the event or events which they serve.

13 [13.] 12. Farmstead creamery, subject to the provisions of Section 404.13.

14 [14.] 13. Domestic animal sanctuary, if located on or within property that is greater than  
15 7.5 acres in size.

16 SECTION 1A03 - R.C.4 (Watershed Protection) Zone

17 § 1A03.3. - Use regulations.

18 A. Uses permitted as of right. The following uses, only, are permitted as of right in R.C.4 Zones:

19 1. Dwellings, one-family detached.

20 2. Farms and limited-acreage wholesale flower farms (Section 404).

21 3. Open space, common.

- 1           4. [Public schools.
- 2           5.] Telephone, telegraph, electrical-power or other similar lines or cables, all underground;  
3           underground gas, water or sewer mains or storm drains; other underground conduits,  
4           except underground interstate and intercontinental pipelines.
- 5           [6.] 5. Trailers or mobile homes, provided that any trailer or mobile home allowed under  
6           this provision must be used or stored in accordance with the provisions of Subsection B,  
7           C, E or F of Section 415.1 and Section 415.2.A.1, as applicable.
- 8           [7.] 6. Antennas used by CATV systems operated by companies franchised under Article  
9           25 of the Baltimore County Code, if situated on property owned by the county, state or  
10          federal government or by a governmental agency.
- 11          [8.] 7. Transit facilities.
- 12          [9.] 8. Accessory uses or structures, including, but not limited to the following:
- 13           a. Excavations, uncontrolled.
- 14           b. Farmer's roadside stand and produce stand, subject to the provisions of Section  
15           404.4.
- 16           c. Home occupations.
- 17           d. Offices or studios of physicians, dentists, lawyers, architects, engineers, artists,  
18           musicians or other professional persons, provided that any such office or studio is  
19           established within the same building as that serving as the professional person's  
20           primary residence at the time of application; does not occupy more than 25 percent  
21           of the total floor area of that residence; and does not involve the employment of more  
22           than one nonresident employee.

1 e. Parking spaces, including recreational vehicles, subject to the provisions of Section  
2 415A.

3 f. Swimming pools, tennis courts, garages, utility sheds, satellite receiving dishes  
4 (subject to Section 429) or other accessory structures or uses (subject to the height  
5 and area provisions for buildings as set forth in Section 400).

6 g. Signs, subject to Section 450.

7 [10.] 9. Commercial film production, subject to Section 435.

8 [11.] 10. Farmstead creamery, subject to the provisions of Section 404.13.

9 SECTION 1A05 - R.C.20 (Critical Area) and R.C.50 (Critical Area, Agricultural) Zones

10 § 1A05.2. - Table of Land Use Regulations.

11 In the R.C.20 and R.C.50 Zones, the letter "P" in the following table indicates a land use  
12 permitted by right in the respective zone(s), and the letters "SE" indicate a use permitted by  
13 special exception pursuant to Section 502.7:

	Zone	
	R.C.20	R.C.50
F. Accessory uses.		
2. Buildings, structures and uses accessory to residential use, including home occupations as defined in Section 101; home professional offices, subject to the limits specified in Section [1A01.2.B.9.d] 1A01.2.B.8.D; radio antennae subject to the limits specified in Section [1A01.2.B.9.g] 1A01.2.B.8.G; further including but not limited to swimming pools, tennis courts, garages, storage sheds and the like.	P	P

1           SECTION 2. AND BE IT FURTHER ENACTED, that this Act, having passed by the  
2   affirmative vote of five members of the County Council, shall take effect on June 14, 2020.