

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND

Legislative Session 2015, Legislative Day No. 4

Bill No. 16-15

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Mr. Julian E. Jones, Jr., Councilman

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By the County Council, February 17, 2015

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A BILL

ENTITLED

AN ACT concerning

Transit Oriented Development in the Owings Mills C.T. District  
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 height, area, use, parking and sign regulations for a transit oriented development  
located in the C.T. District of Owings Mills; ~~providing exceptions to the open space~~  
~~requirements 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.

BY adding

Sections 235B.9, 409.5.A.3, 432A.1.F, and 450.4.1.(e)  
Baltimore County Zoning Regulations

BY repealing and re-enacting, with amendments

Sections 409.6.A.1, 2. and 4., 409.7.A and B.1., and  
450.7.B.1.b.  
Baltimore County Zoning Regulations

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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 4. THE MINIMUM PERMITTED AMENITY OPEN SPACE RATIO SHALL BE 0.1,  
2 EXCEPT FOR ABOVE-GRADE FLOOR SPACE USED FOR ACCESSORY OFF-  
3 STREET PARKING SPACES, THE RATIO SHALL BE 0.02. PUBLIC  
4 BUILDINGS, INCLUDING BUT NOT LIMITED TO LIBRARIES, COLLEGES  
5 AND COMMUNITY BUILDINGS, MAY BE COUNTED IN CALCULATING  
6 THE TOTAL AMOUNT OF AMENITY OPEN SPACE PROVIDED.

7 5. APPROVAL OF A PATTERN BOOK OR MODIFICATION TO A PATTERN  
8 BOOK MAY ALLOW WAIVER OR MODIFICATION OF ANY APPLICABLE  
9 SIGN REGULATIONS CONTAINED IN SECTION 450 OR POLICIES RELATED  
10 TO SIGNAGE GOVERNING DEVELOPMENT OF THE PROPERTY. SUCH  
11 WAIVER OR MODIFICATION WILL BE REVIEWED AND APPROVED BY  
12 THE DIRECTOR OF PLANNING.

13 B. NOTWITHSTANDING A NOISE MITIGATION POLICY OF BALTIMORE COUNTY  
14 REQUIRING A 500 FOOT DISTANCE FROM THE EDGE OF PAVING OF A  
15 DESIGNATED HIGHWAY, ANY TYPE OF BUILDINGS FOR HUMAN HABITATION,  
16 INCLUDING DWELLINGS OF ANY TYPE, HOUSING FOR THE ELDERLY AND  
17 ASSISTED LIVING FACILITIES, GROUP CHILD CARE FACILITIES, CHURCHES,  
18 HOSPITALS AND SCHOOLS, MAY BE LOCATED AS CLOSE AS 150 FEET FROM THE  
19 EDGE OF PAVING OF SUCH HIGHWAY WHEN LOCATED WITHIN THE  
20 BOUNDARIES OF A STATE DESIGNATED TRANSIT ORIENTED DEVELOPMENT IN  
21 THE C.T. DISTRICT OF OWINGS MILLS.

1 § 409.5. Number of small car spaces.

2 A. In off-street parking facilities where more than 50 parking spaces are provided, small car spaces  
3 shall be permitted as specified below.

4 3. IN STRUCTURED PARKING FACILITIES SERVING A STATE DESIGNATED  
5 TRANSIT ORIENTED DEVELOPMENT: UP TO 40% OF THE NUMBER OF SPACES  
6 REQUIRED FOR ANY USES WITHIN THE BOUNDARIES OF THE PLAN OF  
7 DEVELOPMENT.

8  
9 SECTION 432A

10 Assisted Living Facility; Housing for the Elderly

11 § 432.A.1. Permitted Zones; conditions for use.

12 F. ASSISTED LIVING FACILITIES AND HOUSING FOR THE ELDERLY ARE  
13 PERMITTED BY RIGHT WITHIN THE BOUNDARIES OF A STATE DESIGNATED  
14 TRANSIT ORIENTED DEVELOPMENT IN THE C.T. DISTRICT OF OWINGS MILLS AND  
15 NOT SUBJECT TO ANY OF THE REQUIREMENTS CONTAINED IN THIS SECTION.

16 § 450.4.

17 SPECIAL REGULATIONS

18 TABLE OF SIGN REGULATIONS

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I Class	II Structural Type	III Zone or Use	IV Permit Required	V Maximum Area/Face	VI Maximum No./Premises	VII Height	VIII Illumination	IX Additional Limitations
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<b>I.CHANGE- ABLE COPY</b>  (1)An electronic changeable copy sign may only have a maximum	(E) WALL- MOUNTED	SIGN INSTALLED WITHIN A STATE DESIGNATED TRANSIT ORIENTED DEVELOP-	USE	1000 SQUARE FEET	2	Not Applicable	Yes	SEE SECTION 450.7.B.2; STRUCTURED PARKING MUST BE PROVIDED; SIGNAGE MAY BE INSTALLED ON OR
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<p>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 Avenue and Fairmount Avenue OR (B) A SIGN LOCATED WITHIN A STATE DESIGNATED TRANSIT ORIENTED DEVELOPMENT IN THE C.T. DISTRICT OF OWINGS MILLS. HOWEVER, A SIGN UNDER (B) MAY NOT DISPLAY VIDEO, FLASHING, BLINKING, ANIMATION, STROBING OR SCROLLING.</p>		<p>MENT IN THE C.T. DISTRICT OF OWINGS MILLS</p>						<p>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>
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§ 409.6. Required number of parking spaces.

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

1. Residential and Lodging Use

**Type of Use**

Elderly housing facility.

FOR HOUSING FOR THE ELDERLY, AT LEAST 0.75 USABLE OFF-STREET PARKING SPACES SHALL BE PROVIDED FOR EACH DWELLING UNIT IN THE C.T. DISTRICT OF OWINGS MILLS FOR A STATE DESIGNATED TRANSIT ORIENTED DEVELOPMENT.

FOR ASSISTED LIVING FACILITIES, AT LEAST 1 USABLE OFF-STREET PARKING SPACE SHALL BE PROVIDED FOR EACH 4 BEDS IN THE C.T. DISTRICT OF OWINGS MILLS FOR A STATE DESIGNATED TRANSIT ORIENTED DEVELOPMENT.

2. Commercial and service uses.

**Type of Use**

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

Fast-food and standard restaurants: general rule

16 per 1,000 square feet of gross floor area with at least 10 spaces required in all cases, except that no parking spaces are required for restaurants in the C.T. District of Towson, THE C.T. DISTRICT OF OWINGS MILLS FOR A STATE DESIGNATED TRANSIT ORIENTED DEVELOPMENT, or for buildings contributing to the historic character of an area, if such buildings have been

1 designated on the National Register of Historic Places  
2 and are located within a C.T. or B.L.-C.C.C. District and  
3 if such buildings will be adapted for reuse for a  
4 restaurant.

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6 Medical office or clinic

7 4.5 per 1,000 square feet of gross floor area. IN THE  
8 C.T. DISTRICT OF OWINGS MILLS, 3.3 PER 1,000  
9 SQUARE FEET OF GROSS FLOOR AREA FOR A  
10 STATE DESIGNATED TRANSIT ORIENTED  
11 DEVELOPMENT.  
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14 4. Recreational and institutional uses.

15 **Type of Use**

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

18 Athletic club or health spa

19 10 per 1,000 square feet of gross floor area, excluding  
20 any area devoted to tennis/racquetball courts or other  
21 similar courts in which case there shall be 3 per court,  
22 except that 3 parking spaces per 1,000 square feet of  
23 gross floor area are required for athletic clubs or health  
24 spas in the C.T. District of Towson or C.T. DISTRICT  
25 OF OWINGS MILLS FOR A STATE DESIGNATED  
26 TRANSIT ORIENTED DEVELOPMENT.

27 § 409.7. Location of parking.

28 All required off-street parking spaces shall be located either on the same lot as the structure or use  
29 to which they are accessory or off-site as provided for below.

30 A. Off-street parking spaces for residential uses and lodging uses shall be located within 300  
31 feet walking distance of a building entrance to the use that such spaces serve.

32 OFF-STREET PARKING SPACES FOR RESIDENTIAL USES LOCATED WITHIN A  
33 STATE DESIGNATED TRANSIT ORIENTED DEVELOPMENT IN THE C.T.  
34 DISTRICT OF OWINGS MILLS SHALL BE LOCATED WITHIN THE  
35 BOUNDARIES OF THE PLAN OF DEVELOPMENT.  
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1 B. 1. Except in C.T. Districts and the R-O-A and R-O Zones, off-street parking spaces for  
2 uses other than residential and lodging shall be located within 500 feet walking distance  
3 of a building entrance to the use that such spaces serve. In C.T. Districts, such spaces  
4 shall be permitted within 1,000 feet walking distance of the building entrance. FOR A  
5 STATE DESIGNATED TRANSIT ORIENTED DEVELOPMENT IN THE C.T.  
6 DISTRICT OF OWINGS MILLS, SUCH SPACES SHALL BE LOCATED WITHIN  
7 THE BOUNDARIES OF THE PLAN OF DEVELOPMENT.

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9 § 450.7. Special requirements for particular classes.

10 B. Changeable copy signs. In addition to the limitations of Section 450.4, changeable copy  
11 signs accessory to a planned shopping center or any separate commercial establishment in a  
12 business zone are subject to the following:

13 1. Changeable copy signs accessory to a planned shopping center or any separate  
14 commercial establishment in a Business Zone are subject to the following limitations:

15 b. Up to 50% of the erected sign area of a permitted enterprise or joint  
16 identification sign may be devoted to changeable copy. This paragraph does not apply to a sign  
17 that is accessory to a state operated use or facility, that has a minimum of 1,000 square feet, in  
18 the C.T. District of Towson between West Joppa Road and Dulaney Valley Road north of the  
19 York Road Circle and south of Bosley Avenue and Fairmount Avenue OR A SIGN LOCATED  
20 WITHIN A STATE DESIGNATED TRANSIT ORIENTED DEVELOPMENT IN THE C.T.  
21 DISTRICT OF OWINGS MILLS.



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

3                             ~~Article 32. Planning, Zoning, and Subdivision Control~~

4     ~~§ 32-6-108. RECREATIONAL SPACE.~~

5     ~~(b) Scope.~~

6     ~~(2) This section does not apply to:~~

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

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11             SECTION 3 2. AND BE IT FURTHER ENACTED, that this Act, having been passed by  
12     the affirmative vote of five members of the County Council, shall take effect on March 30,  
13     2015.