

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND  
Legislative Session 2016, Legislative Day No. 7

Bill No. 21-16

---

Mr. Wade Kach, Councilman

---

By the County Council, April 4, 2016

---

A BILL  
ENTITLED

AN ACT concerning

R-O (Residential – Office) Zone – Use Regulations

FOR the purpose of providing for a certain retail use in the R-O (Residential – Office) Zone by special exception; and generally relating to uses in the R-O (Residential – Office) Zone.

BY repealing and re-enacting, with amendments  
Section 204.3.B  
Baltimore County Zoning Regulations, as amended

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

---

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 SECTION 204

2 R-O (Residential – Office) Zone

3 § 204.3. Use Regulations.

4 B. Uses permitted by special exception. The following uses, only, may be permitted by special  
5 exception in an R-O Zone, if such use has an approved County Review Group (CRG) plan prior  
6 to the granting of a special exception:

7 1. Uses permitted by special exception and as limited in D.R.5.5 Zones.

8 2. Class B office building.

9 a. Class B office buildings containing offices or medical offices, except that no  
10 more than 25% of the total adjusted gross floor area of the office building may  
11 be occupied by medical offices. A Class B office building in existence prior to  
12 the effective date of this legislation with medical offices in excess of 25% of the  
13 total adjusted gross floor area is a conforming use if it is in compliance with the  
14 terms of its special exception. Such an office building may be expanded if the  
15 expansion meets the current parking requirements for medical offices. A Class  
16 B office building listed on the Baltimore County Final Landmarks List, as part  
17 of the adaptive reuse of the building, is allowed up to 1,200 square feet of  
18 carry-out restaurant or standard restaurant (without service of alcoholic  
19 beverages), and storage of wine is permitted. Special exception uses required for  
20 community buildings or community swimming pools that involve a Baltimore  
21 County final landmarks structure may be reviewed as a permitted use subject to  
22 review and approval by the Baltimore County Planning Board.

1           b.     Up to 100% of the total adjusted gross floor area of a Class B office building  
2                   may be occupied by medical offices if:

3                   (1)     The floor area ratio of the proposed Class B office building is not greater  
4                            than 0.20;

5                   (2)     A documented site plan and a special exception for a Class B office  
6                            building have been approved by the Zoning Commissioner or the Board  
7                            of Appeals, either on appeal or as a result of its original jurisdiction,  
8                            prior to the effective date of Bill No. 151-1988;

9                   (3)     Construction of the Class B building is started prior to the expiration  
10                           date of the special exception as required by Section 502.3; and

11                   (4)     Parking requirements shall be calculated by requiring the maximum  
12                            number of parking spaces as determined by Section 409 of these  
13                            regulations, the requirements of the documented site plan, or the  
14                            requirements of the order granting the special exception, whichever shall  
15                            yield the greatest number of spaces.

16           C.     CLASS B OFFICE BUILDING CONTAINING INTERNET RETAIL, EXCEPT  
17                    THAT SUCH USE IS RESTRICTED TO RETAIL SALES OF  
18                    MERCHANDISE PURCHASED VIA MAIL, PHONE, OR THE INTERNET  
19                    AND SHIPPED TO A CUSTOMER, AND IS ALSO SUBJECT TO THE  
20                    FOLLOWING:

21                   (1)     NO WALK-IN BUSINESS IS PERMITTED.

22                   (2)     STORAGE OF INTERNET RETAIL MERCHANDISE IS

1 PERMITTED AS AN ACCESSORY USE ONLY, AND ALSO  
2 PROVIDED THAT NO MORE THAN TEN PERCENT (10%) OF THE  
3 TOTAL GROSS FLOOR AREA OF THE BUILDING MAY BE SO  
4 USED.

5 (3) A VARIANCE MAY BE REQUESTED BUT NEITHER THE  
6 ADMINISTRATIVE LAW JUDGE NOR THE COUNTY BOARD OF  
7 APPEALS ON APPEAL MAY GRANT A VARIANCE IN EXCESS  
8 OF FORTY PERCENT (40%) OF THE TOTAL GROSS FLOOR  
9 AREA.

10 (4) FOR THE PURPOSES OF THIS SUBPARAGRAPH, SECTION 204.4  
11 OF THESE REGULATIONS IS APPLICABLE .

12 (5) IN ADDITION TO THE SPECIAL EXCEPTION FINDINGS MADE  
13 PURSUANT TO SECTION 502.1 OF THESE REGULATIONS, THE  
14 ADMINISTRATIVE LAW JUDGE OR THE COUNTY BOARD OF  
15 APPEALS ON APPEAL MAY IMPOSE ADDITIONAL  
16 RESTRICTIONS OR CONDITIONS ON THE USE, TO INCLUDE A  
17 LIMITATION ON DELIVERIES TO THE SUBJECT PROPERTY BY  
18 MEANS, TIME, AND MANNER OF DELIVERY, AND FURTHER  
19 SUBJECT TO THE GOALS AND OBJECTIVES OF SECTIONS 204.1  
20 AND 204.2 OF THESE REGULATIONS.

21 3. Animal grooming facility.

1           SECTION 2. AND BE IT FURTHER ENACTED, that this Act shall take effect forty-five (45)  
2    days after its enactment.

b02116.wpd