

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND  
Legislative Session 2024, Legislative Day No. 5

Bill No. 9-24

---

Councilmembers Patoka and Ertel

---

By the County Council, March 4, 2024

---

A BILL  
ENTITLED

AN ACT concerning

Zoning Regulations – Mixed-Use Overlay District

FOR the purpose of establishing a Mixed-Use (M.U.) Overlay District and permitting Mixed-Use Development within the district, subject to certain conditions and limitations; defining certain terms; providing for permitted uses by right and by special exception; providing for prohibited uses; providing for residential density ~~and floor area ratio~~; providing bulk and area regulations, parking requirements, open space requirements, site development and architectural design, and signage; establishing inclusionary housing set-asides; providing for the application of the Act; and generally relating to Mixed-Use Development and Overlay Districts.

---

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 101.1, the definitions of “Greyfield,” “Mixed-Use Development” and “Node”,  
listed alphabetically, and  
Section 259.17  
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

4 ARTICLE 1 – GENERAL PROVISIONS

5 Section 101 – Definitions

6 § 101.1. Word usage; definitions.

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

10 MIXED-USE DEVELOPMENT – A DEVELOPMENT THAT INCORPORATES TWO  
11 OR MORE USES ~~INTO~~ WITHIN THE SAME SITE DEVELOPMENT PLAN. THE USES  
12 MAY BE IN THE SAME BUILDING OR PROJECT, AND WITHIN ACROSS MULTIPLE  
13 BUILDINGS IN THE SAME SITE DEVELOPMENT SITE PLAN. THE A MIXED-USE  
14 DEVELOPMENT MAY CONSIST OF ONE OR MORE PARCELS UNDER DIFFERENT OR  
15 COMMON OWNERSHIP OR CONTROL AND MAY BE SUBJECT TO ONE OR MORE  
16 DEVELOPMENT PLANS. A MIXED-USE DEVELOPMENT COMBINES RESIDENTIAL  
17 FUNCTIONS WITH COMMERCIAL, BUSINESS, OR RETAIL USES, BUT CAN MAY  
18 ALSO ENCOMPASS CULTURAL AND INSTITUTIONAL USES AS WELL AS PUBLIC  
19 AMENITIES AND IS TYPICALLY MAY BE CHARACTERIZED AS WALKABLE AND

1 PEDESTRIAN-FRIENDLY, OFFERING RESIDENTS OPPORTUNITIES TO LIVE, WORK,  
2 AND SHOP IN A SINGLE NEIGHBORHOOD ~~AND REDUCE THEIR DEPENDENCE ON~~  
3 ~~VEHICULAR TRAVEL.~~

4 NODE – A NODE IS A PLACE TYPE AND MEANS THE SAME AS THE TERM IS  
5 DEFINED IN MASTER PLAN 2030, AS AMENDED.

6

7 ARTICLE 2 – ELEVATOR-APARTMENT RESIDENCE ZONES,  
8 RESIDENTIAL-OFFICE ZONES, OFFICE ZONES, BUSINESS ZONES,  
9 MANUFACTURING ZONES AND DISTRICTS

10 Section 259 – Districts

11

12 § 259.17. MIXED-USE (M.U.) DISTRICT.

13 A. PURPOSE. THE MIXED-USE (M.U.) DISTRICT IS ESTABLISHED TO:

14 1. CREATE DYNAMIC, HIGH-QUALITY NEIGHBORHOODS THAT ARE  
15 ATTRACTIVE, PEDESTRIAN-ORIENTED, AND ~~COMPATIBLE WITH~~ COMPLEMENT  
16 THE SURROUNDING COMMUNITY;

17 2. ENCOURAGE ECONOMIC DEVELOPMENT AND REVITALIZATION IN  
18 THE COUNTY’S MAJOR COMMERCIAL CORRIDORS AND MAIN STREETS;

19 3. INCENTIVIZE THE CREATION OF ATTAINABLE, ACCESSIBLE, AND  
20 AFFORDABLE HOUSING UNITS, AND PROVIDE FOR A VARIETY OF RESIDENTIAL  
21 USES;

22 4. PROMOTE SMART GROWTH AND SUSTAINABLE REDEVELOPMENT  
23 STRATEGIES WITHIN THE URBAN RURAL DEMARCATION LINE;

1                   5. ~~MAXIMIZE~~ ENCOURAGE THE USE OF PUBLIC TRANSPORTATION,  
2 BICYCLE, AND PEDESTRIAN ACCESS; AND

3                   6. SUPPORT THE REDEVELOPMENT AND REVITALIZATION OF  
4 GREYFIELDS.

5                   B. LOCATION REQUIREMENT. THE M.U. DISTRICT MAY BE APPLIED ONLY  
6 TO A TRACT OF LAND THAT IS:

7                   1. ZONED B.L., B.M., B.R., OR M.L., REGARDLESS OF WHETHER IT IS  
8 ASSIGNED ANOTHER OVERLAY DISTRICT;

9                   2. WITHIN THE URBAN RURAL DEMARCATION LINE; AND

10                  3. IN A ANY TYPE OF NODE, AS SET FORTH IN MASTER PLAN 2030, AS  
11 AMENDED.

12                  C. DEVELOPMENT IN THE M.U. DISTRICT.

13                  1. A DEVELOPMENT IN THE M.U. DISTRICT SHALL MAY BE A MIXED-  
14 USE DEVELOPMENT AS AN ALTERNATIVE TO DEVELOPMENT IN ACCORDANCE  
15 WITH THE UNDERLYING ZONE OR ANOTHER ASSIGNED OVERLAY DISTRICT.

16                  2. SUBJECT TO DEVELOPMENT REVIEW, AT LEAST 25% OF THE  
17 GROSS FLOOR AREA ~~OF A~~ WITHIN AN OVERALL MIXED-USE DEVELOPMENT IN  
18 THE M.U. DISTRICT SHALL BE DEVELOPED FOR NONRESIDENTIAL USE, WHICH  
19 MAY INCLUDE AMENITIES IN AN APARTMENT BUILDING.

20                  3. A MIXED-USE DEVELOPMENT UNDER THIS SECTION IN THE M.U.  
21 DISTRICT SHALL NOT BE ELIGIBLE FOR A LIMITED EXEMPTION PURSUANT TO §  
22 32-4-106 OF THE COUNTY CODE, EXCEPT THAT CHANGES PURSUANT TO THIS  
23 SECTION TO A DEVELOPMENT PLAN APPROVED PRIOR TO JUNE 1, 2024 FOR A

1 DEVELOPMENT IN THE M.U. DISTRICT SHALL BE APPROVED IN THE SAME  
2 MANNER IN WHICH THE PLAN WAS ORIGINALLY APPROVED.

3 D. USES PERMITTED BY RIGHT. THE FOLLOWING USES ARE PERMITTED  
4 BY RIGHT IN THE M.U. DISTRICT, IN ADDITION TO THE USES PERMITTED BY  
5 RIGHT IN THE UNDERLYING ZONE OR ANOTHER ASSIGNED OVERLAY DISTRICT:

6 1. MULTI-FAMILY HOUSING, INCLUDING APARTMENTS, PURPOSE-  
7 BUILT STUDENT HOUSING, ELDERLY, SENIOR, OR AGE-RESTRICTED HOUSING  
8 FACILITIES, AND ASSISTED LIVING FACILITIES.

9 2. SINGLE-FAMILY ATTACHED, DUPLEX DWELLINGS, GROUP  
10 HOMES, AND ALTERNATIVE SITE DESIGN DWELLINGS ARE PERMITTED ~~ONLY AS~~  
11 ~~A TRANSITION TO ADJOINING USES OF THE SAME NATURE AND~~ BUT SHALL NOT  
12 CONSTITUTE MORE THAN 50% OF ALL RESIDENTIAL UNITS PROPOSED AS PART  
13 OF A MIXED-USE SITE DEVELOPMENT PLAN.

14 3. COMMUNITY CENTERS.

15 4. EXHIBITION AND CULTURAL CENTERS.

16 5. ART GALLERIES AND DISPLAYS.

17 6. ART STUDIOS AND MAKER SPACES.

18 7. OFFICES AND CO-WORKING SPACES.

19 8. BANKS AND FINANCIAL INSTITUTIONS (NO DRIVE-THRUS).

20 9. PUBLIC GARDENS, PARKS, PLAZAS OR CIVIC GATHERING SPACES.

21 10. GOVERNMENT SERVICES.

22 11. DAY CARES, NURSERIES, AND PRE-SCHOOLS.

23 12. EDUCATIONAL INSTITUTIONS AND SERVICES.

- 1 13. PLACES OF WORSHIP.
- 2 14. INDOOR LIVE ENTERTAINMENT VENUES.
- 3 15. CLASS 7 BREWERIES.
- 4 16. CLASS 1 WINERIES AND DISTILLERIES.
- 5 17. ARTISAN FOOD PRODUCERS WITH ON-SITE SALES.
- 6 18. OUTDOOR DINING.
- 7 19. ROOFTOP SOLAR COLLECTORS.
- 8 20. URBAN FARMS AND APIARIES.
- 9 21. HOTELS.
- 10 22. INDOOR/OUTDOOR ACTIVE RECREATION OR SPORTS FACILITIES.

11 E. USES PERMITTED BY SPECIAL EXCEPTION. UNLESS OTHERWISE  
12 PERMITTED BY RIGHT BY THE UNDERLYING ZONE OR ANOTHER ASSIGNED  
13 OVERLAY DISTRICT, THE FOLLOWING USES ARE PERMITTED BY SPECIAL  
14 EXCEPTION IN THE M.U. DISTRICT, IN ADDITION TO USES PERMITTED BY SPECIAL  
15 EXCEPTION BY THE UNDERLYING ZONE OR ANOTHER ASSIGNED OVERLAY  
16 DISTRICT:

- 17 1. CONFERENCE CENTERS.
- 18 2. ~~HOTELS~~ CAR WASHES AS AN ACCESSORY USE TO A PARKING  
19 GARAGE.
- 20 3. OUTDOOR LIVE ENTERTAINMENT VENUES.
- 21 4. PARKING GARAGES (AS A PRINCIPAL USE).
- 22 5. BANKS AND FINANCIAL INSTITUTIONS (DRIVE-THRUS  
23 PERMITTED).

1                   6. DRIVE-THRU RESTAURANTS.

2                   F. PROHIBITED USES. THE FOLLOWING USES ARE PROHIBITED IN A  
3 MIXED-USE DEVELOPMENT IN THE M.U. DISTRICT REGARDLESS OF WHETHER  
4 THE USES ARE PERMITTED IN THE UNDERLYING ZONE:

5                   1. FUEL SERVICE STATIONS.

6                   2. STAND-ALONE CAR WASHES AS A PRINCIPAL USE.

7                   3. GARAGES, SERVICE.

8                   4. AUTOMOTIVE AND OTHER VEHICLE SALES SERVICES OR REPAIRS.

9                   5. WAREHOUSES.

10                  6. COMPARTMENTALIZED WAREHOUSE ESTABLISHMENTS,  
11 INCLUDING SELF STORAGE UNITS.

12                  7. SLUDGE DISPOSAL FACILITIES.

13                  8. HEAVY MANUFACTURING USES AS SET FORTH IN § 256.4 OF  
14 THESE REGULATIONS.

15                  9. ABOVE GROUND STORAGE OF INFLAMMABLE LIQUIDS AND  
16 GASES.

17                  10. MOTELS OR MOTOR COURTS.

18                  11. ROOMING AND BOARDING HOUSES.

19                  12. ADULT ENTERTAINMENT.

20                  13. TOBACCO SHOPS.

21                  14. HOOKAH LOUNGES.

22                  15. SHOOTING RANGES.

23                  16. WHOLESALE OR WAREHOUSE LIQUOR STORES.

1 17. CANNABIS DISPENSARIES.

2 G. RESIDENTIAL DENSITY;~~FLOOR AREA RATIO.~~

3 1. THE RESIDENTIAL DENSITY OF A DEVELOPMENT IN THE M.U.  
4 DISTRICT SHALL BE ~~DETERMINED BY THE FLOOR AREA RATIO~~ 40 RESIDENTIAL  
5 DWELLING UNITS PER ACRE.

6 2. ~~UNLESS THE DEVELOPMENT INCORPORATES INCLUSIONARY~~  
7 ~~HOUSING IN ACCORDANCE WITH § 259.17.O OF THESE REGULATIONS, THE~~  
8 ~~MAXIMUM FLOOR AREA RATIO OF A DEVELOPMENT IN THE M.U. DISTRICT~~  
9 ~~SHALL BE CONSISTENT WITH THE UNDERLYING ZONE~~ THE RESIDENTIAL  
10 DWELLING DENSITY STATED IN THIS SUBPARAGRAPH DOES NOT APPLY TO NON-  
11 RESIDENTIAL UNITS.

12 3. IF A DEVELOPMENT IN THE M.U. DISTRICT INCORPORATES  
13 INCLUSIONARY HOUSING, ~~THE FLOOR AREA RATIO~~ MAXIMUM RESIDENTIAL  
14 DENSITY MAY BE INCREASED BY 150% ~~BUT SHALL NOT EXCEED A FLOOR AREA~~  
15 ~~RATIO OF 5.0.~~

16 4. A DEVELOPMENT IN THE M.U. DISTRICT THAT QUALIFIES FOR AN  
17 INCREASE IN RESIDENTIAL DENSITY UNDER STATE LAW MAY NOT EXCEED A  
18 MAXIMUM DENSITY OF EITHER THE MAXIMUM PERMITTED UNDER STATE LAW  
19 OR THE MAXIMUM PERMITTED UNDER § ~~259.17.G.3~~ 259.17.G OF THESE  
20 REGULATIONS.

21 5. IF A DEVELOPMENT IN THE M.U. DISTRICT REDUCES THE SQUARE  
22 FOOTAGE OF PRE-EXISTING IMPERVIOUS SURFACE ON THE DEVELOPMENT SITE  
23 AT LEAST BY 10%, ~~THE FLOOR AREA RATIO~~ MAXIMUM RESIDENTIAL DENSITY



1 MAY BE INCREASED BY 110%, ~~BUT SHALL NOT EXCEED A FLOOR AREA RATIO OF~~  
2 ~~5.0.~~

3 H. HEIGHT REGULATIONS.

4 1. UNLESS A GREATER HEIGHT IS PERMITTED BY THE UNDERLYING  
5 ZONE OR ANOTHER ASSIGNED OVERLAY DISTRICT, THE MAXIMUM HEIGHT OF  
6 ANY POINT ON A BUILDING IN THE M.U. DISTRICT SHALL BE NO GREATER THAN  
7 ~~150% OF THE MAXIMUM HEIGHT THAT IS PERMITTED BY THE UNDERLYING~~  
8 ~~ZONE.~~ THAN:

9 1. FIVE STORIES FOR A BUILDING ALONG A COMMERCIAL  
10 CORRIDOR; AND

11 2. EIGHT STORIES FOR A BUILDING NOT ALONG A COMMERCIAL  
12 CORRIDOR.

13 ~~2. THE MINIMUM BUILDING HEIGHT SHALL BE TWO STORIES.~~

14 I. SETBACKS.

15 1. A. EXCEPT FOR THE FRONT YARD, ALL SETBACKS IN THE M.U.  
16 DISTRICT SHALL BE GOVERNED BY THE UNDERLYING ZONE OR ANOTHER  
17 ASSIGNED OVERLAY DISTRICT.

18 ~~2. B.~~ THE FRONT YARD OF A BUILDING IN THE M.U. DISTRICT  
19 SHALL RELATE TO THE SETBACKS OF ADJACENT BUILDINGS TO ESTABLISH A  
20 CONSISTENT STREET FRONT.

21 2. AS AN ALTERNATIVE TO THE SETBACK REQUIREMENTS IN  
22 SUBPARAGRAPH 1 OF THIS PARAGRAPH, A DEVELOPMENT IN THE M.U. DISTRICT  
23 MAY PROPOSE PROJECT-SPECIFIC SETBACKS WHICH MAY BE APPROVED BY THE

1 HEARING OFFICER UPON THE RECOMMENDATION OF THE DEPARTMENT OF  
2 PERMITS, APPROVALS, AND INSPECTIONS AND SPECIFIC FINDINGS BY THE  
3 HEARING OFFICER THAT THE PROJECT-SPECIFIC SETBACKS ALLOW FOR  
4 GREATER OPEN SPACE, MORE PUBLIC AMENITIES, A HIGHER QUALITY OF  
5 DESIGN, A BETTER STREETScape, OR ARE OTHERWISE MORE CLOSELY ALIGNED  
6 WITH THE PURPOSES SET FORTH IN § 259.17.A OF THESE REGULATIONS AS  
7 COMPARED TO THE SETBACK REQUIREMENTS UNDER SUBPARAGRAPH 1 OF THIS  
8 PARAGRAPH.

9 J. PARKING REQUIREMENTS.

10 1. UNLESS OTHERWISE MODIFIED, THE PARKING REQUIREMENTS  
11 FOR A DEVELOPMENT IN THE M.U. DISTRICT SHALL BE GOVERNED BY § 409 OF  
12 THESE REGULATIONS, BUT MAY BE REDUCED:

13 A. IN ACCORDANCE WITH § 409.6.B OF THESE REGULATIONS;  
14 AND

15 B. BY UP TO AN ADDITIONAL 10% WHEN WITHIN ONE-HALF  
16 MILE OF A FIXED RAIL TRANSIT ~~CORRIDOR~~ STATION.

17 2. A DEVELOPMENT IN THE M.U. DISTRICT SHALL BE PERMITTED TO  
18 SHARE ITS OFF-STREET PARKING SPACES IN ACCORDANCE WITH § 409.6.B.3 OF  
19 THESE REGULATIONS.

20 3. IN NO EVENT SHALL THE PARKING REQUIREMENTS FOR A MIXED-  
21 USE DEVELOPMENT IN THE M.U. DISTRICT BE REDUCED BY MORE THAN 20%.

1                   4. SUBJECT TO DEVELOPMENT REVIEW, PARKING SHOULD BE  
2 PROVIDED IN PARKING STRUCTURES AND LOCATED TO THE REAR OF  
3 PROPERTIES.

4                   5. A PARKING STRUCTURE, IF PROVIDED, SHOULD BE INTEGRATED  
5 INTO THE DESIGN OF OTHER BUILDINGS ON SITE, RATHER THAN COMPLETELY  
6 FREESTANDING.

7                   6. SURFACE PARKING MAY BE PROVIDED IN SMALL LOTS LOCATED  
8 TO THE REAR OF A PROPERTY AND ON-STREET AS PARALLEL OR ANGLED  
9 PARKING SPACES.

10                  ~~7. SUBJECT TO DEVELOPMENT REVIEW, UP TO 5% OF THE REQUIRED~~  
11 ~~PARKING MAY BE PROVIDED IN THE FRONT OF A DEVELOPMENT IN THE M.U.~~  
12 ~~DISTRICT.~~

13                  K. OPEN SPACE REQUIREMENTS.

14                  1. THE MINIMUM OPEN SPACE RATIO FOR A DEVELOPMENT IN THE  
15 M.U. DISTRICT SHALL BE 0.2.

16                  2. UNLESS OTHERWISE MODIFIED, INDOOR AMENITIES MAY  
17 CONSTITUTE NO MORE THAN 50% OF THE MINIMUM REQUIRED OPEN SPACE AND  
18 NO MORE THAN 30% OF THE MINIMUM REQUIRED OPEN SPACE IS PERMITTED  
19 ABOVE THE STREET LEVEL.

20                  3. OPEN SPACE IN THE M.U. DISTRICT SHALL BE LANDSCAPED AND  
21 DESIGNED TO GIVE RELIEF AND INTEREST TO THE STREETScape.

1                   4. PUBLIC OPEN SPACE, PLAZAS, AND PARKS ARE ENCOURAGED  
2 AND SHOULD BE NOT LESS THAN ONE-QUARTER MILE APART OR ANOTHER  
3 WALKABLE DISTANCE AS APPROVED BY THE HEARING OFFICER.

4                   5. CONTINUOUS PEDESTRIAN WALKWAYS SHOULD LINK PUBLIC  
5 OPEN SPACES TOGETHER FROM ONE SITE TO ANOTHER.

6                   6. SITE-SPECIFIC OPEN SPACE SHOULD FURTHER THE FOLLOWING  
7 GOALS:

8                           A. CONTRIBUTE TO A LARGER PLAN FOR COMMUNITY AND  
9 REGIONAL OPEN SPACE;

10                           B. RESPOND TO THE NEED TO PROTECT OR RESTORE  
11 SENSITIVE ENVIRONMENTAL FEATURES;

12                           C. MANAGE STORMWATER; AND

13                           D. MITIGATE THE EFFECTS OF CLIMATE CHANGE.

14                   L. SITE DEVELOPMENT PLANS AND ARCHITECTURAL DESIGN.

15                           1. A ~~MIXED-USE~~ DEVELOPMENT PLAN FOR A MIXED-USE  
16 DEVELOPMENT IN THE M.U. DISTRICT SHALL BE SUBJECT TO A SITE  
17 DEVELOPMENT PLAN IN ACCORDANCE WITH § 32-4-221 OF THE COUNTY CODE.

18                           2. UNLESS SUBJECT TO SPECIFIC DESIGN GUIDELINES, A MIXED-USE  
19 DEVELOPMENT IN THE M.U. DISTRICT SHALL PROVIDE A HIGHER QUALITY OF  
20 DESIGN AND CONFORM TO THE COMPREHENSIVE MANUAL OF DEVELOPMENT  
21 POLICIES AND THE LANDSCAPE DEVELOPMENT MANUAL.

22                           3. SITE AND ARCHITECTURAL DESIGN SHALL RETAIN AND  
23 REINFORCE LOCAL HISTORICAL, ARCHITECTURAL, AND CULTURAL CHARACTER.

1           4.     A. A MIXED-USE DEVELOPMENT IN THE M.U. DISTRICT  
2 SHOULD BE DESIGNED TO ACHIEVE GREEN BUILDING STANDARDS EQUIVALENT  
3 TO THE SILVER STANDARD OF EITHER THE LEADERSHIP IN ENERGY AND  
4 ENVIRONMENTAL DESIGN (LEED) OR THE NATIONAL GREEN BUILDING  
5 STANDARDS (NGBS).

6                     B. WHEN APPLICABLE, PRELIMINARY DESIGN PARAMETERS  
7 REGARDING LEED OR NGBS SILVER CERTIFICATION SHALL BE SUBMITTED WITH  
8 THE ~~MIXED-USE DEVELOPMENT PLAN~~ FOR A MIXED-USE DEVELOPMENT IN THE  
9 M.U. DISTRICT.

10           5.     A. A MIXED-USE DEVELOPMENT IN THE M.U. DISTRICT SHALL  
11 BE REVIEWED BY THE DESIGN REVIEW PANEL IN ACCORDANCE WITH THIS  
12 SUBPARAGRAPH.

13                     B. A COPY OF A CONCEPT PLAN FOR A MIXED-USE  
14 DEVELOPMENT IN THE M.U. DISTRICT SHALL BE TRANSMITTED BY THE  
15 DEPARTMENT OF PERMITS, APPROVALS, AND INSPECTIONS TO THE DESIGN  
16 REVIEW PANEL IN ACCORDANCE WITH § 32-4-214 OF THE COUNTY CODE.

17                     C. THE DESIGN REVIEW PANEL SHALL CONSULT AND ADVISE  
18 UPON EACH CONCEPT PLAN SUBMITTED AND WITHIN 45 DAYS OF RECEIPT OF  
19 THE CONCEPT PLAN MAKE A PRELIMINARY RECOMMENDATION TO THE  
20 APPROPRIATE COUNTY AGENCIES BEFORE A DEVELOPMENT PLAN FOR A MIXED-  
21 USE DEVELOPMENT IN THE M.U. DISTRICT IS SUBMITTED UNDER ARTICLE 32,  
22 TITLE 4, SUBTITLE 2, PART III OF THE COUNTY CODE.

1                   D. WITHIN 10 WORKING DAYS AFTER THE DESIGN REVIEW  
2 PANEL SUBMITS A PRELIMINARY RECOMMENDATION TO COUNTY AGENCIES,  
3 THE DEPARTMENT OF PERMITS, APPROVALS, AND INSPECTIONS SHALL  
4 SCHEDULE AND REQUIRE THE POSTING FOR A COMMUNITY INPUT MEETING  
5 THAT IS IN ADDITION TO THE COMMUNITY INPUT MEETING REQUIRED UNDER §  
6 32-4-217 OF THE COUNTY CODE FOR THE PURPOSE OF PROVIDING COMMUNITY  
7 INPUT ON THE PRELIMINARY RECOMMENDATION.

8                   E. (1) THE DESIGN REVIEW PANEL SHALL REVIEW A  
9 DEVELOPMENT PLAN AND SUBMIT A FINAL RECOMMENDATION FOR A MIXED-  
10 USE DEVELOPMENT IN THE M.U. DISTRICT.

11                   (2) THE FAILURE OF THE PANEL TO MAKE A  
12 RECOMMENDATION DOES NOT PREVENT THE PLAN FROM BEING PROCESSED  
13 UNDER THIS SECTION.

14                   B. F. THE FINAL RECOMMENDATIONS OF THE DESIGN REVIEW  
15 PANEL SHALL BE INCORPORATED INTO THE ~~MIXED-USE~~ DEVELOPMENT PLAN  
16 FOR A MIXED-USE DEVELOPMENT IN THE M.U. DISTRICT AND SHALL BE BINDING  
17 ON THE HEARING OFFICER.

18                   M. SIGNAGE.

19                   1. UNLESS OTHERWISE MODIFIED, SIGNAGE IN THE M.U. DISTRICT  
20 SHALL BE REGULATED ACCORDING TO THE UNDERLYING ZONE OR ANOTHER  
21 ASSIGNED OVERLAY DISTRICT.

22                   2. SIGNAGE SHOULD BE UNIFORM WITHIN THE CONTEXT OF  
23 DEVELOPMENT IN THE M.U. DISTRICT.

1                   3. AN INTEGRATED SIGNAGE PROGRAM INCLUDING LETTERING,  
2                   COLORS, AND SIZE, SHOULD BE PROVIDED.

3                   4. SIGNAGE SHOULD RELATE TO THE ARCHITECTURAL DESIGN  
4                   THROUGH THE USE OF COLOR, FORM, AND MATERIAL.

5                   5. SIGNAGE SHOULD BE DESIGNED FOR VISUAL COMMUNICATIONS  
6                   TO PEDESTRIANS AND SLOW-MOVING VEHICULAR TRAFFIC.

7                   6. SIGNAGE PROJECTING FROM A BUILDING WALL TOWARD THE  
8                   SIDEWALK SHOULD BE ON THE FIRST 2 FLOORS OF A BUILDING IN THE M.U.  
9                   DISTRICT.

10                  N. CIRCULATION AND TRANSPORTATION.

11                   1. UNLESS OTHERWISE PERMITTED BY THE UNDERLYING ZONE OR  
12                   ANOTHER ASSIGNED OVERLAY DISTRICT, ALL INTERNAL ROADWAYS IN  
13                   PEDESTRIAN AREAS IN THE M.U. DISTRICT SHALL BE IN CONFORMANCE WITH  
14                   THE COMPLETE STREETS GUIDELINES, WITH THE EXCEPTION THAT SIDEWALKS  
15                   SHOULD BE A MINIMUM OF 10 FEET IN WIDTH, INCLUDING A CONTINUOUS  
16                   STREETSCAPE ZONE OF NO LESS THAN 5 FEET.

17                   2. THE STREETSCAPE ZONE MAY INCLUDE:

18                   A. STREET TREES;

19                   B. STREET FURNITURE, SUCH AS BENCHES, BIKE RACKS,  
20                   TRASH RECEPTACLES, AND TRANSIT SHELTERS;

21                   C. PUBLIC ART;

22                   D. WAYFINDING SIGNAGE;

23                   E. LIGHTING; AND

1 F. LANDSCAPING.

2 3. BICYCLE AND PEDESTRIAN FACILITIES WITHIN THE SITE AND  
3 CONNECTING TO ADJACENT SITES SHALL BE PROVIDED IN ACCORDANCE WITH  
4 THE BICYCLE AND PEDESTRIAN MASTER PLAN AND APPLICABLE ADOPTED  
5 PLANS.

6 O. INCLUSIONARY HOUSING.

7 1. A DEVELOPMENT IN THE M.U. DISTRICT SHALL BE ELIGIBLE FOR  
8 A GREATER ~~FLOOR AREA RATIO~~ MAXIMUM RESIDENTIAL DENSITY AND  
9 REDUCED PARKING REQUIREMENTS, IF THE DEVELOPMENT INCLUDES A SET-  
10 ASIDE, ENCUMBERED BY A RECORDED DEED RESTRICTION AND SUBJECT TO AN  
11 AGREEMENT WITH BALTIMORE COUNTY, OF A PERCENTAGE OF THE TOTAL  
12 NUMBER OF RESIDENTIAL UNITS IN THE DEVELOPMENT FOR HOUSEHOLDS WITH  
13 AN INCOME AT OR BELOW 60% OF THE AREA MEDIAN INCOME FOR BALTIMORE  
14 COUNTY, MARYLAND.

15 2. THE PERCENTAGE OF SET-ASIDE RESIDENTIAL UNITS SHALL BE  
16 BASED ON THE TOTAL NUMBER OF RESIDENTIAL UNITS IN THE DEVELOPMENT  
17 AS FOLLOWS:

18 A. 20-49 TOTAL UNITS – 10% SET-ASIDE.

19 B. 50 OR MORE TOTAL UNITS – 15% SET-ASIDE.

20 3. IN THE EVENT THE NUMBER OF SET-ASIDE UNITS TO BE  
21 INCLUDED IN THE DEVELOPMENT WOULD RENDER THE DEVELOPMENT  
22 ECONOMICALLY UNFEASIBLE, IN LIEU OF MEETING THE SET-ASIDE UNIT  
23 PERCENTAGES DESCRIBED IN SUBPARAGRAPH 2 OF THIS PARAGRAPH, A



1 DEVELOPMENT IN THE M.U. DISTRICT MAY ENTER INTO A WRITTEN AGREEMENT  
2 WITH BALTIMORE COUNTY, ENCUMBERED BY A RECORDED DEED RESTRICTION,  
3 TO SET ASIDE UNITS IN THE FOLLOWING MANNER THAT SUPPORTS, AS  
4 DETERMINED BY THE COUNTY, THE GOAL OF PROVIDING ALL RESIDENTS  
5 ACCESS TO DECENT, SAFE AND SANITARY DWELLINGS:

6                   A. A MODIFIED PERCENTAGE, BUT NO LESS THAN 10%, OF  
7 SET-ASIDE UNITS; OR

8                   B. AN ALTERNATIVE BLENDED ELIGIBLE INCOME  
9 THRESHOLD MIX.

10                 4. SET-ASIDE UNITS UNDER THIS PARAGRAPH MAY INCLUDE:

11                   A. UNITS ENCUMBERED BY A RECORDED DEED RESTRICTION  
12 FOR PERSONS OF ELIGIBLE INCOME;

13                   B. UNITS WITH SPECIFIC FEATURES INTENDED TO SERVE  
14 HOUSEHOLDS THAT INCLUDE PERSONS WITH DISABILITIES; AND

15                   C. UNITS RESERVED FOR THE PURPOSE OF PROVIDING  
16 TEMPORARY SUPPORTIVE HOUSING.

17                 5.     A. A DEVELOPMENT IN THE M.U. DISTRICT THAT RECEIVES  
18 COUNTY FINANCIAL SUPPORT SHALL ENTER INTO AN AGREEMENT WITH THE  
19 COUNTY TO SET ASIDE UNITS FOR PERSONS OF ELIGIBLE INCOME THAT  
20 SUPPORTS, AS DETERMINED BY THE COUNTY, THE GOAL OF PROVIDING  
21 RESIDENTS ACCESS TO DECENT, SAFE AND SANITARY DWELLINGS WITHOUT  
22 OVERCROWDING.

1 B. COUNTY FINANCIAL SUPPORT MAY INCLUDE PUBLIC-  
2 PRIVATE PARTNERSHIPS, TAX INCREMENT FINANCING, PAYMENT IN LIEU OF  
3 TAXES, GRANTS, LOANS, GUARANTEES, BONDS, AND TAX CREDITS.

4 P. APPLICATION.

5 1. THE PROVISIONS OF THIS SECTION SHALL GOVERN ~~IN ANY~~  
6 SITUATION WHERE DEVELOPMENT IN THE M.U. DISTRICT WHERE AN ELECTION  
7 IS MADE TO PROCEED IN ACCORDANCE WITH § 259.17 OF THESE REGULATIONS.  
8 FOR SUCH DEVELOPMENT, THE PROVISIONS OF THIS SECTION SHALL CONTROL  
9 IN THE EVENT THERE IS A CONFLICT BETWEEN THIS SECTION AND OTHER  
10 REGULATIONS. WHERE THE PROVISIONS OF THIS SECTION ARE SILENT, THE  
11 PROVISIONS OF THESE REGULATIONS GOVERNING THE UNDERLYING ZONE OR  
12 ANOTHER ASSIGNED OVERLAY DISTRICT SHALL CONTROL.

13 2. ~~WHERE THE PROVISIONS OF THIS SECTION ARE SILENT, THE~~  
14 ~~PROVISIONS OF THESE REGULATIONS GOVERNING THE UNDERLYING ZONE~~  
15 ~~SHALL APPLY~~ NO ELECTION HAS BEEN MADE TO PROCEED IN ACCORDANCE  
16 WITH § 259.17 OF THESE REGULATIONS, NOTHING IN THIS SECTION SHALL  
17 PRECLUDE A DEVELOPMENT OR USE OF A PROPERTY IN THE M.U. DISTRICT IN  
18 ACCORDANCE WITH THE UNDERLYING ZONE OR ANOTHER ASSIGNED OVERLAY  
19 DISTRICT.

20 3. NOTWITHSTANDING ANY OTHER PROVISION OF LAW OR THESE  
21 ZONING REGULATIONS TO THE CONTRARY, THE PROVISIONS OF § 259.17 OF  
22 THESE REGULATIONS SHALL APPLY TO A TRACT OF LAND GREATER THAN 20  
23 ACRES THAT IS ADJACENT TO THE M.U. DISTRICT, AS AN ALTERNATIVE TO

1 DEVELOPMENT IN ACCORDANCE WITH THE UNDERLYING ZONE OR ANOTHER  
2 ASSIGNED OVERLAY DISTRICT, IF THE TRACT OF LAND IS: IN THE B.L., B.M., B.R.,  
3 OR M.L. ZONE; UNDER THE SAME COMMON OWNERSHIP OR CONTROL AS THE  
4 ADJACENT PROPERTY IN THE M.U. DISTRICT, OR IS PART OF THE SAME COMMON  
5 SCHEME OF DEVELOPMENT AS THE ADJACENT PROPERTY IN THE M.U. DISTRICT;  
6 AND, AT ITS CLOSEST POINT, IS NO FURTHER THAN 500 FEET FROM AN  
7 INTERSTATE HIGHWAY.

8  
9 SECTION 2. AND BE IT FURTHER ENACTED, that this Act shall take effect 45 days  
10 after its enactment.



# LEGISLATION DETAIL

LEGISLATION \_\_\_\_\_

DISPOSITION \_\_\_\_\_

ENACTED \_\_\_\_\_

EFFECTIVE \_\_\_\_\_

AMENDMENTS \_\_\_\_\_

## ROLL CALL - LEGISLATION

MOTION		SECOND
AYE	NAY	
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Young
<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"/>	Councilman Ertel
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Crandell

## ROLL CALL - AMENDMENTS

MOTION		SECOND
AYE	NAY	
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Young
<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"/>	Councilman Ertel
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Crandell

## ROLL CALL - AMENDMENTS

MOTION		SECOND
AYE	NAY	
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Young
<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"/>	Councilman Ertel
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Crandell

## ROLL CALL - AMENDMENTS

MOTION		SECOND
AYE	NAY	
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Young
<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"/>	Councilman Ertel
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Crandell