

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2022, Legislative Day No. 14

Bill No. 58-22

Mr. David Marks, Councilman

By the County Council, August 1, 2022

A BILL
ENTITLED

AN ACT concerning

University Based Retirement Communities

FOR the purpose of amending the Baltimore County Zoning Regulations in order to permit university based retirement communities as a matter of right in certain zones, subject to certain conditions and limitations; and generally relating to university based retirement communities.

~~BY~~ adding

~~Section 32-4-106(b)(10)~~
~~Article 32—Planning, Zoning, and Subdivision Control~~
~~Title 4—Development~~
~~Baltimore County Code, 2015~~

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.

BY repealing and re-enacting, with amendments

~~Sections~~ Section 32-6-103(b) ~~and 32-6-108(b)~~
Article 32 – Planning, Zoning, and Subdivision Control
Title 6 – Adequate Public Facilities
Baltimore County Code, 2015

BY adding

Section 101.1, the definition of “University Based Retirement Communities”
listed alphabetically, and Section 442, ~~and Section 4A02.4.E.1.F.~~
Baltimore County Zoning Regulations, as amended

BY repealing and re-enacting, with amendments

Section 409.6.A.1.
Baltimore County Zoning Regulations, as amended

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

4 ARTICLE 32 – PLANNING, ZONING, AND SUBDIVISION CONTROL

5 Title 4 — Development

6 Subtitle 1 — In General

7 ~~§ 32-4-106. Limited Exemptions.~~

8 ~~(b) The following development is exempt from the community input meeting and the~~
9 ~~Hearing Officer's hearing under Subtitle 2 of this title:~~

10 ~~(10) UNIVERSITY BASED RETIREMENT COMMUNITIES.~~

12 Title 6 – Adequate Public Facilities

13 § 32-6-103. Overcrowded School Districts.

1 (b) (1) This section applies only to residential development.

2 (2) This section does not apply to:

3 (i) Elderly housing facilities, as defined in the Baltimore County Zoning
4 Regulations;

5 (ii) Emergency or transitional housing facilities;

6 (iii) 1. Sheltered housing for the handicapped or disabled; and
7 2. Community care facilities, as defined in the Baltimore County
8 Zoning Regulations;

9 (iv) Group child care centers or nursery schools, as defined in the
10 Baltimore County Zoning Regulations; [or]

11 (v) Minor subdivisions OR;

12 (VI) UNIVERSITY BASED RETIREMENT COMMUNITIES.
13

14 ~~§ 32-6-108. Open Space.~~

15 (b) (1) ~~This section applies only to residential development, including a mixed use~~
16 ~~project and a transit oriented development.~~

17 (2) ~~This section does not apply [to a minor subdivision.] TO:~~

18 ~~(I) A MINOR SUBDIVISION; AND~~

19 ~~(II) UNIVERSITY BASED RETIREMENT COMMUNITIES.~~
20

21 SECTION 2. BE IT ENACTED BY THE COUNTY COUNCIL OF BALTIMORE
22 COUNTY, MARYLAND, that the Baltimore County Zoning Regulations read as follows:
23

1 ARTICLE 1 – GENERAL PROVISIONS

2 Section 101 – Definitions

3 § 101.1. Word usage; definitions.

4 UNIVERSITY BASED RETIREMENT COMMUNITIES – A RESIDENTIAL
5 COMMUNITY FOR PERSONS 62 YEARS OF AGE OR OLDER, AS DICTATED BY THE
6 RESIDENCY AGREEMENT, LOCATED AT LEAST IN PART ON AN INSTITUTION OF
7 HIGHER LEARNING THAT INCLUDES A VARIETY OF MUTUALLY BENEFICIAL
8 EDUCATIONAL OPPORTUNITIES FOR THE INSTITUTION AS WELL AS THE SENIOR
9 RESIDENTS WHICH WILL PROMOTE RETENTION OF ACTIVE ADULT RESIDENTS
10 WHO ARE LOOKING TO MOVE OUT OF THEIR HOMES BUT CONTINUE TO LIVE IN
11 THEIR LOCALITY WITH SIMILARLY SITUATED RESIDENTS.

12
13 ARTICLE 4 - SPECIAL REGULATIONS

14 Section 409 - Off-Street Parking and Loading

15 § 409.6. Required number of parking spaces.

16 A. General requirements. The standards set forth below shall apply in all zones unless
17 otherwise noted. If the required number of off-street parking spaces is not set forth for a
18 particular type of use, the Director of Permits, Approvals and Inspections shall determine the
19 basis of the number of spaces to be provided. If the number of spaces calculated in accordance
20 with this section results in a number containing a fraction, the required number of spaces shall be
21 the next highest whole number.

22 1. Residential and lodging uses.

23 Type of Use

Minimum Number of Required Off-Street

Parking Spaces

Elderly housing facilities

FOR A UNIVERSITY BASED
RETIREMENT COMMUNITY, AT
LEAST 1 USABLE OFF-STREET
PARKING SPACE SHALL BE
PROVIDED FOR EACH DWELLING
UNIT WITH 15% MORE PARKING FOR
EMPLOYEES AND VISITORS.

SECTION 442 - UNIVERSITY BASED RETIREMENT COMMUNITIES

§ 442.1. PERMITTED USE AND CONDITIONS OF USE; BULK REGULATIONS.

NOTWITHSTANDING CONTRARY PROVISIONS OF THESE ZONING
REGULATIONS, THE REGULATIONS OF THIS SECTION SHALL APPLY TO
UNIVERSITY BASED RETIREMENT COMMUNITIES AS FOLLOWS:

A. UNIVERSITY BASED RETIREMENT COMMUNITIES SHALL BE PERMITTED
IN ALL ZONES IF LOCATED IN OR ADJACENT TO A D.T. OVERLAY DISTRICT IF THE
PROPERTY IS OWNED BY A UNIVERSITY OR COLLEGE.

B. THE OCCUPANCY OF THE DWELLING UNITS IN THE UNIVERSITY BASED
RETIREMENT COMMUNITY IS RESTRICTED TO PERSONS 62 YEARS OF AGE OR
OLDER OR TO COUPLES WHERE EITHER ONE IS 62 YEARS OF AGE OR OLDER.

C. UNIVERSITY BASED RETIREMENT COMMUNITIES MAY BE PRIVATELY
OWNED OR OWNED BY THE INSTITUTION.

D. UNIVERSITY BASED RETIREMENT COMMUNITIES SHALL NOT BE

1 CONSIDERED MULTI-FAMILY HOUSING.

2 E. A UNIVERSITY BASED RETIREMENT COMMUNITY SHALL BE GOVERNED
3 BY THE FOLLOWING SETBACK AND BUILDING REGULATIONS ONLY:

4 1. MINIMUM SETBACK REQUIREMENTS:

5 A. FROM A BUILDING FACE (SIDE, REAR, OR FRONT) TO A
6 PUBLIC STREET RIGHT-OF-WAY: 10 FEET; 0 FEET IF ATTACHED TO AN EXISTING
7 SENIOR HOUSING FACILITY.

8 B. FROM A BUILDING FACE (SIDE, REAR, OR FRONT) TO A
9 BUILDING FACE (SIDE, REAR, OR FRONT): 10 FEET; 0 FEET IF ATTACHED TO AN
10 EXISTING SENIOR HOUSING FACILITY.

11 C. FROM A BUILDING FACE TO TRACT BOUNDARY: 10 FEET; 0
12 FEET IF ATTACHED TO AN EXISTING SENIOR HOUSING FACILITY ON AN
13 ADJOINING TRACT.

14 D. FROM A BUILDING FACE (SIDE, REAR, OR FRONT) TO EDGE
15 OF PAVING OF A PRIVATE STREET: 7 FEET; 0 FEET IF ATTACHED TO AN EXISTING
16 SENIOR HOUSING FACILITY.

17 2. BUILDING LENGTH AND HEIGHT REQUIREMENTS:

18 A. MAXIMUM BUILDING LENGTH: 500 FEET.

19 B. MAXIMUM BUILDING HEIGHT: 130 FEET.

20
21 ~~ARTICLE 4A—GROWTH MANAGEMENT~~

22 ~~Section 4A02—Basic Services Maps~~

23 ~~§ 4A02.4. Basic Services Mapping Standards.~~

1 ~~E. General exceptions to basic services mapping standards.~~

2 ~~1. The provisions of Section 4A02.4.A, B, C and D do not apply to any of the~~
3 ~~following:~~

4 ~~F. UNIVERSITY BASED RETIREMENT COMMUNITIES.~~

5
6 SECTION 3. AND BE IT FURTHER ENACTED, that this Act, having been passed by
7 the affirmative vote of five members of the County Council, shall take effect on September 19,
8 2022.



LEGISLATION DETAIL

LEGISLATION

DISPOSITION

ENACTED

EFFECTIVE

AMENDMENTS

ROLL CALL - LEGISLATION

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

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