

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND

Legislative Session 2011, Legislative Day No. 8

Bill No. 37-12

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Mr. Kenneth N. Oliver, Councilman

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By the County Council, April 16, 2012

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A BILL

ENTITLED

AN ACT concerning

Transit Oriented Developments in C.T. Districts

FOR the purpose of providing certain exceptions to the general height, area, parking, and sign regulations for a transit oriented development located in the C.T. District of Owings Mills; permitting apartments in any story of a building in a transit oriented development in the C.T. District of Owings Mills; providing exceptions to the open space requirements and to the limitation on development in overcrowded school districts for a 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 and 450.4.1.(e)  
Baltimore County Zoning Regulations

BY repealing and re-enacting, with amendments

Sections 235B.1, 409.6.A, 409.7.A, and 450.7.B.2  
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.

BY adding

Section 32-6-103(f)(5)  
Article 32 – Planning Zoning and Subdivision Control  
Title 6 – Adequate Public Facilities  
Baltimore County Code 2003

BY repealing and re-enacting, with amendments

Section 32-6-108(c)  
Article 32 – Planning, Zoning and Subdivision Control  
Title 6 – Adequate Public Facilities  
Baltimore County Code 2003

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

3 Section 235B

4 Special Regulations for C.T. Districts

5 §235B.9. C.T. DISTRICT OF OWINGS MILLS

6 A PLAN OF DEVELOPMENT FOR A TRANSIT ORIENTED DEVELOPMENT LOCATED  
7 IN THE B.M.-C.T. ZONE IS NOT SUBJECT TO ANY OF THE HEIGHT OR AREA  
8 REGULATIONS OTHERWISE APPLICABLE IN THE B.M.-C.T. ZONE.

9 § 450.4.

10  
11  
12  
13  
14

SPECIAL REGULATIONS  
TABLE OF SIGN REGULATIONS  
Baltimore County  
PERMANENT SIGNS

15	I	II	III	IV	V	VI	VII	VIII	IX
16	Class	Structural	Zone	Permit	Maximum	Maximum	Height	Illumination	Additional
17		Type	or Use	Required	Area/Face	No./Premises			Limitations

1	<b>1.CHANGE-</b>	(E)	SIGN	USE	1000	2	Not	Yes	SEE SECTION 4507B.2;
2	<b>ABLE COPY</b>	WALL-	INSTALLED		SQUARE		Applicable		STRUCTURED
3		MOUNTED	WITHIN A		FEET				PARKING MUST BE
4	(1)An electronic		PLAN OF						PROVIDED; SIGNAGE
5	changeable copy		DEVELOP-						MAY BE INSTALLED
6	sign may only		MENT FOR A						ON OR ATTACHED TO
7	have a		TRANSIT						ANY BUILDING WALL
8	maximum		ORIENTED						OR ATTACHED OR
9	frequency of		DEVELOP-						DETACHED
10	one		MENT IN						STRUCTURED
11	instantaneous		THE C.T.						PARKING FACILITIES;
12	message change		DISTRICT OF						FOR A TOTAL OF 12
13	per 15-second		OWINGS						MINUTES OF EACH
14	cycle and may		MILLS THAT						HOUR THE SIGN IS IN
15	not display		QUALIFIES						OPERATION,
16	video, flashing,		UNDER						MESSAGES MUST BE
17	blinking,		SECTION						DEVOTED TO PUBLIC
18	animation,		409.6.B.1.(C).						SERVICE
19	strobing, or								ANNOUNCEMENTS.
20	scrolling. Only								
21	commercial								
22	messages								
23	ancillary to the								
24	commercial								
25	activity on site								
26	are allowed. (2)								
27	Paragraph (1)								
28	does not apply								
29	to (A) a sign								
30	that is accessory								
31	to a state-								
32	operated use or								
33	facility that has								
34	a minimum of								
35	1,000 square								
36	feet and is								
37	located in that								
38	part of the CT								
39	District of								
40	Towson								
41	between West								
42	Joppa Road and								
43	Dulaney Valley								
44	Road north of								
45	the York Road								
46	Circle and south								
47	of Bosley								
48	Avenue and								
49	Fairmount								
50	Avenue OR (B)								
51	A SIGN								
52	LOCATED								
53	WITHIN A								
54	PLAN OF								
55	DEVELOP-								
56	MENT FOR A								
57	TRANSIT								
58	ORIENTED								
59	DEVELOP-								
60	MENT IN THE								
61	C.T. DISTRICT								
62	OF OWINGS								
63	MILLS THAT								
64	QUALFIES								
65	UNDER								
66	SECTION								
67	409.6.B.1.(C).								

1 § 235B.1. Apartments; elderly housing facilities.

2 Apartments shall be permitted, but only above the first story of a building. APARTMENTS  
3 LOCATED IN A BUILDING THAT IS PART OF A PLAN OF DEVELOPMENT FOR A  
4 TRANSIT ORIENTED DEVELOPMENT IN THE C.T. DISTRICT OF OWINGS MILLS AND  
5 ELDERLY [Elderly] housing facilities shall be permitted in any story of the building.

6 § 409.6. Required number of parking spaces.

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

13

14 1. Residential and lodging uses.

15	Type of Use	Minimum Number of Required Off-Street 16 Parking Spaces
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17

18

19	Group house (or townhouse),	
20	apartment building, garden	
21	apartment building and other	
22	apartment buildings (i.e., multiple-	
23	family rental or condominium	
24	dwellings)	

25

PLAN OF DEVELOPMENT FOR A

1 TRANSIT ORIENTED DEVELOPMENT IN THE  
2 C.T. DISTRICT OF OWINGS MILLS:

3  
4 .75 PER APARTMENT WITH NO SEPARATE  
5 BEDROOM, 1 PER APARTMENT WITH 1 OR 2  
6 SEPARATE BEDROOMS, AND 1.25 PER  
7 APARTMENT WITH 3 OR MORE SEPARATE  
8 BEDROOMS.  
9

10 2. Commercial and service uses.

11	Type of Use	Minimum Number of Required Off-Street
12		Parking Spaces
13		
14	Fast-food and standard	
15	restaurants: general rule	
16		16 per 1,000 square feet of gross floor area with at least 10
17		spaces required in all cases, except that no parking spaces
18		are required for restaurants in the C.T. District of Towson
19		or for buildings contributing to the historic character of an
20		area, if such buildings have been designated on the
21		National Register of Historic Places and are located within
22		a C.T. or B.L.-C.C.C. District and if such buildings will be
23		adapted for reuse for a restaurant. IN THE C.T. DISTRICT
24		OF OWINGS MILLS, 10 PER 1,000 SQUARE FEET OF
25		GROSS FLOOR AREA FOR A PLAN OF
26		DEVELOPMENT FOR A TRANSIT ORIENTED
27		DEVELOPMENT.

28  
29  
30 4. Recreational and institutional uses.

31	Type of Use	Minimum Number of Required Off-Street
32		Parking Spaces
33		
34	Athletic club or health spa	
35		IN THE C.T. DISTRICT OF OWINGS MILLS,
36		5 PER 1,000 SQUARE FEET OF GROSS
37		FLOOR AREA FOR A PLAN OF DEVELOPMENT
38		FOR A TRANSIT ORIENTED DEVELOPMENT.
39		ELSEWHERE: 10 per 1,000 square feet of gross floor
40		area, excluding any area devoted to tennis/racquetball
41		courts or other similar courts in which case there
42		shall be 3 per court.

1 § 409.7. Location of parking.

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

4 A. Off-street parking spaces for residential uses and lodging uses shall be located within 300  
5 feet walking distance of a building entrance to the use that such spaces serve. OFF-  
6 STREET PARKING SPACES FOR RESIDENTIAL USES LOCATED WITHIN A  
7 PLAN OF DEVELOPMENT FOR A TRANSIT ORIENTED DEVELOPMENT IN THE  
8 C.T. DISTRICT OF OWINGS MILLS SHALL BE LOCATED WITHIN 1,500 FEET  
9 WALKING DISTANCE OF A BUILDING ENTRANCE TO THE USE THAT SUCH  
10 SPACES SERVE.

11 450.7. Special requirements for particular classes.

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

15 2. Up to 50% of the erected sign area of a permitted enterprise or joint identification sign  
16 may be devoted to changeable copy. This paragraph does not apply to a sign that is accessory to  
17 a state operated use or facility, that has a minimum of 1,000 square feet, in the C.T. District of  
18 Towson between West Joppa Road and Dulaney Valley Road north of the York Road Circle and  
19 south of Bosley Avenue and Fairmount Avenue OR A SIGN LOCATED WITHIN A PLAN OF  
20 DEVELOPMENT FOR A TRANSIT ORIENTED DEVELOPMENT IN THE C.T. DISTRICT  
21 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  
5 § 32-6-103. OVERCROWDED SCHOOL DISTRICTS.

6 (f) *Exception.* Development approval may be granted in overcrowded school  
7 districts :

8 (5) FOR DWELLING UNITS THAT ARE PART OF A PLAN OF  
9 DEVELOPMENT FOR A TRANSIT ORIENTED DEVELOPMENT IN THE C.T. DISTRICT  
10 OF OWINGS MILLS.

11 § 32-6-108. RECREATIONAL SPACE.

12 (c) *Minimum Requirement.*

13 (1) Except as provided for in subsections (d), (e) and (f) of this section, AN  
14 APPLICANT SHALL PROVIDE A MINIMUM OF 300 SQUARE FEET OF SUITABLE  
15 OPEN SPACE PER DWELLING UNIT THAT IS PART OF A PLAN OF DEVELOPMENT  
16 FOR A TRANSIT ORIENTED DEVELOPMENT IN THE C.T. DISTRICT OF OWINGS  
17 MILLS. THIS OPEN SPACE MAY BE ACTIVE OPEN SPACE, PASSIVE OPEN SPACE,  
18 OR AMENITY OPEN SPACE. IF NOT PART OF A TRANSIT ORIENTED  
19 DEVELOPMENT IN THE C.T. DISTRICT OF OWINGS MILLS, an applicant shall provide a  
20 minimum of 1000 square feet of suitable open space per dwelling unit, AS PROVIDED IN  
21 PARAGRAPHS (2) AND (3) BELOW.

1           SECTION 3. AND BE IT FURTHER ENACTED, that this Act, having been passed by  
2   the affirmative vote of five members of the County Council, shall take effect on June 6, 2012.

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EXPLANATION:      CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.  
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