

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2021, Legislative Day No. 11

Bill No. 58-21

Councilmembers Marks, Bevins, & Jones

By the County Council, June 7, 2021

A BILL
ENTITLED

AN ACT concerning

Planned Unit Developments

FOR the purpose of amending the Baltimore County Zoning Regulations and the Baltimore County Code in order to clarify the County Council's authority to make certain amendments or modifications to a proposed Planned Unit Development; and generally relating to Planned Unit Developments.

BY repealing and re-enacting, with amendments

Section 32-4-245(b)(4) and (c)(4)-(5)
Article 32 – Planning, Zoning, and Subdivision Control
Title 4 – Development
Subtitle 2 – Development and Design
Part IV – Planned Unit Developments
Baltimore County Code, 2015

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 repealing and re-enacting, with amendments

Section 430.3.B.3.-.D
Baltimore County Zoning Regulations, as amended

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

3
4 ARTICLE 32 – PLANNING, ZONING, AND SUBDIVISION CONTROL

5 Title 4 – Development

6 Subtitle 2 – Development and Design

7 Part IV – Planned Unit Developments

8
9 § 32-4-245. Hearing Officer Review.

10 (b) (4) The Hearing Officer may not alter the amendments or modifications imposed
11 by the County Council under § [32-4-242(c)] 32-4-242(D) or, except as provided in item (3)(iii),
12 alter the community benefit identified in the Council resolution.

13 (c) The Hearing Officer may approve a proposed PUD development plan only upon
14 finding that:

15 (4) Subject to the provisions of § [32-4-242(c)(2)] 32-4-242(D)(2), the
16 development is in compliance with Section 430 of the Baltimore County Zoning Regulations;
17 and

18 (5) [The] ~~SUBJECT TO THE PROVISIONS OF § 32-4-242(D)~~, THE PUD
19 development plan is in conformance with the goals, objectives, and recommendations of one or
20 more of the following: the Master Plan, area plans, or the Department of Planning.

1
2 SECTION 2. BE IT ENACTED BY THE COUNTY COUNCIL OF BALTIMORE
3 COUNTY, MARYLAND, that the Baltimore County Zoning Regulations read as follows:
4

5 ARTICLE 4 – SPECIAL REGULATIONS

6 Section 430 – Planned Unit Developments
7

8 § 430.3. General development PUD.

9 B. Permitted uses.

10 3. Mix of zoning. If the underlying zoning consists of nonresidential and
11 residential zones, the [residential and nonresidential] uses may be reallocated on acreage
12 anywhere within the designated PUD boundaries, but the building area of nonresidential uses in
13 the residential zones may not exceed the building area otherwise permitted in the underlying
14 nonresidential zones. Additionally, the density of the residential uses may not exceed the
15 corresponding density allowed in the underlying residential zone EXCEPT AS AUTHORIZED
16 UNDER § 32-4-242(D)(2) OF THE BALTIMORE COUNTY CODE. A residential and
17 nonresidential use may overlap vertically to occupy the same acreage. [Subject to the provisions
18 of § 32-4-245 of the County Code.] Section 102.2 of the Zoning Regulations does not apply to a
19 mixed-use PUD.

20 C. Density.

21 1. If the underlying zone is classified residential, calculation of residential density
22 may not exceed that of the underlying zone, and such density may be used anywhere within the
23 PUD boundaries.

1 2. If the underlying zone is classified as a business zone or an office zone or S.E.
2 Zone, calculation of residential density may not exceed the density permitted in a D.R.16 Zone,
3 except that in a mixed-use PUD in an O.T. Zone, the calculation of residential density may not
4 exceed 32 units per acre.

5 3. If the underlying zone is classified as a manufacturing zone, calculation of
6 residential density may not exceed the density permitted in a R.A.E.1 Zone.

7 4. If the underlying zone is classified as an R.O. or R.O.A. Zone, calculation of
8 residential density may not exceed the density permitted in a D.R.5.5 Zone.

9 5. [This subsection is] NOTWITHSTANDING ANY PROVISION TO THE
10 CONTRARY, THE CALCULATIONS SET FORTH IN THIS PARAGRAPH ARE subject to
11 the provisions of § [32-4-242(c)] 32-4-242(D) of the Baltimore County Code.

12 D. Dwelling type. NOTWITHSTANDING ANY PROVISION TO THE CONTRARY
13 AND [Subject] SUBJECT to the provisions of § [32-4-242(c)] 32-4-242(D) of the Baltimore
14 County Code, any type of dwelling is permitted.

15
16 SECTION 3. AND BE IT FURTHER ENACTED, that this Act, having been passed by
17 the affirmative vote of five members of the County Council, shall take effect on July 21, 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

MOTION		SECOND
AYE	NAY	
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Quirk
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