

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND

Legislative Session 2012, Legislative Day No. 11

Bill No. 43-12

Councilmembers Oliver, Huff & Olszewski

By the County Council, June 4, 2012

A BILL

ENTITLED

AN ACT concerning

Transit Oriented Developments in C.T. Districts

FOR the purpose of providing certain regulations for a state designated transit oriented development located in the C.T. District of Owings Mills; providing certain exceptions to the general parking and sign regulations for a transit oriented development located in the C.T. District of Owings Mills; providing certain exceptions to certain basic services mapping standards for a state designated transit oriented development in the C.T. District of Owings Mills; providing for an exemption for any development within ½ mile of a state designated transit oriented development; providing exceptions to the open space requirements and to the limitation on development in overcrowded school districts for a state designated transit oriented development in the C.T. District of Owings Mills; and generally relating to transit oriented development in the C.T. District of Owings Mills.

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 adding

Sections 235B.9 and 450.4.1.(e)
Baltimore County Zoning Regulations

BY repealing and re-enacting, with amendments

Sections 409.6.A, 409.7.A, 450.7.B.2, and 4A02.4.D.2.b
Baltimore County Zoning Regulations

BY repealing and re-enacting, with amendments

Section 32-4-229(d)(1)

Article 32 – Planning, Zoning, and Subdivision Control

Title 4 – Development

Baltimore County Code 2003

BY adding

Sections 32-6-103(f)(5) and 32-6-108(c)
Article 32 – Planning, Zoning, and Subdivision Control
Title 6 – Adequate Public Facilities
Baltimore County Code 2003

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 Section 235B

4 Special Regulations for C.T. Districts

5 §235B.9. C.T. DISTRICT OF OWINGS MILLS

6 THIS SECTION APPLIES TO LAND ZONED B.M.-C.T. AND LOCATED IN THE OWINGS

7 MILLS TOWN CENTER AS IDENTIFIED IN THE BALTIMORE COUNTY MASTER PLAN

8 2020. A STATE DESIGNATED TRANSIT ORIENTED DEVELOPMENT IS NOT SUBJECT

1 TO ANY OF THE HEIGHT OR AREA REGULATIONS OTHERWISE APPLICABLE IN
2 THE B.M. ZONE OR IN THE C.T. DISTRICT SUPERIMPOSED ON THE B.M. ZONE. THE
3 FOLLOWING REGULATIONS APPLY:

4 ~~A. THE MAXIMUM PERMITTED FLOOR AREA RATIO FOR ANY SITE SHALL~~
5 ~~BE 3.5; THE SPECIFIC NUMBER OF DENSITY OR DWELLING UNITS IS NOT~~
6 ~~LIMITED.~~

7 A. THE MAXIMUM PERMITTED FLOOR AREA RATIO FOR ANY SITE SHALL
8 BE 3.5; THE SPECIFIC NUMBER OF DENSITY OR DWELLING UNITS IS NOT
9 LIMITED, BUT .5 OF THE MAXIMUM FLOOR AREA RATIO MUST BE USED
10 FOR ADDITIONAL ELEVATOR SHAFTS, STAIRWELLS AND ABOVE GRADE
11 FLOOR SPACE USED FOR ACCESSORY OFF-STREET PARKING SPACES FOR
12 METRO CENTER AT OWINGS MILLS BEYOND THOSE SHOWN ON THE PLAN
13 TO ACCOMPANY DRC REQUEST (DRC NUMBER 110811C WHICH WAS
14 APPROVED ON NOVEMBER 14, 2011).

15 B. APARTMENTS AND ELDERLY HOUSING FACILITIES ARE PERMITTED IN
16 ANY STORY OF A BUILDING.

17 C. OPEN SPACE SHALL BE PROVIDED IN ACCORDANCE WITH SECTION 32-6-
18 108(C) OF THE BALTIMORE COUNTY CODE.

19 D. THE MAXIMUM BUILDING HEIGHT OF ANY BUILDING IS DETERMINED
20 BY THE APPLICATION OF SECTION 231 OF THESE REGULATIONS OR 200
21 FEET, WHICHEVER HEIGHT IS GREATER.

1 § 450.4.

2 SPECIAL REGULATIONS
 3 TABLE OF SIGN REGULATIONS
 4 Baltimore County
 5 PERMANENT SIGNS
 6

| 7 I | II | III | IV | V | VI | VII | VIII | IX |
|---------|--|-------------------------|---|-------------------|-------------------------|----------|-----------------------|---|
| 8 Class | Structural Type | Zone or Use | Permit Required | Maximum Area/Face | Maximum No./Premises | Height | Illumination | Additional Limitations |
| 9 | <p>1.CHANGE-ABLE COPY</p> <p>(1)An electronic changeable copy sign may only have a maximum frequency of one instantaneous message change per 15-second cycle and may not display video, flashing, blinking, animation, strobing, or scrolling. Only commercial messages ancillary to the commercial activity on site are allowed. (2) Paragraph (1) does not apply to (A) a sign that is accessory to a state-operated use or facility that has a minimum of 1,000 square feet and is located in that part of the CT District of Towson between West Joppa Road and Dulaney Valley Road north of the York Road Circle and south of Bosley</p> | <p>(E) WALL-MOUNTED</p> | <p>SIGN INSTALLED WITHIN A STATE DESIGNATED TRANSIT ORIENTED DEVELOPMENT IN THE C.T. DISTRICT OF OWINGS MILLS</p> | <p>USE</p> | <p>1000 SQUARE FEET</p> | <p>2</p> | <p>Not Applicable</p> | <p>Yes</p> <p>SEE SECTION 450.7B.2; STRUCTURED PARKING MUST BE PROVIDED; SIGNAGE MAY BE INSTALLED ON OR ATTACHED TO ANY BUILDING WALL OR ATTACHED OR DETACHED STRUCTURED PARKING FACILITIES; FOR A TOTAL OF 12 MINUTES OF EACH HOUR THE SIGN IS IN OPERATION, MESSAGES MUST BE DEVOTED TO PUBLIC SERVICE ANNOUNCEMENTS.</p> |

Avenue and
Fairmount
Avenue OR (B)
A SIGN
LOCATED
WITHIN A
STATE
DESIGNATED
TRANSIT
ORIENTED
DEVELOP-
MENT IN THE
C.T. DISTRICT
OF OWINGS
MILLS.
HOWEVER, A
SIGN UNDER
(B) MAY NOT
DISPLAY
VIDEO,
FLASHING,
BLINKING,
ANIMATION,
STROBING OR
SCROLLING.

1 § 409.6. Required number of parking spaces.

2 A. General requirements. The standards set forth below shall apply in all zones unless otherwise
3 noted. Where the required number of off-street parking spaces is not set forth for a particular
4 type of use, the Director of Permits, Approvals and Inspections shall determine the basis of the
5 number of spaces to be provided. When the number of spaces calculated in accordance with this
6 section results in a number containing a fraction, the required number of spaces shall be the next
7 highest whole number.

8

9 1. Residential and lodging uses.

10 **Type of Use**

**Minimum Number of Required Off-Street
Parking Spaces**

11

12

13

1 Group house (or townhouse),
2 apartment building, garden
3 apartment building and other
4 apartment buildings (i.e., multiple-
5 family rental or condominium
6 dwellings)

7 STATE DESIGNATED TRANSIT ORIENTED
8 DEVELOPMENT IN THE C.T. DISTRICT OF
9 OWINGS MILLS:

10 .75 PER APARTMENT WITH NO SEPARATE
11 BEDROOM, 1 PER APARTMENT WITH 1 OR 2
12 SEPARATE BEDROOMS, AND 1.25 PER
13 APARTMENT WITH 3 OR MORE SEPARATE
14 BEDROOMS.
15
16

17 2. Commercial and service uses.

18 **Type of Use**

19 **Minimum Number of Required Off-Street**
20 **Parking Spaces**

21 Fast-food and standard
22 restaurants: general rule

23 16 per 1,000 square feet of gross floor area with at least 10
24 spaces required in all cases, except that no parking spaces
25 are required for restaurants in the C.T. District of Towson
26 or for buildings contributing to the historic character of an
27 area, if such buildings have been designated on the
28 National Register of Historic Places and are located within
29 a C.T. or B.L.-C.C.C. District and if such buildings will be
30 adapted for reuse for a restaurant. IN THE C.T. DISTRICT
31 OF OWINGS MILLS, 10 PER 1,000 SQUARE FEET OF
32 GROSS FLOOR AREA FOR A STATE DESIGNATED
33 TRANSIT ORIENTED DEVELOPMENT.
34
35

36 4. Recreational and institutional uses.

1 a state operated use or facility, that has a minimum of 1,000 square feet, in the C.T. District of
2 Towson between West Joppa Road and Dulaney Valley Road north of the York Road Circle and
3 south of Bosley Avenue and Fairmount Avenue OR A SIGN LOCATED WITHIN A STATE
4 DESIGNATED TRANSIT ORIENTED DEVELOPMENT IN THE C.T. DISTRICT OF
5 OWINGS MILLS.

6

7 § 4A02.4. Basic services mapping standards.

8

9 D. Transportation.

10 2. Determination of critical vehicle-trip number.

11 b. Determination of reserve capacity. It is intended that the reserve
12 capacity be determined for each district by the formula:

13
$$N = C - (T + I)$$

14 in which

15 N = Reserve capacity.

16 C = The critical vehicle-trip number for the most congested arterial intersection in a
17 transportation mapped area on the date the designation becomes effective.

18 T = The number of daily peak-hour vehicle trips, based on actual traffic counts taken by
19 the Department of Traffic Engineering, passing through the most congested arterial intersection
20 in a transportation mapped area.

1 I = The projected number of additional daily peak-hour vehicle trips to be generated by
2 nonindustrial developments, OTHER THAN STATE DESIGNATED TRANSIT ORIENTED
3 DEVELOPMENTS, that have been approved under the provisions of this article and have not yet
4 been constructed, and would most likely pass through that intersection. For partially completed
5 nonindustrial developments, the amount of peak-hour vehicle trips shall be prorated based on
6 number of completed units or square footage. However, if N is less than zero under the formula,
7 the reserve capacity in the area shall be zero. ~~FOR ANY PORTION OF A TRANSIT~~
8 ~~ORIENTED DEVELOPMENT NOT YET CONSTRUCTED, A DETERMINATION OF THE~~
9 ~~AMOUNT OF TRAFFIC LIKELY TO PASS THROUGH AN INTERSECTION SHALL~~
10 ~~FACTOR IN A REDUCTION IN TRIPS DUE TO (1) ANTICIPATED TRANSIT RIDERSHIP~~
11 ~~GENERATED BY THE PROPOSED DEVELOPMENT AND (2) ANY SHARED PARKING~~
12 ~~ARRANGEMENTS FOR THE PROPOSED DEVELOPMENT.~~

13 SECTION 2. AND BE IT FURTHER ENACTED, that the laws of Baltimore County
14 read as follows:

15 Article 32. Planning, Zoning, and Subdivision Control

16

17 § 32-4-229. Same – Decision of the Hearing Officer.

18 (d) Conditions imposed by Hearing Officer

19 (1) This subsection does not apply to a Development Plan for:

20 (A) a Planned Unit Development; AND

1 (B) A DEVELOPMENT, ANY PART OF WHICH IS WITHIN ½ MILE OF
2 THE BOUNDARY OF THE OWINGS MILLS STATE DESIGNATED TRANSIT ORIENTED
3 DEVELOPMENT.

4 § 32-6-103. OVERCROWDED SCHOOL DISTRICTS.

5 (f) *Exception.* Development approval may be granted in overcrowded school
6 districts :

7 (5) FOR DWELLING UNITS THAT ARE PART OF A STATE DESIGNATED
8 TRANSIT ORIENTED DEVELOPMENT IN THE C.T. DISTRICT OF OWINGS MILLS.

9 § 32-6-108. RECREATIONAL SPACE.

10 (c) *Minimum Requirement.*

11 (1) Except as provided for in subsections (d), (e) and (f) of this section, AN
12 APPLICANT SHALL PROVIDE A MINIMUM OF 300 SQUARE FEET OF SUITABLE
13 OPEN SPACE PER DWELLING UNIT THAT IS PART OF A STATE DESIGNATED
14 TRANSIT ORIENTED DEVELOPMENT IN THE C.T. DISTRICT OF OWINGS MILLS.
15 THIS OPEN SPACE MAY BE ACTIVE OPEN SPACE, PASSIVE OPEN SPACE, OR
16 AMENITY OPEN SPACE. IF NOT PART OF A STATE DESIGNATED TRANSIT
17 ORIENTED DEVELOPMENT IN THE C.T. DISTRICT OF OWINGS MILLS, an applicant
18 shall provide a minimum of 1000 square feet of suitable open space per dwelling unit, AS
19 PROVIDED IN PARAGRAPHS (2) AND (3) BELOW.

20 SECTION 3. AND BE IT FURTHER ENACTED, that this Act, having been passed by
21 the affirmative vote of five members of the County Council, shall take effect on July 16, 2012.

1

2 (VERSION 2)

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