

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2016, Legislative Day No. 20

Bill No. 87-16

Councilmembers Marks, Quirk, Almond & Jones

By the County Council, November 21, 2016

A BILL
ENTITLED

AN ACT concerning

Convenience Stores

FOR the purpose of amending the definition of a convenience store by increasing the permitted gross floor area of a convenience store; permitting a fuel service station within a certain distance of certain residentially-zoned property under certain conditions; permitting a fuel service station in a planned shopping center if at least a certain portion is under construction; permitting a combination of a convenience store and a carry-out restaurant as an ancillary use in conjunction with a fuel service station; amending the minimum site area requirement for a convenience store and carry-out restaurant in combination with a fuel service station; and generally relating to fuel service stations and convenience stores.

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 101.1, the definition of “convenience store”, and Sections 405.2A. and 405.4D.2 and E.

Article 32 – Planning, Zoning, and Subdivision Control

Title 4 – Development

Baltimore County Code 2015

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 §101.1 Word usage; definitions.

4 Words used in the present tense include the future; words in the singular number include
5 the plural number; the word "shall" is mandatory. For the purposes of these regulations, certain
6 terms and words are defined below.

7 Any word or term not defined in this section shall have the ordinarily accepted definition
8 as set forth in the most recent edition of Webster's Third New International Dictionary of the
9 English Language, Unabridged.

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11 Convenience Store.

12 A retail establishment which primarily sells refrigerated products, household items, carry-
13 out food products or prepackaged frozen, chilled or scaled foods and meals, that may be heated
14 by the customer at the premises, but are generally eaten off-site. A convenience store does not
15 exceed a gross floor area of [5,000] 6,000 square feet and is usually open for at least 12 hours in
16 a twenty-four-hour period.

17

1 §405.2 Locations in which fuel service stations are permitted.

2 A. A fuel service station is permitted by right subject to Section 405.4, provided that no
3 [part of the lot is] FUEL SERVICING SPACES ARE within 100 feet of a [residentially] D.R.,
4 R.C., OR R.A.E. zoned property, OR AN R.O. ZONED PROPERTY UNLESS LOCATED ON
5 AN ARTERIAL STREET, and is integrated with and located:

6 1. In a planned shopping center of which at least 20% has been constructed OR
7 IS UNDER CONSTRUCTION at the time the building permit for the fuel service station is
8 issued, but not to exceed one station for each 60,000 square feet of gross floor area of the
9 planned shopping center;

10 2. In an approved planned industrial park of a minimum net area of 50 acres, but
11 not to exceed one for each 50 acres of net area; or

12 3. In a planned drive-in cluster.

13 §405.4 Standards.

14 D. Ancillary uses. The uses listed below, only, are permitted by right in conjunction with
15 any fuel service station. The minimum area of the site as determined under Section 405.4.A.1
16 shall be increased each ancillary use by at least the number of square feet indicated below, which
17 includes land for required parking and stacking spaces:

18 2. Convenience store, OR A COMBINATION OF A CONVENIENCE STORE
19 AND CARRY-OUT RESTAURANT, with a [sales] GROSS FLOOR area of up to [1,500] 6,000
20 square feet inclusive of accessory storage. An additional site area of four times the square
21 footage of the [convenience store's sales] GROSS FLOOR area shall be provided.

1 E. Uses in combination with fuel service stations. The minimum area of the site as
 2 determined by Section 405.4.A.1 shall be increased for each use in combination with a fuel
 3 service station by at least the number of square feet indicated below:

Type of Use	Integral Planned Development	Individual Site
(SE = Special Exception and P = Permitted by Right)		
1. Convenience store, OR A COMBINATION OF A CONVENIENCE STORE AND CARRY-OUT RESTAURANT, with a [sales] GROSS FLOOR area larger than [1,500] 6,000 square feet inclusive of accessory storage. Additional site area of four times the square footage of the [convenience store's sales] GROSS FLOOR area must be provided.	SE	SE
2. Roll-over car wash. No specific additional site area required, provided that the stacking, parking and buffer requirements of Section 419 are met.	P	SE
3. Full service car wash. No specific additional site area required, provided that the stacking, parking and buffer requirements of Section 419 are met.	SE	SE
4. Service garages providing services other than those listed in Section 405.4.D, subject to the provisions of Section 405.4.C.1.a through 1.e.	SE	SE

Type of Use	Integral Planned Development	Individual Site
5. Automobile rental, with a maximum stock of 12 cars. Additional site area of 4,000 square feet must be provided.	SE	SE
6. Trailer rental, for trailers not exceeding 3/4 ton chassis weight, with a maximum stock of 20 trailers. Additional site area of 5,000 square feet must be provided.	SE	SE
7. Light-truck rental, including rental of trucks equipped with campers, for trucks not exceeding 1 1/2 tons' capacity, with a maximum stock of eight trucks. Additional site area of 4,000 square feet must be provided.	SE	SE
8. Parking of not more than six school buses. Additional site area of 2,600 square feet must be provided.	SE	SE
9. Self-service car washes. No additional site area required, provided that the stacking, parking and buffer requirements of Section 419 are met.	SE	Not Permitted
10. Restaurant, including fast food, fast food drive-through only, and carry-out restaurants. Additional site area of six times the gross square footage of the restaurant must be provided.	SE	SE

1 SECTION 2. AND BE IT FURTHER ENACTED, that this Act shall take effect forty-
2 five (45) days after its enactment.

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