

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2013, Legislative Day No. 2

Bill No. 5-13

Mr. Tom Quirk, Chairman
By Request of County Executive

By the County Council, January 22, 2013

A BILL
ENTITLED

AN ACT concerning

MD 43 Overlay District

FOR the purpose of authorizing residential uses in the MD 43 Overlay District under certain conditions; and generally relating to the MD 43 Overlay District.

BY repealing and re-enacting, with amendments

Section 259.11.A.3

Baltimore County Zoning Regulations, as amended

1 SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF
2 BALTIMORE COUNTY, MARYLAND, that Section 259.11.A.3 of the Baltimore County

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1 Zoning Regulations, as amended, be and it is hereby repealed and re-enacted, with amendments,
2 to read as follows:

3 259.11. Development standards for MD 43 Overlay District.

4 A. Uses permitted by right.

5 3. Notwithstanding any of the regulations of this section to the contrary and in
6 addition to the rights granted under this section, residential uses[, permitted and as limited in
7 accordance with the BM-CT Zone,] are permitted to be built on a maximum 30% OF THE [of
8 eight acres that are part of an] overall tract of at least 800 acres under common ownership or
9 control or part of a common scheme of development. [Such residential uses] MULTI-FAMILY
10 UNITS ARE PERMITTED IN ACCORDANCE WITH THE REGULATIONS APPLICABLE
11 TO THE BM-CT ZONE, EXCEPT THAT UNITS are permitted on any story of a proposed
12 building. OTHER RESIDENTIAL UNIT TYPES ARE PERMITTED IN ACCORDANCE
13 WITH THE BULK, HEIGHT, AND BUILDING SETBACK REQUIREMENTS APPLICABLE
14 TO THE DR 10.5 ZONE. [The height and area regulations of the BM-CT Zone or any applicable
15 development regulations may be waived as part of a pattern book reviewed and approved by the
16 Director of Planning or by application for zoning relief provided the requirements of Section
17 502.1 are met.] APPROVAL OF A PATTERN BOOK IN ACCORDANCE WITH SECTION
18 259.11.D MAY ALLOW WAIVER OR MODIFICATION OF ANY APPLICABLE LAWS,
19 REGULATIONS, REQUIREMENTS, OR POLICIES GOVERNING ZONING OR
20 DEVELOPMENT OF THE PROPERTY. SUCH WAIVER OR MODIFICATION MAY BE
21 REVIEWED AND APPROVED BY THE DIRECTOR OF PLANNING OR, IN THE

1 ALTERNATIVE, BY THE ADMINISTRATIVE LAW JUDGE AFTER PUBLIC HEARING
2 ON A PETITION FOR SPECIAL HEARING UPON A FINDING THAT THE
3 REQUIREMENTS OF SECTION 502.1 ARE MET.

4 SECTION 2. AND BE IT FURTHER ENACTED, that this Act, having been
5 passed by the affirmative vote of five members of the County Council, shall take effect
6 March 4, 2013.