

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND  
Legislative Session 2011, Legislative Day No. 15

Bill No. 68-11

---

Councilmembers Oliver, Huff & Almond

---

By the County Council, September 19, 2011

---

A BILL  
ENTITLED

AN ACT concerning

Regulations for New Churches Constructed in the B.R. Zone

FOR the purpose of limiting the application of certain zoning regulations to new churches under certain circumstances.

BY adding

Section 1B01.1.B.g(16)  
Baltimore County Zoning Regulations, as amended

BY repealing and re-enacting, with amendments

Section 238C  
Baltimore County Zoning Regulations, as amended

WHEREAS, the Baltimore County Zoning Regulations permit B.L., B.M., and B.R. zoned properties to be improved with uses permitted and as limited in the residential zone immediately adjoining such properties; and

WHEREAS, in 2004, the Baltimore County Council passed Bill 8-04 in order to clarify that the Residential Transition Area provisions did not apply to ~~residential~~ uses developed in zones other than D.R. zones, including B.L., B.M., and B.R. zones, but, rather, were to be applied only in the D.R. zone; and

---

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, to clarify further the applicability of the Residential Transition Area provisions, the Council now seeks to adopt an additional exception to the application of the Residential Transition Area provisions that would, under certain circumstances, exempt certain tracts that contain both B.R. zoning and D.R. zoning; and

WHEREAS, the Council also intends to exempt new churches and other buildings for religious worship from certain special regulations applicable in the B.R. zone, under certain circumstances.

1 SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF BALTIMORE COUNTY,  
2 MARYLAND, that Section 1B01.1.B.1.g(16) be and it is hereby added to the Baltimore County Zoning  
3 Regulations, as amended, to read as follows:

4 §1B01.1. General use regulations in D.R. Zones.

5 B. Dwelling-type and other supplementary use restrictions based on existing subdivisions and  
6 development characteristics.

7 1. Residential transition areas and uses permitted therein.

8 g. Exceptions to residential transition. The restrictions contained in Paragraphs  
9 a through e above, of this Subsection B.1, do not apply to:

10 (16) A NEW CHURCH BUILDING OR OTHER BUILDING FOR  
11 RELIGIOUS WORSHIP, INCLUDING ANY REQUIRED PARKING, DRIVEWAYS,  
12 STORMWATER MANAGEMENT FACILITIES, AND OTHER RELATED INFRASTRUCTURE,  
13 LOCATED ON A TRACT ZONED D.R., IN PART, AND B.R., IN PART, WHERE THE FOOTPRINT  
14 OF THE BUILDING IS LOCATED ENTIRELY WITHIN THE B.R. ZONED PORTION OF THE  
15 TRACT.

1           SECTION 2. AND BE IT FURTHER ENACTED, that Section 238C of the Baltimore County  
2 Zoning Regulations, as amended, be and it is hereby repealed and re-enacted, with amendments to read  
3 as follows:

4   §238C. Special Regulations for B.R. lots within 750 feet of an R.C. Zone.  
5 Notwithstanding other provisions of these zoning regulations to the contrary, if the exterior wall of any  
6 proposed building located on a B.R. lot is within 750 feet of an R.C. Zone, the provisions of this section  
7 apply to the entire lot. The provisions of this section do not apply (A) if, as of October 5, 1998, the lot  
8 is governed by a C.R., I.M., C.T. or C.C.C. District or is located in a planned unit development or in the  
9 White Marsh or Owings Mills growth areas, OR (B) IF THE PROPOSED BUILDING IS A NEW  
10 CHURCH OR OTHER BUILDING FOR RELIGIOUS WORSHIP TO BE LOCATED NO CLOSER  
11 THAN 150 FEET TO THE R.C. ZONE. (All aspects not governed by the provisions of this section are  
12 governed by all other applicable provisions of these zoning regulations.)

13           SECTION 3. AND BE IT FURTHER ENACTED, that this Act, having been passed by the  
14 affirmative vote of five members of the County Council, shall take effect on October 28, 2011.