

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2014, Legislative Day No. 21

Bill No. 72-14

Mr. David Marks, Councilman

By the County Council, December 15, 2014

A BILL
ENTITLED

AN ACT concerning

The C.T. District of Towson; East Towson

FOR the purpose of redefining the portion of the C.T. District of Towson to which certain zoning regulation requirements are not applicable; authorizing certain additional exemptions in certain cases; requiring open space waiver fees to be utilized in a certain area; providing certain building height limitations in or near the East Towson Community Conservation Area; and generally relating to exemptions for certain properties in the C.T. District of Towson and building height limitations in or near the East Towson Community Conservation Area.

BY repealing and reenacting, with amendments

Sections 235B.7.A and 235.B.7.C.
Baltimore County Zoning Regulations, as amended

BY adding

Section 300.3
Baltimore County Zoning Regulations, as amended

1 SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF BALTIMORE
2 COUNTY, 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 235B.7 C.T. District of Towson

2 A. This subsection applies to a proposed development located in that portion
3 of the

4 C.T. District of Towson bounded by the following streets and roads: [Washington
5 Avenue, Joppa Road, Ware Avenue, Washington Avenue, York Road, Olympic Place
6 (including Properties on both sides of Olympic Place), Dulaney Valley Road, Joppa
7 Road, Delaware Avenue, Chesapeake Avenue, York Road, Towsontown Boulevard,
8 Bosley Avenue, and West Susquehanna Avenue] YORK ROAD, CHESAPEAKE
9 AVENUE, ~~BOSLEY~~ WASHINGTON AVENUE, AND TOWSONTOWN
10 BOULEVARD, if the proposed building lot does not abut any residential zone line other
11 than one having an N.C. overlay district.

12

13 235B.7 C.T. District of Towson

14 C. 1. If the Director of Permits, Approvals and Inspections finds that the
15 proposed development meets the requirements of Subsection A, the Director shall exempt
16 the proposed development from any required front, side or rear yard setback, or any
17 setback from the center line of any street, or any building height limitation.

18 2. (1) FOR A PROPOSED DEVELOPMENT THAT IS SUBJECT TO REVIEW
19 BY THE DESIGN REVIEW PANEL, THE DIRECTOR MAY ALSO EXEMPT THE
20 DEVELOPMENT FROM ANY LAWS OR REGULATIONS GOVERNING THE
21 HEIGHT, AREA, BULK, ~~SIGNAGE OR PARKING~~ OR SIGNAGE REQUIREMENTS
22 APPLICABLE TO THE DEVELOPMENT, SUBJECT TO THE REQUIREMENTS OF
23 THIS PARAGRAPH.

1 (II) THE DIRECTOR SHALL GIVE PUBLIC NOTICE OF A REQUEST FOR
2 EXEMPTION AND SHALL POST THE PROPERTY AT LEAST 10 DAYS PRIOR TO
3 HIS DECISION ON THE PROPOSED EXEMPTION. THE DIRECTOR’S DECISION
4 MAY BE APPEALED UNDER SECTION 32-3-401 OF THE COUNTY CODE.

5 (III) THE CALCULATION OF REQUIRED OFF-STREET PARKING MAY
6 INCLUDE ANY SPACES LOCATED IN ANY PUBLICALLY-OWNED OR
7 PRIVATELY-OWNED SURFACE OR STRUCTURED PARKING LOT LOCATED
8 WITHIN THE DEVELOPMENT.

9 (IV) THE DIRECTOR MAY NOT GRANT AN EXEMPTION TO PERMIT
10 ANY OUTDOOR ADVERTISING SIGNS WITHIN THE DEVELOPMENT, OR TO
11 PERMIT ANY ROOF-MOUNTED SIGNS WITHIN THE DEVELOPMENT.

12
13 [2.] 3. The Director shall certify the exemption in writing, INCLUDING
14 AN EXPLANATION OF HOW THE EXEMPTION IS NOT DETRIMENTAL TO THE
15 PUBLIC HEALTH, SAFETY OR GENERAL WELFARE, and shall file a copy of the
16 certification with the Zoning Commissioner or hearing officer if a hearing is otherwise
17 required for the proposed development. If a hearing is not required for the proposed
18 development, the developer shall place a copy of the certification on the plans to
19 accompany the application for the building permit.

20 4. ANY OPEN SPACE WAIVER FEES PAID TO THE COUNTY IN
21 ASSOCIATION WITH A DEVELOPMENT PROJECT UNDER THIS SECTION
22 SHALL BE UTILIZED BY THE COUNTY FOR IMPROVEMENTS WITHIN A ~~TWO~~
23 THREE-MILE RADIUS OF THE PROJECT SITE.

1 300.3. EAST TOWSON COMMUNITY CONSERVATION AREA.

2 A BUILDING LOCATED IN, OR WITHIN 100 FEET OF, THE EAST
3 TOWSON COMMUNITY CONSERVATION AREA (RESOLUTION 12-92) MAY
4 NOT EXCEED ~~440~~ 45 FEET IN HEIGHT.

5
6 SECTION 2. AND BE IT FURTHER ENACTED, that the provisions of this
7 legislation are not intended to permit the Director of Permits, Approvals and Inspections
8 to waive the applicability to a proposed development of any environmental laws or
9 regulations, or historic preservation laws or regulations, or bicycle parking or transit laws
10 or regulations.

11
12 SECTION 3. AND BE IT FURTHER ENACTED, that a property located within
13 the boundaries of the area described in Section 235B.7.A, as in effect immediately prior
14 to the adoption of this Act, shall continue to be eligible for the exemptions provided in
15 Section 235B.7.C.1., and the provisions of this Act do not apply to any development for
16 which a letter granting an exemption under Section 235B.7.C. has been issued by the
17 Director of Permits, Approvals and Inspections prior to the effective date of this Act.

18
19 SECTION ~~3~~ 4. AND BE IT FURTHER ENACTED, that this Act, having been
20 passed by the affirmative vote of five members of the County Council, shall take effect
21 on January 30, 2015.