

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2021, Legislative Day No. 8

Bill No. 46-21

Mr. David Marks, Councilman

By the County Council, April 19, 2021

A BILL
ENTITLED

AN ACT concerning

Zoning Regulations – Uses Permitted – Residential Development Proposals – Adjacent to
the Honeygo Overlay District

FOR the purpose of authorizing certain development tracts in the Business, Local (B.L.) Zone
adjacent to the Honeygo Overlay District to be developed with residential uses under
certain conditions; and generally relating to uses in the B.L. Zone.

BY adding

Sections 230.1.A.13, 259.9.A.6, and 259.9.G.5
Baltimore County Zoning Regulations, as amended

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

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4 ARTICLE 2 - ELEVATOR-APARTMENT RESIDENCE ZONES,
5 RESIDENTIAL-OFFICE ZONES, OFFICE ZONES, BUSINESS ZONES,
6 MANUFACTURING ZONES AND DISTRICTS

7
8 Section 230 – Business, Local (B.L.) Zone Use Regulations

9 § 230.1. Permitted uses.

10 A. The following uses only are permitted (See Section 230.2):

11 13. RESIDENTIAL USES ON CERTAIN DEVELOPMENT TRACTS
12 ADJACENT TO THE H OVERLAY DISTRICT IN ACCORDANCE WITH § 259.9.A.6 OF
13 THESE REGULATIONS.

14
15 Section 259 - Districts

16 § 259.9. Development standards for H and H1 Overlay Districts.

17 These standards are intended to be additions to, modifications of and exceptions from the
18 standards required by the underlying zoning classification on the land in the area. All conflicts
19 are to be resolved in accordance with Subsection G of this section.

20 A. Uses.

21 6. AGE-RESTRICTED SINGLE-FAMILY ATTACHED DWELLING UNITS,
22 SUBJECT TO THE FOLLOWING CONDITIONS AND RESTRICTIONS, ARE PERMITTED
23 ON A DEVELOPMENT TRACT THAT IS ADJACENT TO THE H OVERLAY DISTRICT IF

1 ANY PORTION OF THAT TRACT IS PART OF A PLANNED SHOPPING CENTER
2 APPROVED PRIOR TO JANUARY 1, 2021:

3 A. OCCUPANCY RESTRICTED:

4 (1) THE OWNER OF EACH UNIT IS REQUIRED TO ENSURE
5 THAT, AT THE TIME OF ANY SALE, CONVEYANCE, OR LEASE OF A UNIT, AT
6 LEAST ONE OCCUPANT IS 55 YEARS OF AGE OR OLDER;

7 (2) PERSONS UNDER 18 YEARS OF AGE ARE PROHIBITED
8 FROM RESIDING IN THE UNIT; AND

9 (3) NOTWITHSTANDING SUBPARAGRAPHS (1) AND (2)
10 THE CONDOMINIUM ASSOCIATION MAY PERMIT PERSONS BETWEEN 18 AND 55
11 YEARS OF AGE TO RESIDE IN A UNIT IF NECESSARY TO CARE FOR AN OCCUPANT
12 OR TO PREVENT AN UNDUE HARDSHIP.

13 B. THE MAXIMUM RESIDENTIAL DENSITY ALLOWED ON THE
14 DEVELOPMENT TRACT SHALL BE 16 DWELLING UNITS PER ACRE AND THE
15 RESIDENTIAL DEVELOPMENT SHALL OCCUPY A MAXIMUM OF 4 GROSS ACRES
16 OF THE DEVELOPMENT TRACT.

17 C. NOTWITHSTANDING ANY REGULATION TO THE
18 CONTRARY, DEVELOPMENT OF A TRACT UNDER THIS SUBSECTION SHALL BE
19 GOVERNED BY THE FOLLOWING BULK AND AREA REGULATIONS:

20 (1) RESIDENTIAL DEVELOPMENT IS EXEMPT FROM ANY
21 FRONT, SIDE, OR REAR SETBACKS OR ANY SETBACK FROM THE CENTER LINE OF
22 ANY STREET;

1 (2) THE MAXIMUM NUMBER OF UNITS IN A GROUP IS
2 SEVEN; AND

3 (3) THE UNITS SHALL HAVE A MAXIMUM HEIGHT OF
4 THREE STORIES ABOVE THE HIGHEST POINT OF GRADE. FOR UNITS DIRECTLY
5 FRONTING ON AN EXISTING PUBLIC ROAD, THE MAXIMUM HEIGHT SHALL BE
6 TWO STORIES ABOVE THE HIGHEST POINT OF GRADE.

7 D. RESIDENTIAL DEVELOPMENT UNDER THIS SECTION SHALL;

8 (1) COMPLY WITH THE HONEYGO BUILDING AND SITE
9 DESIGN STANDARDS CONTAINED IN § 259.9.C.5 OF THESE REGULATIONS;

10 (2) BE APPROVED BY WAY OF A LIMITED EXEMPTION
11 UNDER BALTIMORE COUNTY CODE § 32-4-106(B)(2); AND

12 (3) NOT IMPACT THE PROJECT'S STATUS AS A PLANNED
13 SHOPPING CENTER.

14
15 G. Application.

16 5. DEVELOPMENT OF PROPERTY UNDER § 259.9.A.6 SHALL
17 NOT BE CONSIDERED TO BE LOCATED WITHIN THE H OVERLAY DISTRICT, SHALL
18 NOT BE SUBJECT TO ANY OTHER STANDARDS OR DESIGN GUIDELINES OUTLINED
19 IN THIS SECTION, SHALL SATISFY THE REQUIREMENTS OF § 32-6-108 OF THE
20 BALTIMORE COUNTY CODE BY PAYING A FEE IN LIEU CONSISTENT WITH THE
21 FEE THAT WOULD BE IMPOSED ON AN ELDERLY HOUSING FACILITY, AND SHALL
22 BE EXEMPT FROM THE REQUIREMENTS OF §§ ~~32-6-108~~ AND 32-6-111 OF THE
23 COUNTY CODE.

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SECTION 2. AND BE IT FURTHER ENACTED, that this Act, having been passed by

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the affirmative vote of five members of the County Council, shall take effect on June 9, 2021.



LEGISLATION DETAIL

LEGISLATION _____

DISPOSITION _____

ENACTED _____

EFFECTIVE _____

AMENDMENTS _____

ROLL CALL - LEGISLATION

MOTION		SECOND
AYE	NAY	
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Quirk
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Patoka
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Kach
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Jones
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Marks
<input type="checkbox"/>	<input type="checkbox"/>	Councilwoman Bevins
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Crandell

ROLL CALL - AMENDMENTS

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