

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND  
Legislative Session 2024, Legislative Day No. \_\_\_\_\_

Bill No. \_\_\_\_\_

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Mr. Izzy Patoka, Chairman  
By Request of County Executive

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By the County Council, \_\_\_\_\_, 2024

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A BILL  
ENTITLED

AN ACT concerning

Mixed-Use Development

FOR the purpose of permitting Mixed-Use Development within certain zones, subject to certain conditions and limitations; defining Greyfield, Mixed-Use Development, Transit Corridor, and Nodes; establishing parking requirements for Mixed-Use Developments; establishing inclusionary housing set-asides; and generally relating to Mixed-Use Development.

BY adding

Section 101.1, the definitions of “Greyfield,” “Mixed-Use Development” “Node”, and “Transit Corridor”, listed alphabetically.

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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.

Sections 230.6, 233.4, 236.3, 253.6, 409.15, and 451 Baltimore County Zoning Regulations, as amended

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

3 ARTICLE 1 – GENERAL PROVISIONS

4 Section 101 – Definitions

5 § 101.1 Word usage; definitions.

6 GREYFIELD – COMMERCIAL OR RETAIL SITES OR DEVELOPMENTS, SUCH AS  
7 SHOPPING CENTERS AND MALLS, THAT ARE UNDERUTILIZED OR HAVE BEEN  
8 ABANDONED AFTER A PERIOD OF DISINVESTMENT.

9 MIXED-USE DEVELOPMENT – A DEVELOPMENT THAT INCORPORATES TWO OR  
10 MORE USES INTO THE SAME BUILDING OR PROJECT, AND IN THE SAME  
11 DEVELOPMENT SITE PLAN. THE DEVELOPMENT COMBINES RESIDENTIAL  
12 FUNCTIONS WITH COMMERCIAL USES, BUT CAN ALSO ENCOMPASS CULTURAL  
13 AND INSTITUTIONAL USES AS WELL AS PUBLIC AMENITIES AND IS TYPICALLY  
14 CHARACTERIZED AS WALKABLE AND PEDESTRIAN-FRIENDLY, OFFERING  
15 RESIDENTS OPPORTUNITIES TO LIVE, WORK, AND SHOP IN A SINGLE  
16 NEIGHBORHOOD AND REDUCE THEIR DEPENDENCE ON VEHICULAR TRAVEL.

17 NODE – A NODE IS A PLACE TYPE CONSIDERED MOST STRATEGIC FOR  
18 RETROFITTING. NODES ARE PREDOMINANTLY LOCATED ALONG AGING  
19 NEIGHBORHOOD CENTERS, MAJOR ARTERIALS, NEAR TRANSIT HUBS OR LARGE  
20 GREYFIELD SITES. A NODE MAY CONSIST OF A WALKABLE REDEVELOPMENT

1 WITH MID-TO-HIGH-RESIDENTIAL DENSITY AND A MIX OF USES. A NODE IS A  
2 GEOGRAPHIC AREA WHICH MAY BE CHARACTERIZED BY VARIOUS CRITERIA  
3 INCLUDING BUT NOT LIMITED TO DEMOGRAPHIC STATUS, EMPLOYMENT  
4 OPPORTUNITY, FUNDING RESOURCES, LAND USE AND OWNERSHIP,  
5 NEIGHBORHOOD ASSET, NEIGHBORHOOD DEFICIENCY, AND TRANSPORTATION  
6 ACCESS. A NODE MAY ALSO HAVE THE SAME MEANING AS SET FORTH IN  
7 MASTER PLAN 2030.

8 TRANSIT CORRIDOR – A GEOGRAPHICALLY BOUND SET OF TWO OR MORE  
9 CONTIGUOUS SUBWAY, RAIL, BUS RAPID TRANSIT, OR BUS STATIONS.

10 ARTICLE 2 - ELEVATOR-APARTMENT RESIDENCE ZONES, RESIDENTIAL-OFFICE  
11 ZONES, OFFICE ZONES, BUSINESS ZONES, MANUFACTURING ZONES AND  
12 DISTRICTS

13 § 230.6. – MIXED-USE DEVELOPMENT IN THE B.L. ZONE.

14 A. NOTWITHSTANDING OTHER PROVISIONS OF THESE REGULATIONS TO THE  
15 CONTRARY, MIXED-USE DEVELOPMENTS SHALL BE PERMITTED BY RIGHT  
16 IN THE B.L. ZONE AND ON ANY TRACT OF LAND THAT IS LOCATED:

- 17 1. WITHIN THE URBAN RURAL DEMARCATION LINE, AND
- 18 2. IN A NODE.

19 B. THE DEVELOPMENT SHALL MEET THE REQUIREMENTS SET FORTH IN  
20 SECTION 451 OF THESE REGULATIONS.

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22 § 233.4. – MIXED-USE DEVELOPMENT IN B.M. ZONE.

1 A. NOTWITHSTANDING OTHER PROVISIONS OF THESE REGULATIONS TO THE  
2 CONTRARY, MIXED-USE DEVELOPMENTS SHALL BE PERMITTED BY RIGHT  
3 IN THE B.M., ZONE AND ON ANY TRACT OF LAND THAT IS LOCATED:

- 4 1. WITHIN THE URBAN RURAL DEMARCATION LINE, AND
- 5 2. IN A NODE.

6 B. THE DEVELOPMENT SHALL MEET THE REQUIREMENTS SET FORTH IN  
7 SECTION 451 OF THESE REGULATIONS.

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9 § 236.3. – MIXED-USE DEVELOPMENT IN B.R. ZONE.

10 A. NOTWITHSTANDING OTHER PROVISIONS OF THESE REGULATIONS TO THE  
11 CONTRARY, MIXED-USE DEVELOPMENTS SHALL BE PERMITTED BY RIGHT  
12 IN THE B.R. ZONE AND ON ANY TRACT OF LAND THAT IS LOCATED:

- 13 1. WITHIN THE URBAN RURAL DEMARCATION LINE, AND
- 14 2. IN A NODE.

15 B. THE DEVELOPMENT SHALL MEET THE REQUIREMENTS SET FORTH IN  
16 SECTION 451 OF THESE REGULATIONS.

17

18 § 253.6 – MIXED-USE DEVELOPMENT IN THE MANUFACTURING, LIGHT (M.L.)  
19 ZONE.

20 A. NOTWITHSTANDING OTHER PROVISIONS OF THESE REGULATIONS TO THE  
21 CONTRARY, MIXED-USE DEVELOPMENTS SHALL BE PERMITTED BY  
22 SPECIAL EXCEPTION IN THE M.L. ZONE AND ON ANY TRACT OF LAND  
23 THAT IS LOCATED:



- 1           1. TO CREATE DYNAMIC, HIGH-QUALITY NEIGHBORHOODS THAT ARE  
2           ATTRACTIVE, PEDESTRIAN-ORIENTED, AND COMPATIBLE WITH THE  
3           SURROUNDING COMMUNITY;
- 4           2. TO ENCOURAGE ECONOMIC DEVELOPMENT AND REVITALIZATION  
5           IN THE COUNTY’S MAJOR COMMERCIAL CORRIDORS AND MAIN  
6           STREETS.
- 7           3. TO INCENTIVIZE THE CREATION OF ATTAINABLE, ACCESSIBLE AND  
8           AFFORDABLE HOUSING UNITS AND PROVIDE FOR A VARIETY OF  
9           RESIDENTIAL USES.
- 10          4. TO PROMOTE SMART GROWTH AND SUSTAINABLE  
11          REDEVELOPMENT STRATEGIES WITHIN THE URBAN RURAL  
12          DEMARCATON LINE.
- 13          5. TO MAXIMIZE THE USE OF PUBLIC TRANSPORTATION, BICYCLE, AND  
14          PEDESTRIAN ACCESS.
- 15          6. TO SUPPORT THE REDEVELOPMENT AND REVITALIZATION OF  
16          GREYFIELDS.

17        B. NOTWITHSTANDING CONTRARY PROVISIONS OF THESE ZONING  
18        REGULATIONS, THE FOLLOWING USES ARE PERMITTED BY RIGHT FOR  
19        MIXED-USE DEVELOPMENTS:

- 20           1. MULTI-FAMILY HOUSING.
  - 21           a. APARTMENTS;
  - 22           b. ELDERLY HOUSING FACILITIES;
  - 23           c. ASSISTED LIVING FACILITIES;

- 1           2. SINGLE-FAMILY ATTACHED, DUPLEX DWELLINGS, GROUP HOMES, AND
- 2           ALTERNATIVE SITE DESIGN DWELLINGS ARE PERMITTED ONLY AS A
- 3           TRANSITION TO ADJOINING USES OF THE SAME NATURE AND SHALL
- 4           NOT CONSTITUTE MORE THAN 20% OF ALL RESIDENTIAL UNITS
- 5           PROPOSED AS PART OF A SITE DEVELOPMENT PLAN.
- 6           3. COMMUNITY CENTER.
- 7           4. EXHIBITION AND CULTURAL AND ARTS GALLERIES AND DISPLAYS.
- 8           5. ART STUDIOS AND MAKER SPACES.
- 9           6. OFFICES AND CO-WORKING SPACES.
- 10          7. BANKS AND FINANCIAL INSTITUTIONS (NO DRIVE-THRUS).
- 11          8. PUBLIC GARDENS, PARKS, PLAZAS OR CIVIC GATHERING SPACES.
- 12          9. GOVERNMENT SERVICES.
- 13          10. DAY CARE, NURSERIES, AND PRE-SCHOOLS.
- 14          11. EDUCATIONAL INSTITUTIONS AND SERVICES.
- 15          12. PLACE OF WORSHIP.
- 16          13. INDOOR LIVE ENTERTAINMENT VENUE.
- 17          14. CLASS 7 BREWERIES; CLASS 1 WINERIES AND DISTILLERIES.
- 18          15. ARTISAN FOOD PRODUCERS WITH ON-SITE SALES.
- 19          16. OUTDOOR DINING.
- 20          17. ROOFTOP SOLAR COLLECTORS.
- 21          18. URBAN FARMS AND APIARIES.
- 22          C. SPECIAL EXCEPTION USES.
- 23              1. CONFERENCE CENTERS

- 1           2. HOTELS
- 2           3. OUTDOOR LIVE ENTERTAINMENT VENUE
- 3           4. PARKING GARAGE (AS A PRINCIPAL USE)
- 4           5. BANKS AND FINANCIAL INSTITUTIONS (DRIVE-THRU PERMITTED).
- 5           6. DRIVE-THRU RESTAURANTS.

6   D. PROHIBITED USES.

- 7           1. FUEL SERVICE STATIONS
- 8           2. CAR WASHES
- 9           3. GARAGES, SERVICE
- 10          4. AUTOMOTIVE AND OTHER VEHICLE SALES, SERVICES, RENTAL OR
- 11            REPAIRS
- 12          5. WAREHOUSES, INCLUDING COMPARTMENTALIZED WAREHOUSE
- 13            ESTABLISHMENTS.
- 14          6. SLUDGE DISPOSAL FACILITIES
- 15          7. HEAVY MANUFACTURING USES LISTED IN SECTION 256.4
- 16          8. STORAGE OF INFLAMMABLE LIQUIDS AND GASES ABOVEGROUND
- 17          9. MOTELS OR MOTOR COURTS
- 18          10. BOARDINGHOUSE
- 19          11. ADULT ENTERTAINMENT
- 20          12. TOBACCO SHOPS
- 21          13. HOOKAH LOUNGES
- 22          14. SHOOTING RANGE

23   E. RESIDENTIAL AND NONRESIDENTIAL FOOTPRINT REGULATIONS.



1 AT LEAST 50 PERCENT OF THE GROUND FLOOR OF A MIXED-USE  
2 DEVELOPMENT SHALL BE DEVELOPED FOR NONRESIDENTIAL USE.

3 F. DENSITY.

4 RESIDENTIAL DENSITY SHALL BE REGULATED BY THE FLOOR AREA  
5 RATIO.

6 G. HEIGHT REGULATIONS.

- 7 1. THE MAXIMUM HEIGHT OF ANY POINT ON A BUILDING SHALL BE NO  
8 GREATER THAN ONE AND A HALF TIMES THE MAXIMUM HEIGHT  
9 THAT WOULD BE PERMITTED BY THE UNDERLYING ZONE.
- 10 2. THE MINIMUM BUILDING HEIGHT SHALL BE 20 FEET.

11 H. AREA REQUIREMENTS.

12 1. SETBACKS.

- 13 i. SETBACKS SHALL BE GOVERNED BY THE UNDERLYING ZONE,  
14 WITH THE EXCEPTION OF THE FRONT YARD.
- 15 ii. FRONT YARDS ARE NOT SUBJECT TO SETBACK  
16 REQUIREMENTS BUT SHALL RELATE TO THE SETBACKS OF  
17 ADJACENT BUILDINGS TO ESTABLISH A CONSISTENT STREET  
18 FRONT.

19 I. FLOOR AREA RATIO.

20 THE MAXIMUM FLOOR AREA RATIO SHALL BE CONSISTENT WITH  
21 THE UNDERLYING ZONE OR DISTRICT, UNLESS THE DEVELOPMENT  
22 INCORPORATES INCLUSIONARY HOUSING DESCRIBED IN SECTION  
23 451(O). FLOOR AREA RATIO MAY BE INCREASED BY 150% IN

1 DEVELOPMENTS THAT INCORPORATE INCLUSIONARY HOUSING BUT  
2 SHALL NOT EXCEED A FLOOR AREA RATIO OF 5.0.

3 J. PARKING.

- 4 1. PARKING SHOULD BE PROVIDED IN PARKING STRUCTURES AND  
5 LOCATED TO THE REAR OF PROPERTIES. PARKING STRUCTURES  
6 SHOULD BE INTEGRATED INTO THE DESIGN OF OTHER BUILDINGS  
7 ON SITE, RATHER THAN COMPLETELY FREESTANDING.
- 8 2. SURFACE PARKING MAY BE PROVIDED IN SMALL LOTS LOCATED TO  
9 THE REAR OF PROPERTIES AND ON-STREET AS PARALLEL OR  
10 ANGLED PARKING SPACES.

11 K. OPEN SPACE RATIO.

- 12 1. THE MINIMUM AMENITY OPEN SPACE RATIO SHALL BE 0.2.
- 13 2. PUBLIC OPEN SPACE, PLAZAS, AND PARKS SHOULD BE NOT LESS  
14 THAN ONE QUARTER MILE APART.
- 15 3. CONTINUOUS PEDESTRIAN WALKWAYS SHOULD LINK PUBLIC OPEN  
16 SPACES TOGETHER FROM ONE SITE TO ANOTHER.
- 17 4. A MINIMUM OF 20 PERCENT OF THE GROSS AREA SHOULD BE  
18 LANDSCAPED OPEN SPACE. UNLESS OTHERWISE MODIFIED, NO  
19 MORE THAN ONE-HALF OF THE MINIMUM REQUIRED OPEN SPACE IS  
20 PERMITTED ABOVE THE STREET LEVEL.
- 21 5. SITE-SPECIFIC OPEN SPACE SHOULD CONTRIBUTE TO A LARGER  
22 PLAN FOR COMMUNITY AND REGIONAL OPEN SPACE AND RESPOND  
23 TO THE NEED TO PROTECT OR RESTORE SENSITIVE

1 ENVIRONMENTAL FEATURES, MANAGE STORMWATER, AND  
2 MITIGATE THE EFFECTS OF CLIMATE CHANGE

3 L. SITE DEVELOPMENT PLANS AND ARCHITECTURAL DESIGN.

4 1. ALL MIXED-USE DEVELOPMENT PLANS SHALL BE SUBJECT TO A  
5 SITE DEVELOPMENT PLAN ACCORDING TO § 32-4-221.

6 2. UNLESS SUBJECT TO SPECIFIC DESIGN GUIDELINES, ALL  
7 DEVELOPMENT SHALL PROVIDE A HIGHER QUALITY OF DESIGN AND  
8 CONFORM TO THE COMPREHENSIVE MANUAL OF DEVELOPMENT  
9 POLICIES AND THE LANDSCAPE DEVELOPMENT MANUAL.

10 3. SITE AND ARCHITECTURAL DESIGN SHOULD RETAIN AND  
11 REINFORCE LOCAL HISTORICAL, ARCHITECTURAL, AND CULTURAL  
12 CHARACTER.

13 4. DEVELOPMENTS SHOULD BE DESIGNED TO ACHIEVE GREEN  
14 BUILDING STANDARDS EQUIVALENT TO THE SILVER STANDARD OF  
15 EITHER THE LEADERSHIP IN ENERGY AND ENVIRONMENTAL DESIGN  
16 (LEED) OR THE NATIONAL GREEN BUILDING STANDARDS (NGBS).  
17 PRELIMINARY DESIGN PARAMETERS REGARDING LEED OR NGBS  
18 SILVER CERTIFICATION SHALL BE SUBMITTED WITH THE  
19 DEVELOPMENT PLAN.

20 M. SIGNAGE.

21 1. SIGNAGE SHALL BE REGULATED ACCORDING TO THE UNDERLYING  
22 ZONE.

- 1           2. SIGNAGE SHOULD BE UNIFORM WITHIN THE CONTEXT OF THE  
2           PROJECT. AN INTEGRATED SIGN PROGRAM INCLUDING LETTERING,  
3           COLORS, SIZE, ETC., SHOULD BE PROVIDED.
- 4           3. SIGNAGE SHOULD RELATE TO THE ARCHITECTURAL DESIGN  
5           THROUGH THE USE OF COLOR, FORM, AND MATERIAL.
- 6           4. SIGNS SHOULD BE DESIGNED FOR VISUAL COMMUNICATIONS TO  
7           PEDESTRIANS AND SLOW-MOVING VEHICULAR TRAFFIC.
- 8           5. SIGNS PROJECTING FROM THE BUILDING WALL TOWARD THE  
9           SIDEWALK ARE ENCOURAGED ON THE FIRST TWO FLOORS OF THE  
10          BUILDING.

11          N. CIRCULATION AND TRANSPORTATION.

- 12           1. ALL INTERNAL ROADWAYS SHALL BE IN CONFORMANCE WITH THE  
13           COMPLETE STREETS GUIDELINES, WITH THE EXCEPTION THAT  
14           SIDEWALKS SHOULD BE A MINIMUM OF 10 FEET IN WIDTH,  
15           INCLUDING A CONTINUOUS STREETScape ZONE OF NO LESS THAN 5  
16           FEET FOR STREET TREES AND STREET FURNITURE SUCH AS  
17           BENCHES, BIKE RACKS, TRASH RECEPTACLES, TRANSIT SHELTERS,  
18           PUBLIC ART, WAYFINDING SIGNAGE, ETC. AND LIGHTING AND  
19           LANDSCAPING.
- 20           2. BICYCLE AND PEDESTRIAN FACILITIES WITHIN THE SITE AND  
21           CONNECTING TO ADJACENT SITES SHALL BE PROVIDED IN  
22           ACCORDANCE WITH THE BICYCLE AND PEDESTRIAN MASTER PLAN  
23           AND APPLICABLE ADOPTED PLANS.

1 O. INCLUSIONARY HOUSING.

2 1. A MIXED-USE DEVELOPMENT SHALL BE ELIGIBLE FOR A GREATER  
3 FLOOR AREA RATIO AND REDUCED PARKING REQUIREMENTS, IF  
4 THE DEVELOPMENT INCLUDES A SET-ASIDE, ENCUMBERED BY A  
5 RECORDED DEED RESTRICTION, OF A PERCENTAGE OF THE TOTAL  
6 NUMBER RESIDENTIAL UNITS IN THE DEVELOPMENT FOR  
7 HOUSEHOLDS WITH AN INCOME AT OR BELOW 60% OF THE AREA  
8 MEDIAN INCOME FOR BALTIMORE COUNTY, MARYLAND.

9 i. THE PERCENTAGE OF SET-ASIDE RESIDENTIAL UNITS SHALL  
10 BE BASED ON THE TOTAL NUMBER OF RESIDENTIAL UNITS IN  
11 THE DEVELOPMENT AS FOLLOWS:

- 12 a. 20-34 TOTAL UNITS – 10% SET-ASIDE.
- 13 b. 35-49 TOTAL UNITS – 15% SET ASIDE.
- 14 c. 50 OR MORE TOTAL UNITS – 20% SET -ASIDE.

15 2. IN LIEU OF MEETING THE SET-ASIDE UNIT PERCENTAGES  
16 DESCRIBED IN SUBSECTION (O)(1), MIXED-USE DEVELOPMENTS MAY  
17 ENTER INTO AN AGREEMENT WITH BALTIMORE COUNTY TO SET  
18 ASIDE UNITS FOR PERSONS OF ELIGIBLE INCOME IN A MANNER  
19 THAT SUPPORTS, AS DETERMINED BY THE COUNTY, THE GOAL OF  
20 PROVIDING ALL RESIDENTS ACCESS TO DECENT, SAFE AND  
21 SANITARY DWELLINGS WITHOUT OVERCROWDING.

22 i. SET-ASIDE UNITS UNDER THIS SUBSECTION MAY INCLUDE,  
23 BUT ARE NOT LIMITED TO:

- 1                   a. UNITS ENCUMBERED BY A RECORDED DEED
- 2                                 RESTRICTION FOR PERSONS OF ELIGIBLE INCOME;
- 3                   b. UNITS WITH SPECIFIC FEATURES INTENDED TO SERVE
- 4                                 HOUSEHOLDS THAT INCLUDE PERSONS WITH
- 5                                 DISABILITIES; AND
- 6                   c. UNITS RESERVED FOR THE PURPOSE OF PROVIDING
- 7                                 TEMPORARY SUPPORTIVE HOUSING.
  
- 8           3. A.     A MIXED-USE DEVELOPMENT THAT RECEIVES COUNTY
- 9                                 FINANCIAL SUPPORT SHALL ENTER INTO AN AGREEMENT WITH THE
- 10                                COUNTY TO SET ASIDE UNITS FOR PERSONS OF ELIGIBLE INCOME
- 11                                THAT SUPPORTS, AS DETERMINED BY THE COUNTY, THE GOAL OF
- 12                                PROVIDING RESIDENTS ACCESS TO DECENT, SAFE AND SANITARY
- 13                                DWELLINGS WITHOUT OVERCROWDING.
  
- 14           B.     COUNTY FINANCIAL SUPPORT MAY INCLUDE PUBLIC-
- 15                                PRIVATE PARTNERSHIPS, TAX INCREMENT FINANCING, PAYMENT IN
- 16                                LIEU OF TAXES, GRANTS, LOANS, GUARANTEES, BONDS, AND TAX
- 17                                CREDITS.

18           SECTION 2. AND BE IT FURTHER ENACTED, that this Act shall take effect 45 days  
19 after its enactment.