

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND

Legislative Session 1970, Legislative Day No. 11

BILL NO. 100

Mr. Bartenfelder, Councilman
(Request of County Executive)

By the County Council, July 6, 1970

A BILL
ENTITLED

AN ACT, To amend the Baltimore County Zoning Regulations to provide certain new regulations and to revise certain existing regulations for establishment of zoning classifications, conversion and redesignation of "Residence" zoning classifications; to provide for the deletion and addition of terms and definitions; to provide for the application of light manufacturing zoning regulations to areas covered by previously submitted subdivision plans; to establish Rural and Rural-Suburban zoning classifications, "Density" Residential (D.R.) zoning classifications and Elevator-Apartment-Residence Zoning Classifications; to amend the special regulations for Community-Core Commercial (C.C.C.) Districts; to revise the use regulations in Light Manufacturing (M.L.) Zones; to revise the regulations governing automotive service stations in permitted parking garages; to establish regulations for Unit Developments and the classifications and authorizations thereof; to provide for the continuing validity of special exceptions granted for elevator apartment buildings or office buildings under R.A. Zoning Classifications; to provide that the Planning Board may adopt and implement certain policies and procedures in furtherance of the Zoning Regulations; by repealing and re-enacting with amendments Subparagraph 100.1.A.2; by adding new Subsection 100.3A; by deleting and adding certain definitions to Section 101, entitled "Definitions"; by amending Subsection 103.1; by adding new Articles 1A and 1B; by repealing designation and title, "Article 2-Zones and Districts: Use, Height and Area Regulations" and the subtitle, "R.40 Zone-Residence,

One-Family" and enacting in lieu thereof a new designation and title as follows: "ARTICLE 2-ELEVATOR-APARTMENT RESIDENCE ZONES, BUSINESS AND MANUFACTURING ZONES, AND DISTRICTS"; by repealing Sections 200 to 217 (inclusive) and enacting in lieu thereof new Sections 200, 201 and 202; by repealing and re-enacting Subsection 232.5; by redesignating existing Section 232A as Section 232B; by redesignating existing Subsections 232A.1 to 232A.6 (inclusive) as 232B.1 to 232B.6 (inclusive); by adding new Section 232A; by redesignating existing Section 235A as Section 235B; by redesignating existing Subsections 235A.1 to 235A.6 (inclusive) as 235B.1 to 235B.6 (inclusive); by adding new Section 235A; by adding new Section 238A; by redesignating existing Section 238A as Section 238B; by redesignating existing subsections 238A.1 to 238A.5 (inclusive) as 238B.1 to 238B.5 (inclusive); by deleting Section 253 and enacting in lieu thereof, new Section 253; by repealing and re-enacting with amendments Subparagraph 405.2.A.4 and Paragraph d of Subsection 409.2; by adding new Section 430; by adding new Subsection 502.4 and by adding new Section 504; all being provisions of said Baltimore County Zoning Regulations, 1955, as amended.

WHEREAS, the amendments to the zoning regulations which are contained in this Bill, having been formulated in accordance with the procedure specified in sections 22-20 and 22-21 of the Baltimore County Code, 1968, the said several public hearings required by said sections having been held after the required public notice; now, therefore

1. SECTION 1. Be it enacted by the County Council of Baltimore County,
2. Maryland, That subsection 100.1.A.2 be and it is hereby repealed and
3. re-enacted with amendments as follows:

4. 2. Zones are as follows:

5.	R. D. P. Zones	Rural: Deferred-Planning				
6.	R. S. C. Zones	Rural-Suburban: Conservation				
7.	D. R. 1 Zones	Density Residential, 1.0 Dwelling Units Per Acre				
8.	D. R. 2 Zones	Density Residential, 2.0	"	"	"	"
9.	D. R. 3.5 Zones	Density Residential, 3.5	"	"	"	"
10.	D. R. 5.5 Zones	Density Residential, 5.5	"	"	"	"
11.	D. R. 10.5 Zones	Density Residential, 10.5	"	"	"	"
12.	D. R. 16 Zones	Density Residential, 16.0 Density	"	"	"	"
13.	R. A. E. 1 Zones	Residential, 40.0	"	"	"	"
14.	R. A. E. 2 Zones	Residential, 80.0	"	"	"	"
15.	B. L. Zones	Business, Local				
16.	B. M. Zones	Business, Major				
17.	B. R. Zones	Business, Roadside				
18.	M. R. Zones	Manufacturing, Restricted				
19.	M. L. R. Zones	Manufacturing, Light Restricted				
20.	M. L. Zones	Manufacturing, Light				
21.	M. H. Zones	Manufacturing, Heavy				

22. SECTION 2. And be it further enacted, That Article 1 be and it is
23. hereby amended by adding sub-section 100.3A, said new sub-section to
24. read as follows:

25. 100.3A-The residential zones and zoning classifications as previously
26. changed in Subsection 100.3 are further changed; the R.40, R.20, R.10,
27. R.6, R.G., and R.A. zones and zoning classifications established before
28. the effective date of this subsection by the official zoning maps and amend-
29. ments thereto and by Subsection 100.1 as previously enacted are also changed;

1. and all of them are redesignated on the effective date of this subsection
2. as set forth below. Any requirement, stipulation, or designation with
3. respect to said classifications in any law, ordinance, regulation, private
4. agreement, or official zoning map shall be applied to or construed as the
5. corresponding D. R. zoning classification, as follows, to the full extent of
6. consistent applicability:

7. Zones heretofore classified as R.40 are now classified as D. R. 1;
8. " " " " R.20 " " " " D. R. 2;
9. " " " " R.10 " " " " D. R. 3.5;
10. " " " " R. 6 " " " " D. R. 5.5;
11. " " " " R.G. " " " " D. R.10.5;
12. " " " " R.A. " " " " D. R.16.

13. SECTION 3. And be it further enacted, That Section 101 be and it is
14. hereby amended by deleting the following terms and definitions thereof:

15. "Acreage, Gross Residential
16. Density, Gross Residential
17. Density, Net
18. Dwelling, Duplex
19. Dwelling, Group House
20. Dwelling, One-Family
21. Dwelling, Semi-Detached
22. Dwelling, Two-Family
23. Hospital, Class A
24. Hospital, Class B
25. Street
26. Subdivision, Cluster"

27. and by adding thereto in alphabetical order the following terms and definitions:

28. Accessory use or structure: A use or structure which-(a) is customarily
29. incident and subordinate to and serves a principal use or structure; (b) is

1. subordinate in area, extent, or purpose to the principal use or structure;
 2. (c) is located on the same lot as the principal use or structure served; and
 3. (d) contributes to the comfort, convenience, or necessity of occupants,
 4. business, or industry in the principal use or structure served. An accessory
 5. building, as defined above, shall be considered an accessory structure.
 6. A trailer may be an accessory use or structure if hereinafter so specified. An
 7. ancillary use shall be considered as an accessory use; however, a use of such
 8. a nature or extent as to be permitted as a "use in combination" (with a service
 9. station) shall be considered a principal use.

10. Apartment building: A dwelling containing three or more apartments.

11. Apartment, group-house: A dwelling unit which differs from a group
 12. house only in that it is situated on the same lot as the other dwelling units in
 13. the row.

14. Bedroom: The term "bedroom" includes a bedroom, any other room used
 15. principally for sleeping purposes, an "all-purpose room," a study, or a den,
 16. provided that no room having less than 100 square feet of floor area shall be
 17. considered a bedroom.

18. Community: A coherent urban area generally comprising three to five
 19. neighborhoods and a central concentration of public facilities and commercial
 20. uses necessary or appropriate to serve the population of the area as a whole,
 21. usually including a middle, junior-high or high school (or school-recreation
 22. center) and a variety store.

23. Density unit: An expression of extent or density of dwelling use as
 24. related to number of rooms in, or type of, dwelling unit, so that:

25.	Each	efficiency apartment		is equivalent to 0.50 density unit;
26.	"	1-bedroom dwelling unit	" " " 0.75 " "	;
27.	"	2-bedroom " "	" " " 1.00 " "	;
28.	"	dwelling unit with 3 or more		
29.		bedrooms	" " " 1.50 " "	units.

1. Group house: Any one of a group of not less than three and not more
2. than six attached dwelling units which have been constructed together in a
3. lateral row surrounded by yard space, each dwelling unit separated from
4. another by a party wall and situated on a separate lot.

5. Lot of record: A parcel of land with boundaries as recorded in the
6. Land Records of Baltimore County on the same date as the effective date
7. of the zoning regulation which governs the use, subdivision, or other condition
8. thereof.

9. Neighborhood: A coherent urban area generally comprising the
10. dwellings for a residential population of approximately 1,000 to 3,000
11. families and a more-or-less central concentration of the public facilities
12. and business uses serving their everyday or frequent needs, usually including
13. an elementary school (or school-recreation center) and a supermarket or
14. grocery store.

15. Principal use: A main use of land, as distinguished from an accessory use.

16. Sewerage system, public: A sewerage system which is operated by the
17. County or a public agency of metropolitan or regional jurisdiction, and which
18. is owned by or meets design and performance standards whereby it is eligible
19. for ownership by the County or such agency, whether or not it is part of or
20. connected with the physical facilities of the metropolitan or regional sewerage
21. system.

22. Street: A motorway which is not a freeway or expressway, but which has
23. a right of way more than 20 feet in width.

24. Town: A coherent urban area generally comprising: three to five
25. communities (up to approximately 25 neighborhoods, 100,000-150,000 persons);
26. a central concentration of public facilities, institutions, and commercial uses
27. necessary or appropriate to serve the population of the area as a whole, including
28. a high school and one or more major department stores; and industrial or
29. similar major-employment uses.

1. Water-supply system, public: A water-supply system which is
2. operated by the County or a public agency of metropolitan or regional
3. jurisdiction, and which is owned by or meets design and performance
4. standards whereby it is eligible for ownership by the County or such agency,
5. whether or not it is part of or connected with the physical facilities of the
6. metropolitan or regional water-supply system.

7. SECTION 4. And be it further enacted, That Sub-section 103.1
8. is hereby amended by adding the following:

9. Provided further, however, that the use and development of land in
10. M. L. zones shall not be affected by the foregoing provision, but development
11. is permitted in accordance with any preliminary development plan approved
12. by the Office of Planning and Zoning before the effective date of this further
13. proviso, even though such development may be counter to then-current
14. regulations for M. L. zones, if, on the fifth anniversary of such effective
15. date, construction either is completed or is substantially commenced and
16. diligently being pursued to completion; otherwise, the regulations generally
17. in effect at the time such use or development is to be established shall control.

18. SECTION 5. And be it further enacted, That new Articles 1A and 1B
19. be and they are hereby added immediately after Article 1, said new Articles
20. to read as follows:

21. ARTICLE 1A-RURAL AND RURAL-SUBURBAN LOW-INTENSITY ZONES

22. Section 1A00-R. D. P. Zones (Rural: Deferred-Planning).

23. 1A00.1-General Provisions.

24.-----A.---Legislative Statement of Findings and Policy.-----

25.-----1.---Declaration of Findings.---It is found:-----

26.-----a.---That new development in Baltimore County has-----

27.-----occurred to an appreciable degree in the form of urban sprawl;---

28.-----b.---That there are disadvantages experienced by the-----

29.-----residents of prematurely developed outlying areas which are-----

1.----- part of the urban sprawl pattern; namely inefficiencies, ---
2.----- diseconomies; and inconveniences resulting from the -----
3.----- nonscheduled and thus necessarily lagging construction or ---
4.----- installation of various public facilities, from the inadequacy --
5.----- or lack of choice in retail shopping or service establish ---
6.----- ments, from a relatively time-consuming journey to work, --
7.----- and from a prospectively lasting absence or insufficiency ---
8.----- in choice of transportation mode; -----
9.----- c. That, characteristically, commercial as well as --
10.----- industrial and other major employment activities in such ---
11.----- areas are similarly hampered by the same and related -----
12.----- inefficiencies, diseconomies, and inconveniences; -----
13.----- d. That urban sprawl leads to increasingly excessive ---
14.----- capital outlays for public facilities; -----
15.----- e. That the processes of urban sprawl have typically ---
16.----- been such as to induce qualities of environmental inco -----
17.----- herence and unsightliness; -----
18.----- f. That conversely, a pattern of urban containment ---
19.----- obviates the deleterious effects of urban sprawl; and -----
20.----- that, notably in the case of a high rate of development -----
21.----- activity, total capital outlays for public facilities -----
22.----- within the context of urban containment can be sub -----
23.----- stantially lower than the aforementioned excessive -----
24.----- outlays required to support urban sprawl, for an -----
25.----- equivalent or greater level of service, in that user -----
26.----- proximity, system compactness, and other advantages -----
27.----- of containment provide for substantially more efficient -----
28.----- and economical installation; -----

1.-----g. That sound policies to prevent urban-----
2.-----sprawl would not inhibit desirable urban growth; but,-----
3.-----to the contrary, would result in continuing accommodation-----
4.-----of undiminished urban growth within relatively compact,-----
5.-----rationally expanding areas of urban development;-----
6.-----h. That, for the foreseeable future, it is in the-----
7.-----public interest to reserve suitable rural lands for-----
8.-----agricultural purposes and for certain other needed low-----
9.-----intensity uses appropriately located in rural areas;-----
10.-----i. That detailed public planning for future urban-----
11.-----development in certain outlying rural areas is not desirable-----
12.-----in view of (1) prevailing uncertainties as to long-range-----
13.-----demographic trends, (2) the necessarily indefinite or-----
14.-----uncertain nature of economic projections as they may-----
15.-----affect the selection of alternative development patterns-----
16.-----applied to outlying, presently rural areas, (3) the similarly-----
17.-----indefinite or uncertain nature of various other data and-----
18.-----projections that would be necessary to the preparation-----
19.-----of such plans, (4) patterns of land ownership and typical-----
20.-----sizes of individual or conglomerate land holdings,-----
21.-----particularly as these matters relate to a possible trend-----
22.-----or inducement toward a greater employment of unit-----
23.-----development systems where desirable; (5) an anticipation-----
24.-----that numerous relevant planning studies being undertaken,-----
25.-----at the time of the enactment of this Section 1A-00, by-----
26.-----Baltimore County, by agencies of the governmental-----
27.-----jurisdictions at other levels, and by private agencies,-----
28.-----as well as certain relevant studies expected to be-----
29.-----commenced in a period of several years hereafter, will-----

1. ----- produce findings essential to such planning, -----
2. ----- (6) the fact that the present urban area and -----
3. ----- certain limited, adjacent areas suitable for the -----
4. ----- orderly accommodation of urban growth (including -----
5. ----- the provision of open spaces of various sizes and -----
6. ----- functions) together contain land which is vacant -----
7. ----- or sparsely developed but which has been determined -----
8. ----- to be suitable and sufficient in extent to accommodate -----
9. ----- urban development and any probable increment -----
10. ----- of population growth for a period of more than a -----
11. ----- decade hereafter; -----
12. ----- j. That, in view of the foregoing, further -----
13. ----- urban sprawl would be inimical to the public -----
14. ----- interest and; conversely, an affirmative policy -----
15. ----- to foster a pattern of urban containment is -----
16. ----- essential to the general welfare of the County; -----
17. ----- k. That typical agricultural usage, or other -----
18. ----- use or development of land at very low intensity, -----
19. ----- clearly provides for a potential feasibility of -----
20. ----- development at urban intensity, where desirable, -----
21. ----- in future stages of the County's growth, while -----
22. ----- urban development would not be feasible after pre- -----
23. ----- emption of rural land for development at typical -----
24. ----- suburban intensities; and -----
25. ----- l. That the promulgation of zoning regulations -----
26. ----- to prohibit the subdivision of land in outlying -----
27. ----- rural areas into small tracts is an accepted, -----
28. ----- valid, appropriate, and otherwise reasonable -----
29. ----- action to inhibit urban sprawl and to minimize -----

~~1. ----- the prospective health hazards brought about ---~~
~~2. ----- by development of moderately sized lots not -----~~
~~3. ----- serviced by public water supply or sewerage -----~~
~~4. ----- systems -----~~

5. --2. 1. Purpose. The R. D. P. zoning classification
6. is established, pursuant to the legislative findings
7. set forth above, in order to:

8. a. Prevent untimely urban development
9. of relatively open rural land; and

10. b. Foster conditions favorable to
11. agriculture and other low-intensity uses
12. appropriate in rural areas, considering both
13. the magnitude of total land acreage needed for
14. such uses and the current prospective needs for
15. developable urban land.

16. -3. 2. Intent as to application of R. D. P. zoning
17. classification to property or removal therefrom. It
18. is intended:

19. a. That rural land shall be classified
20. within R. D. P. zones unless the Capital Budget
21. and Five-Year Capital Program of Baltimore
22. County and duly adopted official Baltimore
23. County master plans, including the "county
24. plan" required under Article 43, Section 387C
25. of the Annotated Code of Maryland, 1957
26. (1965 Replacement Volume), as amended,
27. all consistently indicate that such land is to be
28. serviced by public sewerage and water-supply
29. systems and, in the case of those said

1. documents which determine the timing of
2. construction, also consistently provide for the
3. adequacy and availability of service to said land
4. by such systems within a period of six years
5. after the time of consideration with respect
6. to zoning classification; provided further, however,
7. that such nonserviced land as is specifically herein
8. described (in this Subparagraph 3 or other provisions
9. in these regulations) as being appropriately other-
10. wise classified shall also be excepted from the
11. category of land which shall be classified as R. D. P. ;

12. b. That land classified as R. D. P. shall
13. not be reclassified (rezoned) until such time as
14. the documents hereinabove noted have been
15. officially changed or replaced in kind and thereby
16. then indicate possible appropriateness of reclass-
17. ification under the criteria hereinbefore stated;

18. c. That reclassification of land as R. D. P.
19. shall not represent a commitment by Baltimore
20. County with respect to type of future development,
21. but only that more particular planning for the use
22. of such land shall be executed in the future; and

23. d. That certain distinct existing areas
24. of compact development, such as certain approved
25. subdivisions or the immediate environs of typical
26. rural business centers, are not normally to be
27. classified as R. D. P.

28. - 4- 3. Special Policy for Certain Developments. In view
29. of possible overriding public benefits to be derived from

1. certain large-scale unit developments, the establish-
2. ment of such developments is hereby excepted from
3. application of the policy hereinbefore stated to the
4. extent indicated under Section 430 ("Unit Developments").

5. B. Locational Requirement. No R. D. P. zone shall be established or
6. re-established within the urban-rural demarcation line, but said line may be
7. re-established to include an R. D. P. zone or part thereof existing at the time
8. said line is re-established.

9. 1A00.2-Use Regulations.

10. A. Uses Permitted as of Right. The following uses, only, are permitted
11. as of right in R. D. P. zones:

12. 1. Farms, or, on existing undersized lots, limited-acreage whole-
13. sale flower farms.

14. 2. One-family detached dwellings.

15. 3. Churches or other buildings for religious worship.

16. 4. Trailers (see Section 415).

17. 5. Research institutes, as defined in Section 101 and as permitted
18. and regulated in D. R. 1 zones (see Section 418).

19. 6. Hospitals.

20. 7. Telephone, telegraph, electrical-power or other electrical
21. lines, all underground with the exception of such lines as are permitted
22. above ground in D. R. zones.

23. 8. Other cables; conduits; gas, water, or sewer mains; or storm-
24. drain systems; all underground.

25. 9. Railroads or other transportation lines.

26. 10. Animal boarding places (regardless of class), kennels,
27. veterinarians' offices or veterinariums, subject to the provisions of
28. Section 421.

29. 11. Excavations, uncontrolled.

1. 12. Schools, except business or trade schools or such
2. schools as are permitted as special exceptions (Paragraph B,
3. below), but including schools for agricultural training.

4. 13. Accessory uses or buildings (not subject to the provisions
5. of Section 400), including, but not limited to:

6. a. An office or studio of a doctor, dentist, lawyer,
7. architect, engineer, artist, musician, or other professional
8. person, provided that such office or studio is established
9. within the same building as that serving as his bona fide
10. residence; does not occupy more than 25 per cent of the total
11. floor area of such residence as existing on the effective date of
12. this provision; and does not involve the employment of more
13. than one nonresident professional associate nor two other
14. nonresident employees; provided, further, that signs relative
15. to such use shall be prohibited except as noted in Section 413.

16. b. Home occupations as defined in Section 101, also
17. subject to the sign provisions of Section 413.

18. c. Parking space, including residential-garage space.

19. B. Uses Permitted by Special Exception. The following uses, only,
20. are permitted as special exceptions:

21. 1. Airports.
22. 2. Antique shops (see Section 402B).
23. 3. Boat yards.
24. 4. Cemeteries.
25. 5. Commercial beaches
26. 6. Community buildings, swimming pools, or other structural
27. or land uses devoted to civic, social, recreational, or educational
28. activities.
29. 7. Conservatories for music or other arts.

1. 8. Dwellings or other buildings converted to tea
2. rooms or restaurants, as provided in Subsection 402.3, or
3. tea rooms or restaurants expressly constructed for such
4. purpose, but otherwise subject to the same such restrictions.
5. 9. Excavations, controlled (see Section 403), provided
6. renovation or appropriate adaptation of the land is assured
7. within a reasonable time, as determined by the Zoning
8. Commissioner.
9. 10. Golf courses, country clubs, or other outdoor
10. recreation clubs; also quasi-public camps, including day camps.
11. 11. Golf driving ranges, miniature-golf ranges, or baseball-
12. batting ranges.
13. 12. Helistops.
14. 13. Marinas.
15. 14. Public-utility uses not permitted as of right.
16. 15. Residential art salons (see Section 402C).
17. 16. Riding stables (commercial or noncommercial).
18. 17. Sanitary landfills (see Section 412).
19. 18. Shooting ranges.
20. 19. Volunteer-fire-company facilities.
21. 20. Wireless transmitting and receiving structures,
22. except that a radio antenna in conjunction with transmitting and
23. receiving facilities used by a resident amateur radio operator
24. possessing an amateur radio operator's license issued by the
25. Federal Communications Commission shall be considered an
26. accessory structure or, if attached to another structure, an
27. accessory use, and, as such, is permitted without a special
28. exception, provided: (a) that if it is an accessory structure,
29. it shall be subject to the provisions of Section 400; (b) that

1. if it is a rigid-structure antenna, it shall be no higher than
2. 100 feet or the horizontal distance to the nearest property
3. line, whichever is less, above grade level, and no supporting
4. structure thereof shall be closer than 50 feet to any property
5. line; and, further, (c) that it does not extend closer to the
6. street on which the lot fronts than the front building line

7. 21. Large-scale unit developments, as provided in
8. Section 430

9. 1A00.3-Height and Area Regulations.

10. A. Height. No structure in an R. D. P. zone shall exceed a height
11. of 35 feet, except as otherwise specifically provided in these Zoning Regulations
12. (see Section 300).

13. B. Area Regulations.

14. 1. Lot Area. No lot less than ~~10~~ 1 acres in net area
14a. shall be hereafter created in an R. D. P. zone, ~~except as provided~~
15. ~~in Subparagraph 3, below~~ SUBJECT TO ATTAINING PERCOLATION
15a. TESTS SATISFACTORY TO THE BALTIMORE COUNTY DEPART-
16. MENT OF HEALTH AND CONFORMING TO THE APPLICABLE
16a. HEALTH REQUIREMENTS.

17. 2. Minimum Linear Dimension. Except as otherwise
18. provided in Subparagraph 3, below, the minimum linear
19. dimension of any lot hereafter created in an R. D. P. zone shall be
20. ~~300~~ 150 feet. For the purposes of these regulations, the
21. minimum linear dimension of any lot shall be the diameter
22. of the largest circle in a horizontal plane which may be
23. inscribed within the lot boundaries.

~~-24.----- 3. Exception for Lots of Record. A lot of record on -----~~
~~-25.----- the effective date of this section as enacted in its entirety -----~~
~~-26.----- may be subdivided so as to create additional lots of smaller -----~~
~~-27.----- area or dimension than permitted under Subparagraphs 1 and 2; ----~~
~~-28.----- but only in accordance with the provisions below (and subject -----~~
~~-29.----- to applicable provisions of the Subdivision Regulations and -----~~

1. subject also to attaining percolation tests satisfactory
2. to the Baltimore County Department of Health)
3. a. No lot so created shall be smaller than 3
4. acres in area;
5. b. The maximum number of lots created shall be
6. as follows:
7.

<u>Area of Existing Lot of Record</u>	<u>Maximum Total Number of</u>
	<u>Lots Created Therefrom</u>
9. Less than 10 acres, but not	
10. less than 6 acres	2
11. Less than 25 acres, but not	
12. less than 10 acres	3
13. Less than 50 acres, but not	
14. less than 25 acres	4
15. 50 acres or more	5

16. c. Of the total number of lots created from the
17. original lot of record, only one may be situated so that
18. all or part thereof is within 300 feet of any street which
19. exists at the time the subdivision is established, unless
20. the lot lines of the existing lot are so situated that
21. compliance with this requirement would preclude
22. creation of the maximum number of lots permitted under
23. sub-subparagraph b. In the latter case, more than one
24. lot or portion thereof may lie within such distance, subject
25. to approval by the Planning Board.
26. d. The lot may be so subdivided only by its present
27. owner, as recorded among the Land Records of Baltimore
28. County on the effective date of this section, or by his
29. heirs in successive ownership of the lot.

1. - 4. - 3. The minimum distance between any building in an
2. R. D. P. zone and any lot line other than a street line shall be
3. 50 feet; the minimum distance between the building and the center
4. line of any street shall be 75 feet.

5. Section 1A01-R. S. C. Zones (Rural-Suburban: Conservation).

6. 1A01.1-Legislative Statement of Findings and Policy.

-7.-~~----- A.- Declaration of Findings; - It is found;-----~~

-8.-~~----- 1.- That certain rural areas of Baltimore County cannot-----~~

-9.-~~----- economically be provided with municipal sewerage because of-----~~

-10.-~~----- topography; because of the intervention of large public reservations-----~~

-11.-~~----- or other large areas which require no sewer service and thus can-----~~

-12.-~~----- provide no means of contribution to amortization of capital costs-----~~

-13.-~~----- or because of the adjacency of existing low-density residential-----~~

-14.-~~----- development for which the provision of water or sewer service-----~~

-15.-~~----- would not be economically feasible;-----~~

-16.-~~----- 2.- That in subdivisions containing significant numbers of-----~~

-17.-~~----- houses, private septic systems, including those on lots with-----~~

-18.-~~----- average areas of more than one or two acres, have developed a-----~~

-19.-~~----- high incidence of failure, thereby creating health hazards and-----~~

-20.-~~----- public inconvenience;-----~~

-21.-~~----- 3.- That it has not been demonstrated through engineering-----~~

-22.-~~----- technology or otherwise that residential subdivisions with lots-----~~

-23.-~~----- averaging less than three acres in area are without a probability of-----~~

-24.-~~----- ultimate septic system failure;-----~~

-25.-~~----- 4.- That it is therefore reasonable to declare that future-----~~

-26.-~~----- residential subdivisions in suburban areas which will not be-----~~

-27.-~~----- serviced by a public sewerage system must be designed so that-----~~

-28.-~~----- lots are large in size, and it is adjudged that three acres is a-----~~

-29.-~~----- reasonable minimum area for any lot in such a subdivision if the-----~~

1. ~~probability of future health hazard and public inconvenience~~
2. ~~is to be made acceptably low;~~
3. ~~5. That there is in Baltimore County a demand for~~
4. ~~houses on lots as large as three acres or more;~~
5. ~~6. That it is in the public interest to allocate land for~~
6. ~~possible use by low density institutions;~~
7. ~~7. That it is desirable to provide within Baltimore~~
8. ~~County a permanent green ring, without development or with only~~
9. ~~sparse development, and residential development on three-acre~~
10. ~~lots is deemed to be of sufficiently low intensity to constitute~~
11. ~~appropriate use within such a green ring.~~

12. ~~B. A. General Purpose. The R. S. C. zoning classification is established,~~
13. ~~pursuant to the legislative findings set forth above, in order to:~~

14. 1. Provide for residential use without community health
15. hazard within areas which will not be serviced by public sewerage
16. and water-supply systems;

17. 2. Provide for the appropriate zoning of land where
18. low-density institutions may feasibly be established;

19. ~~3. Maintain the integrity of regionally significant green~~
20. ~~areas; and~~

21. ~~4. Provide for a reasonable and appropriate level of~~
22. ~~private development in areas where conservation of natural~~
23. ~~physiographic characteristics is of paramount importance.~~

24. ~~G. B. Application of R. S. C. Zoning Classification to Property or~~
25. ~~Removal Therefrom. It is intended:~~

26. 1. That land which is planned to remain unserved by
27. public sewerage and water-supply systems shall be classified as
28. R. S. C., with the exception of any distinct existing areas of
29. compact development which are to remain unserved by such
30. facilities;

1. 2. That the fact that land has been duly classified as
2. R.S.C. by the County Council through its adoption of a
3. comprehensive zoning map shall be prima facie evidence
4. that there is no intent by the County to provide the public
5. utility services that would make such land appropriate for
6. classification within another category, and land which has
7. been thus classified as R.S.C. may not be reclassified unless
8. a) both public sewerage and public water-supply systems have
9. been extended thereto prior to the time a petition for such a
10. reclassification is considered, b) such land does not lie within
11. the watershed area of a public water reservoir, and c) such
12. land does not lie within an area designated as a regionally
13. significant green space on a duly adopted official Baltimore
14. County master plan.

15. 1A01.2-Use Regulations.

16. A. Uses Permitted as of Right. The following uses, only, are
17. permitted as of right in R.S.C. zones:

18. 1. Farms or, on existing undersized lots, limited-
19. acreage wholesale flower farms
20. 2. One-family detached dwellings
21. 3. Churches or other buildings for religious worship
22. 4. Research institutes, as defined in Section 101 and
23. permitted in D.R. 1 zones (see Section 418)
24. 5. Hospitals
25. 6. Telephone, telegraph, electrical-power, or other
26. electrical lines, all underground with the exception of such
27. lines as are permitted above ground in D.R. zones
28. 7. Other cables; conduits; gas, water, or sewer mains;
29. or storm-drain systems: all underground

1. 8. Railroads or other transportation lines
2. 9. Schools, except business or trade schools or such
3. schools as are permitted as special exceptions (Paragraph B,
4. below), but including schools for agricultural training
5. 10. Excavations, uncontrolled
6. 11. Accessory uses or buildings (not subject to the
7. provisions of Section 400), including, but not limited to:
8. a. An office or studio of a doctor, dentist, lawyer,
9. architect, engineer, artist, musician, or other pro-
10. fessional person, provided such office or studio: is
11. established within the same building as that serving
12. as the bona fide residence of such person; does not
13. occupy more than 25 per cent of the total floor area of
14. such residence; and does not involve the employment of
15. more than one nonresident professional associate nor
16. more than two other nonresident employees; provided,
17. further, that signs relative to such use shall be pro-
18. hibited except as noted in Section 413
19. b. Home occupations, as defined in Section 101,
20. also subject to the sign provisions of Section 413
21. c. Parking space, including residential-garage space
22. B. Uses Permitted by Special Exception. The following uses, only,
23. are permitted as special exceptions:
24. 1. Airports
25. 2. Antique shops (see Section 402B)
26. 3. Cemeteries
27. 4. Colleges (not including business or trade schools)
28. 5. Community buildings, swimming pools, or other
29. structural or land uses devoted to civic, social, recreational,
30. or educational activities

1. 6. Conservatories for music or other arts
2. 7. Dwellings or other buildings converted to tea rooms
3. or restaurants, as provided in Subsection 402.3, or tea rooms
4. or restaurants expressly constructed for such purpose, but
5. otherwise subject to the same such restrictions
6. 8. Excavations, controlled (see Section 403)
7. 9. Animal boarding places (regardless of class), kennels,
8. veterinarians' offices or veterinarians, subject to the pro-
9. visions of Section 421
10. 10. Golf course, country clubs, or other outdoor
11. recreation clubs; also quasi-public camps, including day camps
12. 11. Helistops
13. 12. Residential art salons (see Section 402C)
14. 13. Riding stables (commercial or noncommercial)
15. 14. Sanitary landfills (see Section 412)
16. 15. Volunteer-fire-company facilities
17. 16. Wireless transmitting and receiving structures,
18. except that a radio antenna in conjunction with transmitting
19. and receiving facilities used by a resident amateur radio
20. operator possessing an amateur radio operator's license
21. issued by the Federal Communications Commission shall be
22. considered an accessory structure or an accessory use if
23. attached to another structure, and, as such, is permitted
24. without a special exception, provided: (a) that if it is an
25. accessory structure, it shall be subject to the provisions of
26. Section 400; (b) that if it is a rigid-structure antenna, it
27. shall be no higher than 100 feet or the horizontal distance
28. to the nearest property line, whichever is less, above grade
29. level, and no supporting structure thereof shall be closer

1. than 50 feet to any property line; and, further, (c) that it
2. does not extend closer to the street on which the lot fronts
3. than the front building line

4. 1A01.3-Height and Area Regulations.

5. A. Height. No structure in an R.S.C. zone shall exceed a height of
6. 35 feet, except as otherwise specifically provided in these Zoning Regulations
7. (see Section 300).

8. B. Area Regulations.

9. 1. Lot Area. No lot less than ~~3~~1 acres in net area shall
9a. be hereafter created in an R.S.C. zone, ~~except as provided below~~
10. SUBJECT TO ATTAINING PERCOLATION TESTS SATISFACTORY
10a. TO THE BALTIMORE COUNTY DEPARTMENT OF HEALTH AND
11. CONFORMING TO THE APPLICABLE HEALTH REQUIREMENTS.

12. 2. The minimum linear dimension for any lot hereafter
13. created in an R.S.C. zone shall be not less than ~~200~~150 feet. For
14. the purposes of these regulations, the minimum linear dimension
15. of any lot shall be the diameter of the largest circle within a
16. horizontal plane which may be inscribed therein.

17. 3. The minimum distance between any building in an
18. R.S.C. zone and any lot line other than a street line shall be
19. 50 feet; the minimum distance between the building and the
20. center line of any street shall be 75 feet.

~~21.-----4. Subparagraph 1, above; notwithstanding, a lot in a-----~~
~~22.-----cluster subdivision in an R.S.C. zone may be less than three-----~~
~~23.-----acres, but not less than one acre, provided that the total of-----~~
~~24.-----the net area of all lots plus the area of local open space in-----~~
~~25.-----the subdivision divided by the number of lots therein is-----~~
~~26.-----not less than three acres.-----~~

1. ARTICLE 1B-DENSITY RESIDENTIAL (D. R.) ZONES

2. Section 1B00-Legislative Statement of Findings; Policy with Respect
3. to D. R. Zones in General.

4. 1B00.1-Declaration of Findings. It is found:

5. A. That residential zoning regulations heretofore in effect
6. have not been conducive to the creation of housing diversity in Baltimore
7. County subdivisions;

8. B. That minimum standards for individual lots, having
9. been derived from maximum overall density standards, have resulted in
10. an excessive spreading of residential development over subdivision tracts;
11. such spreading of development has led to removal or undesirable trans-
12. formation of natural vegetation and other features more properly left in
13. their natural or previous states, and has led to visual monotony;

14. C. That zoning reclassifications based on lot sizes and
15. types of housing have, in some situations, prevented the construction of
16. the maximum numbers of housing units intended to be permitted on develop-
17. ment tracts, especially in cases of severe topographical variation, or have
18. induced "cramped" layout or other undesirable subdivision-design char-
19. acteristics as accommodation of maximum density is achieved;

20. D. That evolving markets for types of housing units not
21. permitted in lower-density zones have created pressures leading to frequent
22. rezoning, ultimately resulting in vastly greater population levels than have
23. been planned for, tending to nullify planning efforts and to overload and
24. overcrowd public facilities;

25. E. That, as a result of such rezoning, residential zoning
26. classifications at the various density levels have not been applied to a
27. satisfactory degree in proper relation or with sufficient regard to: location
28. or size of commercial or industrial areas or uses; utilities, motorways,
29. schools, or other public facilities; timeliness of development; conservation

1. and allocation of land resources; and other factors which should be
2. considered in planning for the development of the County on the basis
3. of a comprehensive rationale;

4. F. That, in light of the above findings, it is in the interest
5. of the general welfare that new zoning classifications, formulated so as
6. to avoid such effects in future residential development, be established
7. as hereinafter provided.

8. 1B00.2-Purpose. The D. R. zoning classifications are established,
9. pursuant to the legislative findings set forth above, in order to:

10. A. Foster a greater variety in housing types within future
11. residential developments;

12. B. Allow more feasible preservation of natural features
13. and induce the reservation of ample and more suitably designed open
14. spaces and parks, in order to better satisfy the needs of residents
15. without economic disadvantage to developers;

16. C. Allow greater flexibility in subdivision-development
17. planning and provide for the inducement of more creative as well as
18. more economic approaches to residential development, with the goal
19. of desirable and distinctive identity and character of individual residential
20. locales;

21. D. Provide the means to satisfy differing housing-market
22. requirements without rezoning, and thus without disruptive changes in
23. density potential; and

24. E. Provide for the application of residential zoning
25. classifications in a manner more nearly in accord with comprehensive
26. plans and comprehensive-planning goals.

27. Section 1B01 - Regulations with Respect to D. R. Zones in General.

28. 1B01.1-General Use Regulations in D. R. Zones.

29. A. Uses Permitted as of Right. The following uses, only,
30. are permitted as of right in D. R. zones of all classifications, subject

1. to the restrictions hereinafter prescribed:
2. 1. Dwellings, including, but not limited to,
3. one-family detached houses, one-family semi-detached
4. houses, one-family group houses, patio houses, side-
5. and-back-attached houses, two-family houses, town-house
6. apartment buildings (including group-house apartment
7. buildings), garden apartment buildings, and other apartment
8. buildings
9. 2. Trailers (see Section 415)
10. 3. Churches, other buildings for religious worship,
11. or other religious institutions.
12. 4. Above-ground electrical-power, telephone, or
13. telegraph lines, except above-ground electrical-power lines
14. having a capacity of 35 kilovolts or more; pole-mounted
15. transformers or transformer banks
16. 5. Other cables; conduits; gas, water, or sewer
17. mains; or storm-drain systems: all underground
18. 6. Excavations, uncontrolled (as defined in Section 101)
19. 7. Farms or limited-acreage wholesale flower farms
20. (see Section 404)
21. 8. Garages, community
22. 9. Hospitals (see Section 407)
23. 10. Local open space tracts or other common amenity
24. open space
25. 11. Research institutes, provided that no such use
26. permitted hereunder (as of right) shall be established on
27. any site less than 15 acres in net area, and that any such
28. use shall be established in accordance with the provisions of
29. Subsection 418.2

1. 12. Schools, except business or trade schools or
2. such schools as are permitted by special exception (see
3. Paragraph C, below), but including schools for agricultural
4. training

5. 13. Signs, non-accessory, to the extent permitted
6. under Section 413

7. 14. Accessory uses or buildings other than those
8. permitted only by special exception, including, but not
9. limited to:

10. a. Accessory radio or television receiving
11. antennas

12. b. Wireless transmitting and receiving structures,
13. provided that any such structure: is a radio antenna
14. in conjunction with transmitting and receiving facilities
15. used by a resident amateur radio operator possessing
16. an amateur radio operator's license issued by the
17. Federal Communications Commission; if it is an
18. independent structure, shall be subject to the same
19. requirements as are applied to buildings under Section
20. 400; if it is a rigid-structure antenna, shall be no
21. higher than 50 feet above grade level and with no
22. supporting structure thereof closer than 10 feet to any
23. property line; and does not extend closer to the street
24. on which the lot fronts than the front building line

25. c. Automotive-service stations, but only within
26. community garages (see Section 405)

27. d. Home occupations, as defined in Section 101

28. e. Offices or studios of physicians, dentists, law-
29. yers, architects, engineers, artists, musicians, or

1. other professional persons, provided that any such
2. office or studio: is established within the same
3. building as that serving as the professional person's
4. bona fide residence; does not occupy more than 25 per
5. cent of the total floor area of such residence; and does
6. not involve the employment of more than one non-
7. resident professional associate nor two other non-
8. resident employees

9. f. Parking spaces, including accessory garage spaces

10. g. Offices for the conduct of business incidental
11. to the rental, operation, service, or maintenance of
12. apartment buildings

13. h. Accessory signs (see Section 413)

14. B. Dwelling-Type and Other Supplementary Use Restrictions Based
15. on Existing Subdivisions and Development Characteristics.

16. 1. Residential Transition Areas and Uses Permitted
17. Therein.

18. a. Definitions. For the purposes of this article:

19. 1. A residential transition area is any
20. D.R. 1, D.R. 2, D.R. 3.5, D.R. 5.5, or D.R. 10.5
21. zone or part thereof which lies (a) within 300 feet
22. of any point on a dwelling other than an apartment
23. building, or (b) within 250 feet of any point lying
24. within a vacant lot of record which is itself wholly
25. or partially classified as D.R. and which is two
26. acres or less in area.

27. 2. A residential transition use is any one
28. of the uses listed as such in the following table
29. and hereby classified as set forth therein:

- | | | |
|-----|-------------------------------|-------------------------------------|
| 1. | <u>Collective Designation</u> | <u>Residential Transition Uses</u> |
| 2. | Group I uses | One-family detached dwellings |
| 3. | | Local open space tracts or other |
| 4. | | common amenity open space |
| 5. | | Uses and buildings accessory to |
| 6. | | the uses listed above |
| 7. | Group II uses | One-family semi-detached dwellings |
| 8. | | Two-family detached dwellings |
| 9. | | Uses and buildings accessory to |
| 10. | | the uses listed above |
| 11. | | Group I uses |
| 12. | Group III uses | Group houses |
| 13. | | Group-house apartments |
| 14. | | Uses and buildings accessory to the |
| 15. | | uses listed above |
| 16. | | Group II uses |
| 17. | Group IV uses | Dwellings, as set forth in Item "1" |
| 18. | | of Paragraph A |
| 19. | | Local open space tracts or other |
| 20. | | common amenity open space |
| 21. | | Uses and buildings accessory to the |
| 22. | | uses listed above |

23. b. Restrictions in Residential Transition Areas.
24. In any residential transition area situated as described
25. in the following table, only residential transition uses
26. shall be permitted, and only as indicated:

27.	Zone of	Portion of Devel-	Type of	Zone Within	Resi-
28.	Resi-	opment Tract	Existing	Which Adja-	dential
29.	dential	Lying Within	Adjacent	cent Dwelling	Transi-
30.	Transi-	Residential	Dwelling; or	or Lot is	tion Uses
31.	tion Area	Transition	Size of Adja-	Situated	Permitted
32.		Areas Situated	cent Vacant		
33.		as Described	Lot of Record		
34.		Herein			
35.			Existing one-	D. R. 1	
36.			family detached	D. R. 2	Group I
37.			dwelling; or	D. R. 3.5	uses
38.		Any portion	vacant lot of	D. R. 5.5	
39.			record 7,500		
40.			square feet or	D. R. 10.5	Group II
41.			more in area,	D. R. 16	uses
42.			but not more		
43.			than two acres		
44.			in area		

1.	Zone of	Portion of Devel-	Type of	Zone Within	Resi-
2.	Resi-	opment Tract	Existing	Which Adja-	dential
3.	dential	Lying Within	Adjacent	cent Dwelling	Transi-
4.	Transi-	Residential	Dwelling; or	or Lot is	tion Uses
5.	tion Area	Transition	Size of Adja-	Situated	Permitted
6.		areas Situated	cent Vacant		
7.		as Described	Lot of Record		
8.		Herein			
9.			Existing one-		
10.			family semi-de-		
11.			tached dwelling		
12.			or detached two-		
13.	D. R. 1		family dwelling;		
14.	D. R. 2		or vacant lot of	Any D. R.	Group 11
15.	D. R. 3.5	Any portion	record 3,800	Zone	uses
16.	D. R. 5.5		square feet or		
17.			more in area, but		
18.			less than 7,500		
19.			square feet in area		
20.			Existing one-		
21.			family group		
22.		Any portion	house; or vacant	Any D. R.	Group 111
23.			lot of record less	Zone	uses
24.			than 3,800 square		
25.			feet in area		
26.			Existing one-		
27.			family detached		
28.			dwelling; or		
29.			vacant lot of		
30.		Less than 1/2	record 7,500	Any D. R.	Group 11
31.			square feet or	Zone	uses
32.			more in area, but		
33.		1/2 or more	not more than two		Group 111
34.			acres in area		uses
35.			Existing one-		
36.	D. R. 10.5		family semi-		
37.			detached dwelling		
38.			or detached	D. R. 1	
39.		Any portion	two-family	D. R. 2	Group 111
40.			dwelling; or	D. R. 3.5	uses
41.			vacant lot of	D. R. 5.5	
42.			record 3,800		
43.			square feet or		
44.			more in area,		
45.		Less than 1/2	but less than 7,500	D. R. 10.5	Group 111
46.			square feet in area		uses
47.		1/2 or more		D. R. 16	Group 1V
48.					uses
49.			Existing one-		
50.		Less than 1/2	family group		Group 111
51.			house; or vacant		uses
52.			lot of record	Any D. R.	
53.		1/2 or more	less than 3,800	Zone	Group 1V
54.			square feet in area		uses

1. c. The provisions of Sub-subparagraphs a
2. and b of this subparagraph shall not apply to existing
3. developments as described in Subparagraph A.1 of
4. Subsection 1B02.3, nor to subdivision tracts for which
5. tentatively approved plans remain in effect as described
6. in Subparagraph A.2 of said subsection.

7. d. The use and development of land which is
8. classified as D. R. 16 shall not be subject to the
9. provisions of Sub-subparagraphs a and b of this sub-
10. paragraph if such land was classified as R. A.
11. immediately prior to this article's taking effect (see
12. Section 504).

13. 2. Use Regulations in Existing Developments. In
14. existing developments as described in Subparagraph A.1 of
15. Subsection 1B02.3, uses shall be limited to those now lawfully
16. established or to those indicated in the subdivision plans on file
17. with the Office of Planning and Zoning, except as may otherwise
18. be permitted under provisions adopted pursuant to the authority
19. of Section 504.

20. 3. Use Regulations for Existing Subdivision Tracts.
21. On subdivision tracts for which tentatively approved plans
22. remain in effect as described in Subparagraph A.2 of Sub-
23. section 1B02.3, the uses permitted shall be those indicated
24. in the plan or, where the use is not indicated and if not in-
25. consistent with the plan, the uses shall be those permitted
26. under zoning regulations in effect at the time the tentative
27. approval was granted.

28. C. Uses Permitted by Special Exception. The following uses,
29. only, are permitted by special exception in all D. R. Zones:

1. 1. Boarding or rooming houses
2. 2. Boat yards, including marinas
3. 3. Camps, public or quasi-public, including day camps
4. 4. Conservatories for music or other arts
5. 5. Convalescent homes
6. 6. Community buildings, swimming pools, commercial
7. beaches, golf course, country clubs, or other, similar civic,
8. social, recreational, or educational uses
9. 7. Excavations, controlled (see Section 403)
10. 8. Funeral establishments
11. 9. Helistops
12. 10. Poultry killing, commercial, as an accessory use on
13. farms, only
14. 11. Private colleges (not including business or trade schools),
15. nursery or dancing schools, dormitories, or fraternity or sorority
16. houses
17. 12. Public-utility uses other than those permitted as of right,
18. but excluding steam power plants, service centers, and storage yards
19. 13. Public-utility service centers
20. 14. Public-utility storage yards
21. 15. Radio studios
22. 16. Television studios
23. 17. Tourist homes
24. 18. Veterinarians' offices
25. 19. Volunteer-fire-company stations
26. 20. Wireless transmitting and receiving structures, as
27. principal uses or structures, provided that any exterior trans-
28. mitting and receiving antenna greater than 50 feet above grade
29. level shall be considered as a principal use or structure

1. D. The following provision, which was enacted by Bill No.
2. 140, 1962, took effect on November 17, 1962, and was heretofore
3. designated as Subsection 200.16 of these Zoning Regulations, is re-
4. enacted without amendment, and nothing in this article shall be construed
5. to abrogate its effect:

6. Junk yards and open dumps as defined in Section 101.

7. Any existing junk yards in this (R.40) or any other residential
8. zone, and any existing open dumps in any zone shall be
9. completely eliminated not later than two years after the
10. date of effectuation of this amendment.

11. 1B01.2-General Density, Bulk, Building-Separation, Open-Space, and
12. other Height and Area Standards and Regulations.

13. A. Density Controls.

14. 1. Application of Maximum Density Standards to
15. Tract in One Zone. The maximum gross residential density
16. permitted in any one D. R. zone shall control only as applied
17. to the total gross residential acreage within a subdivision
18. tract, and shall not apply to or establish minimum areas of
19. lots created by subdivision within such tract.

20. 2. Application to Tract Divided by Zone Boundary.
21. Wherever a single tract is divided by a zone boundary so that
22. portions of such tract lie within D. R. zones of different
23. classification, the total number of dwelling or density units
24. permitted, as determined by multiplying the gross acreage
25. of each portion by the maximum density permitted under
26. Subsection 1B02.2 in the zone within which that portion lies
27. and totalling the results, shall be permitted without further
28. regard to the zone boundary, and the units may be distributed
29. over the tract as though it were in a single zone.

1. B. Bulk Regulations.

2. 1. Detached and Attached Buildings. In the application
3. of the provisions of this article, buildings shall be considered
4. as detached if there are no above-grade structural connections
5. between them. Where buildings are, in fact, structurally
6. connected above grade, they shall be considered as mutually
7. attached buildings if divided by lot lines, or as one building
8. if situated on a single lot.

9. 2. Maximum Width of Building Elevation. The maximum
10. width of any elevation of a detached building or group of
11. attached buildings shall be 300 feet, except that a greater
12. width may be authorized under special-exception procedures
13. as provided in Section 502, if such width is in accordance with
14. standards adopted under the authority of Section 504.

15. 3. Maximum Passageway Width. The minimum width
16. of any exterior passageway between attached buildings or
17. between portions of a single building shall be 10 feet.

18. C. Open-Space, Building-Separation, and Other Area
19. Standards.

20. 1. Distances Between Separate Buildings. Except
21. as otherwise may be provided under standards adopted pursuant
22. to Section 504, the minimum horizontal distance from any
23. point on a building in a D. R. zone to the vertical projection of
24. any point on another building not mutually attached shall be
25. as set forth below:

1.	2.	3.	4.	5.	Minimum Horizontal Distance to Vertical Projection of Point on Building Not Mutually Attached
5.	<u>Above-Grade Elevation of Higher Point</u>				
6.	20 feet or less				16 feet
7.	More than 20 feet but not more than 25 feet				25 "
8.	"	"	25	" " " " " "	30 " 30 "
9.	"	"	30	" " " " " "	40 " 40 "
10.	"	"	40	" " " " " "	50 " 60 "

11. 2. Distances Related to Windows.
12. a. Where any dwelling-unit window within a
13. subdivision faces a property line which is not a street
14. line prior to the time of development but, otherwise,
15. which forms any part of the tract boundary, the window
16. shall not be closer than 35 feet to the boundary.
17. b. Except as otherwise may be provided under
18. standards adopted pursuant to the authority of Section 504,
19. the minimum distance between the centers of facing
20. windows of different dwelling units on the same subdivision
21. tract shall be 40 feet.
22. 3. Setbacks from Street Centerlines. The minimum
23. distance between any building and the centerline of any street
24. existing prior to the time of development shall be 50 feet or
25. such greater distance as may be prescribed under standards
26. adopted pursuant to the authority of Section 504.

1. 4. Minimum Area Standards in Residential Transition
 2. Areas. Dwellings (no other principal buildings permitted)
 3. and accessory buildings in residential transition areas, if
 4. designated under Subparagraph 1B01.1B.1 as Group 1, Group 11, or
 5. Group 111 uses, shall be situated on lots in accordance with
 6. the standards set forth in the table below and with the pro-
 7. visions of Section 400, respectively. No more than one
 8. principal building shall be situated on any lot in such a
 9. residential transition area.

Residential Transition Uses to Which Lot is Limited under Sub- paragraph B. 1 of Subsection 1B01.1	Zone Within Which Adjacent Dwelling or Lot is Situated	Minimum Standards for Dwelling Permitted					
		Minimum Lot Area, in Square Feet	Minimum Lot Width in Feet	Mini- mum Dis- tance from Build- ing to Center- line of Any Street, in Feet	Mini- mum Rear- Yard Depth in Feet	Mini- mum Width of Any Side Yard (Ex- cept as Other- wise Pro- vided, as on a Corner Lot), in Feet	Mini- mum Sum of Widths of Side Yards for Any Detached Building
Group 1 uses	D. R. 1	25,000	125	75	50	20	50
" " "	D. R. 2	13,000	90	65	40	15	30
" " "	D. R. 3.5	7,500	70	55	30	10	25
" " "	D. R. 5.5	5,700	55	50	30	8	20
Group 11 or Group 111 uses	D. R. 1 D. R. 2 D. R. 3.5 D. R. 5.5 D. R. 10.5	7,600 Two-Family Detached Dwelling 5,700 One-Family Detached Dwelling 3,800 One-Family Semidetached Dwelling 1,970 Group House 1,970 Group-House Apartment Building per dwelling unit 70 Two-Family Detached Dwelling 55 One-Family Detached Dwelling 35 One-Family Semidetached Dwelling 20 Group House 28 Group-House Apartment Building per dwelling unit	50	30	8	15	20

1. Provided, however, that alternative standards of lot or
2. side-yard width may be applied to non-rectangular lots if
3. such standards have been adopted under the authority of
4. Section 504.

5. 5. Local Open Space. Local open space tracts in
6. D. R. zones shall be designed, established, and maintained
7. in accordance with the standards, guidelines, and procedures
8. set forth in the Baltimore County Subdivision Regulations
9. (specifically, Sections 22-51, 22-52, 22-53, 22-54, 22-57,
10. and 22-58, and portions of 22-55 of the Baltimore County Code,
11. 1968), as well as Chapters I, II, IV, V, VII, VIII, and IX
12. of the Local Open Space Manual, June, 1965, as approved by
13. the Planning Board and the Board of Recreation and Parks.
14. Those provisions of said regulations and manual heretofore
15. applicable within residence zoning classifications now rescinded
16. shall be applied to corresponding D. R. zoning classifications
17. to the full extent of consistency with these Zoning Regulations.
18. Provided, however, that upon the effective date of revised
19. subdivision regulations or after adoption of a revised Local Open
20. Space Manual or other applicable policies as provided under
21. Section 504, the location, design, establishment, and main-
22. tenance of local open space tracts shall become subject to the
23. provisions thereof.

24. 6. Under provisions adopted pursuant to the authority of
25. Section 504, development in D. R. zones may be made subject
26. to additional standards of lot area, yard space, open-space
27. distribution, building distribution, or other aspects or
28. characteristics of site planning or project design. Such
29. standards shall be based upon specified existing, prospective,

1. or stipulated conditions or circumstances of development,
2. and shall be designed to further the specific purposes of this
3. article and the purposes of these Zoning Regulations in general.

4. 1B01.3-Plans and Plats.

5. A. Development Plans.

6. 1. Purpose. This paragraph is intended:

7. a. To provide for the disclosure of development
8. plans to prospective residents and to protect those who
9. have made decisions based on such plans from in-
10. appropriate changes therein; and

11. b. To provide for review of residential-development
12. plans to determine whether they comply with these
13. regulations and with standards and policies adopted
14. pursuant to the authority of Section 504.

15. 2. Partial Development Plan. For the purposes of this
16. article, a "partial development plan" is a portion of a final
17. development plan, and a partial or final development plan is
18. "applicable" to a given lot if it covers all property in the sub-
19. division within 300 feet of the given lot, in addition to the lot itself.

20. 3. Subdivision Lot Sales, Development, and Use
21. Subject to Partial Development Plan. No interest in any lot which
22. is in a D.R. zone and is hereafter created by subdivision of a record
23. lot of the effective date of this article or created by consolidation
24. of such lots may be sold unless a final or partial development
25. plan applicable to the lot has been approved as required under
26. Subparagraph 5, below; further, no use may be established and
27. no construction may take place on any lot so created except in
28. accordance with such a plan.

1. 4. Notice in Conveyance. Any party who sells an
2. interest in real property within an area covered by an approved
3. partial or final development plan shall attach to the instrument of
4. sale a notice directing the buyer's attention to the plan (including
5. any amendment) and listing the location of the various certified
6. copies which may be publicly inspected (see Subparagraph 6)
7. together with a listing of the recorded plats covering all portions
8. of the subdivision as a whole. The notice shall also generally
9. apprise the buyer of the rights, requirements, and remedies
10. provided under the development plan, those provided under this
11. article and these zoning regulations in general, and those set
12. forth in provisions adopted pursuant to the authority of Section 504,
13. and, to this end, the notice shall be on a form issued by the County
14. and approved by the Office of Law, the Zoning Commissioners,
15. and the Planning Board as being clear and sufficient for the purpose.

16. 5. Forms and Content of Plans.

17. a. Forms. Each partial development plan must
18. be filed both as a separable document or set of
19. documents and as part of a final development plan
20. which includes all partial development plans as approved
21. for other portions of the subdivision. Upon approval,
22. each final development plan thus filed supersedes
23. previous final development plans of the subdivision.

24. b. Content. Each partial and final development
25. plan must show: the locations, types, and exterior
26. dimensions of all proposed structures and all existing
27. structures to be retained; generalized floor plans to
28. scale; layout of parking facilities; streets and drives
29. giving access to and lying within the tract; existing

1. topography and major vegetation; proposed
2. grading, landscaping, and screening; common
3. amenity open space (including local open space);
4. all additional information that may be required
5. under procedures adopted pursuant to the authority
6. of Section 504; and all additional information which
7. is necessary, as determined by the Zoning Commissioner
8. and the Director of Planning, to ascertain whether
9. the project will comply with the zoning and sub-
10. division requirements of Baltimore County.

11. 6. Initial Review and Approval Procedure. Procedural
12. steps and requirements in the submission and review of various
13. preliminary versions of partial and final development plans
14. shall be as established under provisions adopted pursuant to
15. the authority of Section 504 or, in the absence of such provisions,
16. as established by the Office of Planning and Zoning. In formulating
17. such steps and requirements, the Planning Board or the Office of
18. Planning and Zoning shall effect maximum coordination between
19. and integration with similar and related steps and requirements
20. in the submission and review of plans pursuant to the subdivision
21. regulations. If the partial and final development plans for a
22. subdivision are approved by the Zoning Commissioner as complying
23. with the Zoning Regulations, approved by the Director of Planning
24. as being consistent with the subdivision regulations and any sub-
25. division plans filed pursuant thereto, and approved in such other
26. manner as may be prescribed under provisions adopted pursuant
27. to the authority of Section 504, copies of the plans, certified by
28. the Zoning Commissioner and the Director of Planning as having

1. been so approved, shall be filed with such County or State
2. agencies as they may direct and as may otherwise be required,
3. and shall be retained in the files of the Office of Planning and
4. Zoning, including the files of the Zoning Commissioner.

5. 7. Amendment of Approved Development Plans.

6. After partial or final development plans have been approved as
7. provided under Subparagraph 6, preceding, they may be amended
8. only as provided below.

9. a. Amendment Prior to Sale of Interest in Nearby
10. Property. The development plans may be amended
11. by simple resubmission, or by the submission of
12. appropriate documents of revision, subject to the same
13. requirements as are applied to original plans, if there
14. is no change with respect to any lot, structure, or use
15. within 300 feet of a lot or structure which has been sold
16. since the original plans were filed.

17. b. Amendment After Sale of Interest in Nearby
18. Property or Upon Demand for Hearing. In the case
19. of an amendment not allowed under Sub-subparagraph a,
20. by reason of sale of property within the area, or in
21. case of a demand for hearing by an eligible individual
22. or group, the plans may be amended through special-
23. exception procedures, in the manner provided under
24. Section 502 and subject to the following provisions:

25. i. The amendment must first be approved
26. by the Planning Board as being in accord with
27. provisions adopted under the authority of Section 504.

28. ii. The amendment must be in accord with
29. the specific standards and requirements of this
30. article, as determined by the Office of Planning
31. and Zoning.

1. iii. Only an owner of a lot abutting or
2. lying directly across a street or other right
3. of way from the property in question, an owner
4. of a structure on such a lot, or a homes
5. association (as may be defined under the
6. Subdivision Regulations or under provisions
7. adopted pursuant to the authority of Section 504)
8. having members who own or reside on property
9. lying wholly or partially within 300 feet of the
10. lot in question are eligible to file a demand for
11. hearing.

12. iv. It must be determined in the course
13. of the hearing procedure that the amendment
14. would be consistent with the spirit and intent
15. of the original plan and of this article.

16. c. Amendment Upon Request by Owner of Lot
17. Within Subdivision. The Zoning Commissioner may,
18. without a public hearing but with the concurrence of the
19. Director of Planning, amend the plans with respect to a
20. structure on an individual lot created under the plans and
21. used according to the purpose stated therein, or with respect
22. to such lot, at the request of the lot owner, under the following
23. requirements and conditions:

24. i. Reasonable notification, by a standard
25. method established pursuant to the authority of
26. Section 504 and approved by the County Solicitor,
27. must be given to the occupants and owners of all
28. real property which is fully or partially situated
29. within 300 feet of the lot in question.

1. ii. It must be determined that a formal
2. demand for hearing by an eligible individual or
3. group, as described in Sub-subparagraph b, has
4. not been filed.

5. iii. It must be determined that standards
6. adopted under the authority of Section 504, in
7. addition to the specific requirements under these
8. regulations, will not be violated by the amendment.

9. iv. The Zoning Commissioner and the
10. Director of Planning must certify that the amend-
11. ment is in keeping with the spirit and intent of
12. this article and other Baltimore County land-use
13. and development requirements administered by
14. them, and both must certify that the amendment
15. does not violate the spirit and intent of the original
16. plan.

17. d. Any amended development plan and any document of
18. amendment of such a plan must be filed with all agencies or
19. officials with whom copies of the original plan have been filed
20. pursuant to Subparagraph 7 above, and no amendment takes
21. effect otherwise.

22. B. Final Subdivision Plat.

23. 1. Purpose. Pursuant to the regulations for D. R.
24. zones, a portion of a tract of land may be subdivided for
25. development at a higher residential density than the maximum
26. average density permitted, lessening the permitted density of
27. development on the remainder of the tract; or a portion of the
28. tract may be subdivided for development at less than the maximum
29. average density, thus increasing the density at which the remainder

1. of the tract may be developed. (See Paragraph 1B01.2.A.)
2. It is the purpose of this paragraph to assure that these factors
3. will be identified in the sale of any portion of a development
4. tract in a D. R. zone, and, in particular, to prevent the unknowing
5. purchase of a tract which, as a result of such prior subdivision,
6. may not itself be developed at the average gross density specified
7. in the regulations.

8. 2. Effect. No subdivision of a tract or a portion of
9. a tract may be created after the effective date of this article,
10. except as otherwise provided under subparagraph 1B02.3A2
11. unless the final subdivision plat therefor contains a summary
12. showing the total number of dwelling or density units allowed
13. for the entire tract under the applicable D. R. zones (s). The
14. summary shall indicate, as appropriate, the number of dwelling
15. or density units utilized by previous final subdivision plats for
16. portions of the same tract, the number of dwelling or density
17. units contained in the current subdivision plat, and the balance of
18. dwelling or density units allowed for the remainder of the tract
19. under the applicable D. R. zones (s). It is the intent of these
20. Zoning Regulations to prohibit subdivision or resubdivision of
21. portions of a tract in a D. R. zone in a manner so as to exceed
22. the total number of dwelling or density units allowed under the
23. applicable D. R. zones (s) for the entire tract.

24. Section 1B02-Use, Parking, Bulk, Density, and Open-Space Regulations,
25. Standards, and Controls Applied According to Zoning Classification.

26. 1B02.1-Uses Permitted As of Right or by Special Exception According
27. to Zoning Classification. The following uses are permitted in D. R. zones
28. either as of right or by special exception, in accordance with the schedule
29. below, wherein the abbreviations and symbols shall be interpreted as follows:

1. S.E. : Use permitted by special exception only;
 2. + : Use permitted as of right;
 3. (X) : (Use prohibited).

	D. R. 1	D. R. 2	D. R. 3. 5	D. R. 5. 5	D. R. 10. 5	D. R. 16
4. Airports	S. E.	(x)	(x)	(x)	(x)	(x)
6. Animal boarding 7. places, Class A 8. (see Section 421)	+	S. E.	S. E .	S. E.	(x)	(x)
9. Animal boarding 10. places, Class B 11. (see Section 421)	S. E.	S. E.	S. E.	(x)	(x)	(x)
12. Antique shops 13. (see Section 402B)	S. E.	S. E.	(x)	(x)	(x)	(x)
14. Cemeteries	S. E.	S. E.	S. E.	S. E.	(x)	(x)
15. Conversion of 16. dwellings to 17. tea rooms or 18. restaurants 19. (see Section 402)	S. E.	S. E.	(x)	(x)	(x)	(x)
20. Golf driving ranges, 21. miniature-golf 22. courses, or 23. baseball-batting 24. ranges	S. E.	S. E	(x)	(x)	(x)	(x)
25. Kennels	+	S. E.	S. E.	S. E.	(x)	(x)
26. Laboratories 27. (see Section 418)	S. E.	S. E.	S. E.	(x)	(x)	(x)
28. Offices or 29. office buildings	(x)	(x)	(x)	(x)	(x)	S. E.
30. Race tracks, 31. commercial	S. E.	S. E.	(x)	(x)	(x)	(x)
32. Research institutes 33. on sites individually 34. 15 acres or less in 35. area (see Section 418)	S. E.	S. E.	S. E.	(x)	(x)	(x)
36. Residential art salons 37. (see Section 402C)	S. E.	S. E.	(x)	(x)	(x)	(x)
38. Riding stables, 39. commercial	S. E.	S. E.	(x)	(x)	(x)	(x)
40. Sanitary landfills	S. E.	S. E.	(x)	(x)	(x)	(x)
41. Shooting ranges	S. E.	S. E.	(x)	(x)	(x)	(x)
42. Trailers & trailer parks		See	Subsection		415.6	

1. 1B02.2-Regulations, Standards, and Controls for Density, Bulk,
 2. Open Space, and Parking.

3. A. Dwellings. The maximum gross residential densities
 4. and height of dwellings, the minimum per cent of gross site area which
 5. must be in local open space tracts, and the minimum number of offstreet
 6. parking spaces required with respect to residential development in D. R.
 7. zones shall be as prescribed in the table below; provided, however, that
 8. higher or additional standards for the provision of other amenity open
 9. space, standards and methods for the inclusion and equitable apportionment
 10. of public amenity open space within the calculations of gross areas of
 11. tracts abutting the open space, and standards providing for greater heights
 12. of buildings in appropriate circumstances, all as more particularly set
 13. forth in Section 504, shall control when adopted pursuant to the authority
 14. of said section.

Zoning Classification	Maximum Gross Residential Density, in Dwelling or Density Units per Acre	Maximum Height of Buildings, in Feet	* Minimum Per Cent of Gross Site Area as Local Open Space Tracts	Minimum Number of Offstreet Parking Spaces per Dwelling or Density Unit, Except for Housing for the Elderly	Minimum Number of Offstreet Parking Spaces per Dwelling or Density Unit for Housing for the Elderly
D.R. 1	1.0 dwelling units/acre	50	0	2.0 per dwelling unit	1.5 per dwelling unit
D.R. 2	2.0 " " "	50	0	2.0 " " "	1.5 " " "
D.R. 3.5	3.5 " " "	50	3	2.0 " " "	1.5 " " "
D.R. 5.5	5.5 " " "	50	6	1.75 " " "	1.3 " " "
D.R. 10.5	10.5 " " "	50	12	1.75 " " "	1.3 " " "
D.R. 16	16.0 density " "	60	15	1.53 " density " but not less than 1.0 per dwelling unit	1.15 " density "

27. *Land within 35 feet of a window or other opening in a residential
 28. structure in a D. R. zone is not considered local open space.

29. B. Other Principal Uses. Density, bulk, open space, and
 30. parking regulations, standards, or controls for principal uses other than
 31. dwellings within zones of different classification shall be governed by
 32. provisions adopted pursuant to the authority of Section 504.

33. C. In a D. R. 16 zone, no building shall be constructed
 34. within 75 feet of land which is in any zone classified as D. R. 1, D. R. 2,
 35. D. R. 3.5, D. R. 5.5, or D. R. 10.5 and which is not within the same
 36. development tract.

1. 1B02.3-Special Regulations for Certain Existing Developments
2. or Subdivisions and for Small Lots or Tracts in D. R. Zones.

3. A. In D. R. zones, contrary provisions of this article
4. notwithstanding, the provisions of or pursuant to this subsection shall
5. apply to the use, occupancy, and development of, the alteration or
6. expansion of structures upon, and administrative procedures with respect
7. to:

8. 1. Any lot which is in a recorded residential sub-
9. division approved by the Baltimore County Planning Board or
10. Baltimore County Planning Commission and which has been used,
11. occupied, or improved in accordance with the approved sub-
12. division plan;

13. 2. Any land in a subdivision tract which was laid out
14. in accordance with the regulations of residence zoning classifi-
15. cations now rescinded, for which a subdivision plan tentatively
16. approved by the Planning Board remains in effect, and which has
17. not been used, occupied, or improved in accordance with such
18. plan;

19. 3. Any lot, or tract of lots in single ownership, which
20. is not in an existing development or subdivision as described in
21. Subparagraph 1 or 2 and which is too small in gross area to
22. accommodate six dwelling or density units in accordance with the
23. maximum permitted density in the D. R. zone in which such tract
24. is located; or

25. 4. Any lot, or tract of lots in single ownership,
26. which is not in an existing development or subdivision as
27. described in Subparagraph 1 or 2 and which is less than one-half
28. acre in area, regardless of the number of dwelling or density
29. units that would be permitted at the maximum permitted density
30. in the zone in which it is located.

1. 5. Any lot, or tract of lots in single ownership
 2. which is in a duly recorded subdivision plat not approved by the
 3. Baltimore County Planning Board or Planning Commission.

4. B. Standards Applicable to Existing Developments Etc.

5. The minimum standards for net lot area, lot width, front-yard depth,
 6. single-side-yard width, sum of widths of both side yards, rear-yard
 7. depth, and height with respect to each use in a development described
 8. in Subparagraph A. 1, above, shall be as prescribed by the zoning
 9. regulations applicable to such use at the time the plan was approved
 10. by the Planning Board or Commission; however, the same or similar
 11. standards may be codified and comparable bulk (height or area)
 12. standards for different permitted uses may be established and codified
 13. under Section 504, and these standards shall thereupon control in such
 14. existing developments. Development of any subdivision described in
 15. Subparagraph A. 2 shall be in accordance with the tentatively approved
 16. subdivision plan therefor. Standards for development of lots or tracts
 17. described in Subparagraphs A. 3, A. 4 or A. 5 shall be as set forth in
 18. Paragraph C, below.

19. C. Development Standards for Small Lots or Tracts.

20. 1. Any dwelling hereafter constructed on a lot or tract
 21. described in Subparagraph A. 3 or A. 4 shall comply with the
 22. requirements of the following table:

Zoning Classification	Minimum Net Lot Area per Dwelling Unit	Minimum Lot Widths, in Feet	Minimum Front-Yard Depth, in Feet	Minimum Width of Individual Side Yard, in Feet	Minimum Sum of Side-Yard Widths, in Feet	Minimum Rear-Yard Depth, in Feet
D.R. 1	40,000 square feet	150	50	20	50	50
D.R. 2	20,000 square feet	100	40	15	40	40
D.R. 3.5	10,000 square feet	70	30	10	25	30
D.R. 5.5	6,000 square feet	55	25	10	—	30
D.R. 10.5	3,000 square feet	20	10	10	—	50
D.R. 16	2,500 square feet	20	10	25	—	30

1. 2. Other standards for development of small lots
2. or tracts as so described shall be as set forth in provisions
3. adopted pursuant to the authority of Section 504.

4. D. An amendment to any part of a development plan
5. involving only property subject to the provisions of this subsection
6. shall not be subject to the provisions of Paragraph D of Subsection
7. 1B01.3.

8. Section 6. And be it further enacted, That the title to Article 2
9. "ZONES: USE, HEIGHT, AND AREA REGULATIONS" and the subtitle,
10. "R.40 Zone-Residence, One-Family" thereunder be and it is hereby
11. repealed and re-enacted with amendments, as follows:

12. ARTICLE 2. -ELEVATOR-APARTMENT RESIDENCE ZONES,
13. BUSINESS AND MANUFACTURING ZONES, AND DISTRICTS

14. Section 7. And be it further enacted, That Article 2 is hereby
15. amended by deleting all of Sections 200-217 (inclusive) and any and
16. all interjacent undesignated provisions and titles, and by adding the
17. following new sections in lieu thereof:

18. Section 200-R.A.E. 1 Zones-Residence, Apartment, Elevator.

19. 200.1-General Provisions.

20. A. Statement of Legislative Policy. R.A.E. 1 zones
21. provide for development of elevator-apartment buildings at moderate
22. density. These zones may be situated only near adequate community
23. or town-center commercial facilities, particularly within convenient
24. walking distance thereof. It is not intended that any R.A.E. 1 zones
25. shall be established in such proximity or relation to an interchange
26. that undue congestion would occur as a result of development within
27. the zone.

28. The regulations are intended to encourage the best possible
29. building designs and site planning.

1. B. Locational Requirement. Any R.A.E. 1 zone must
2. be entirely located within 1000 feet of a C.C.C. district or within a
3. town center as defined in Section 101.

4. 200.2-Use Regulations in R.A.E. 1 Zones.

5. A. Uses Permitted. The following uses, only, are permitted:

6. 1. Apartment buildings;

7. 2. Offices; business, professional, governmental,
8. or institutional, in any apartment building of 25 or more dwelling
9. units, with no accessory storage of merchandise (goods for sale),
10. and subject to the limitations of Paragraph B;

11. 3. The following retail or service uses, in any apartment
12. building of 50 or more dwelling units, subject to the limitations of
13. Paragraph B:

14. 1. Barbershops

15. 2. Beauty shops

16. 3. Catering establishments, in any apartment
17. building of 150 or more dwelling units

18. 4. Chiropodists' offices

19. 5. Clinics or group medical centers (including the
20. practice of dentistry)

21. 6. Delicatessens

22. 7. Drug stores

23. 8. Florist shops

24. 9. Food stores

25. 10. Health clubs

26. 11. Laundromats, retail laundry and dry-cleaning
27. collection and distribution stations, or dry-cleaning and
28. pressing establishments

29. 12. News stands

1. 13. Opticians¹ or optometrists¹ offices
2. 14. Package goods stores for the sale of
3. alcoholic beverages
4. 15. Restaurants, with no dancing or live
5. entertainment permitted
6. 16. Shoe-repair shops
7. 17. Tailor or dressmaking shops, for custom
8. work or repairs
9. 18. Telegraph offices
10. 4. Public-utility uses permitted in D. R. zones;
11. 5. Accessory uses, buildings, or structures, including,
12. but not limited to, the following:
 13. 1. Home occupations, but with no signs permitted
 14. 2. Service or recreational facilities for the
 15. occupants of the buildings and their guests
16. B. Supplementary Use Regulations.
 17. 1. The total floor area devoted to uses permitted under
 18. Subparagraphs 2 and 3 of Paragraph A shall not exceed 10
 19. per cent of the gross floor area of any building in which they
 20. are located. Further, the total floor area occupied by uses
 21. permitted under said Subparagraph 3 shall not exceed five
 22. per cent of the gross floor area of such building.
 23. 2. No individual use permitted under Subparagraph A. 3
 24. shall occupy more than 600 square feet of gross floor area;
 25. except, however, that this limitation shall not apply to the
 26. following:
 27. Clinics or group medical centers;
 28. Food stores, which shall not, however, occupy
 29. more than 5000 square feet of floor area in
 30. any building;
 31. Restaurants.

1. 3. Entrances. No exterior entrance shall be
2. permitted for any use permitted under Subparagraph 2 or 3
3. of Paragraph A. An entrance to a separate commercial or
4. office lobby to serve such uses from within the building shall
5. not be considered an exterior entrance within the meaning of
6. the term as used in this subparagraph.

7. 4. Sign and Display Regulations. No sign or display
8. of any kind visible from outside the building shall be permitted,
9. except such signs as are permitted under Subsection 413.1.

10. 200.3-Bulk Regulations in R.A.E. 1 Zones.

11. A. No building shall exceed a height of 85 feet above the
12. average grade level of the street line or the building-foundation line,
13. whichever is higher. Further, the minimum height of any apartment
14. building shall be 52 feet above the higher of such average grade levels,
15. except that buildings containing in the aggregate not more than 20 per
16. cent of the total number of dwelling units on a lot may be of lesser
17. height.

18. B. The average width of any elevation of a building of
19. seven or more stories shall not exceed three times the average height
20. of such elevation.

21. C. Minimum Yard Requirements and Building-Location
22. Requirements.

23. 1. No building shall be located less than 90 feet
24. from the centerline of any street nor less than 45 feet from
25. any lot line.

26. 2. The minimum distance between the centers of
27. facing windows of different apartments on the same lot shall
28. be 75 feet.

29. D. Density. Gross residential density shall not exceed
30. 40 density units per acre.

1. E. Amenity Open Space Ratio. The minimum amenity
2. open space ratio shall be 0.7.

3. 200.4-Access and Off-Street Parking in R.A.E. 1 Zones.

4. A. Access. No primary vehicle access from any property
5. to a local street shall be permitted.

6. B. Off-Street Parking. Off-street parking space require-
7. ments in R.A.E. 1 zones shall be the same as those in D.R. 16 zones
8. except that up to 50 per cent of the parking spaces to be provided for
9. density units shall be counted in determining the number of spaces
10. which must be provided, under Section 409, for retail, service, or
11. office uses on the same lot.

12. Section 201-R.A.E. 2 Zones-Residence, Apartment, Elevator.

13. 201.1-General Provisions.

14. A. Statement of Legislative Policy. R.A.E. 2 zones
15. provide for development of elevator-apartment buildings at relatively
16. high density, in residential settings close to the major commercial and
17. cultural centers of the County, where ample utilities and other public
18. facilities are available.

19. B. Establishment of Zones Limited to Town Centers.

20. Any R.A.E. 2 zone must be located within a town center, as defined
21. in Section 101.

22. 201.2-Use Regulations in R.A.E. 2 Zones.

23. A. Uses Permitted. The following uses, only, are permitted:

24. 1. Apartment buildings;

25. 2. Offices: business, professional, governmental,
26. or institutional, in any apartment building of 25 or more dwelling
27. units, with no accessory storage of merchandise (goods for sale),
28. and subject to the limitations of Paragraph B;

1. 3. The following retail or service uses, in any
2. apartment building of 50 or more dwelling units, subject to
3. the limitations of Paragraph B:
4. 1. Bakeries or bakery outlets
5. 2. Banks, building and loan associations, or
6. similar chartered financial institutions
7. 3. Barbershops
8. 4. Beauty shops
9. 5. Book stores
10. 6. Catering establishments, in any apartment
11. building of 150 or more dwelling units
12. 7. Chiropodists' offices
13. 8. Clinics or group medical centers (including
14. the practice of dentistry)
15. 9. Delicatessens
16. 10. Drug stores
17. 11. Florist shops
18. 12. Food stores
19. 13. Gift shops
20. 14. Health clubs
21. 15. Jewelry stores
22. 16. Laundromats, retail laundry or dry-cleaning
23. collection and distribution stations, or dry-cleaning
24. and pressing establishments
25. 17. News stands
26. 18. Opticians' or optometrists' offices
27. 19. Package-goods stores for the sale of alcoholic
28. beverages
29. 20. Restaurants, with dancing or entertainment
30. permitted

1. 21. Shoe-repair shops
2. 22. Stationery stores
3. 23. Tailor or dressmaking shops, for custom
4. work or repairs
5. 24. Telegraph offices
6. 25. Tobacco shops
7. 26. Travel bureaus
8. 27. Watch-repair shops
9. 28. Wearing-apparel shops, including fur,
10. millinery, shoe, or similar specialty-item shops
11. 4. Public-utility uses permitted in D. R. zones;
12. 5. Accessory uses, buildings, or structures, including,
13. but not limited to, the following:
14. 1. Home occupations, but with no signs permitted
15. 2. Service or recreational facilities for the
16. occupants of the buildings and their guests
17. 6. Special exceptions-the following, when permitted
18. as special exceptions (see Section 502): Office buildings, offices
19. in buildings containing less than 25 dwelling units, or offices
20. totalling more than 25 per cent of the floor area in an apartment
21. building, with any retail or service uses listed under Subpara-
22. graph 3 permitted only if specifically allowed under the granted
23. special exception, and with the floor area ratio of the site
24. limited to a maximum of 4.0.
25. B. Supplementary Use Regulations.
26. 1. Except as otherwise provided in Subparagraph
27. A.6, the floor area devoted to offices, retail uses, and service
28. uses, as permitted under Subparagraphs 2 and 3 of Paragraph A,
29. shall not exceed 25 per cent of the aggregate gross floor area

1. of the buildings on any lot. Further, the floor area occupied
2. by retail and service uses, as permitted under said Subpara-
3. graph 3, shall not exceed five per cent of the aggregate gross
4. floor area of such buildings.

5. 2. No individual use permitted under Subparagraph
6. A.3 shall occupy more than 1000 square feet of gross floor area;
7. except, however, that this limitation shall not apply to the
8. following:

9. Banks, building and loan associations, and
10. similar chartered financial institutions;

11. Clinics and group medical centers;

12. Food stores, which shall not, however, occupy
13. more than 5000 square feet of floor area;

14. Restaurants.

15. 3. Entrances. Any use permitted under Subparagraph
16. 2 or 3 of Paragraph A shall be permitted no more than one
17. exterior entrance. Further, each such use shall have at least
18. one public entrance located within the building in which such use
19. is established.

20. 4. Sign and Display Regulations. In addition to signs
21. permitted under Subsection 413.1, one stationary outside
22. identification sign at each exterior entrance to an office or to
23. a retail or service use shall also be allowed, provided that such
24. sign: does not exceed three square feet in area; if self-illuminated,
25. is not illuminated by other than an enclosed lamp; is of the
26. non-flashing type; and does not project more than six inches
27. from the building. Further, for each building containing uses
28. permitted under Subparagraphs 2 and 3 of Paragraph A, one
29. directory sign listing such uses and their locations shall be

1. permitted; such sign shall not have a surface area
2. exceeding in square feet the product of the number of
3. establishments listed times 1-1/2. No other signs or display
4. of any kind visible from outside the building shall be permitted.
5. 201.3-Bulk Regulations in R.A.E. 2 Zones.

6. A. The maximum height of any point on a building shall be
7. 1-1/2 times the maximum height that would be permitted by application
8. of the height regulations for B.L. zones (see Section 231).

9. B. The average width of any elevation of a building of
10. seven or more stories shall not exceed 2-1/2 times the average height
11. of such elevation.

12. C. Minimum Yard Requirements and Building-Location
13. Requirements.

14. 1. No building shall be located less than 60 feet
15. from the centerline of any street nor less than 15 feet from
16. the street line thereof. No part of a building 40 feet or more
17. in height above the average grade level at the building-foundation
18. line shall be located closer than 30 feet to any property line
19. other than a street line; no part of a building less than such
20. height shall be located closer than 15 feet to any property line
21. other than a street line.

22. 2. No apartment window facing a property line
23. other than a street line shall be closer than 25 feet thereto.
24. The minimum distance between the centers of facing windows
25. of different apartments on the same lot in an R.A.E. 2 zone
26. shall be 75 feet.

27. D. Density. Gross residential density shall not exceed
28. 80 density units per acre.

29. E. The minimum amenity open space ratio shall be 0.2.

1. 201.4-Off-Street Parking. Off-street parking-space
2. requirements in R.A.E. 2 zones shall be the same as those in C.T.
3. Districts (superimposed upon B.L., B.M., or B.R. zones-see
4. Sections 232B, 235B, 238B, and 409).

5. Section 202-Development Plan.

6. 202.1-Permit Based on Plan. No permit shall be issued for any
7. use or the construction of any building in an R.A.E. zone (R.A.E. 1
8. or R.A.E. 2 zone) except in accordance with an over-all plan of
9. development (site plan) for the entire lot or tract on which such building
10. or use is to be located, approved by the Planning Board. A plan of
11. development approved in accordance with the regulations of this section
12. shall remain valid for 24 months following the date of its approval. If
13. at the end of that time construction of buildings in accord with the plan
14. has not begun, then the approval and validity of said plan shall lapse
15. unless the plan has been resubmitted to the Director of Planning and
16. re-approved by the Planning Board in the same manner as required
17. for submission and approval of the original plan. Construction shall
18. be deemed to have begun when all necessary excavation and the piers
19. and footings for one or more principal buildings included in the develop-
20. ment plan have been completed. All construction and development
21. under any building permit shall be in accordance with the approved site
22. plan. Any material departure from the plan shall be cause for revocation
23. of all applicable permits by the Director of Planning or the Planning
24. Board, who are hereby empowered to revoke such permits under such
25. circumstances, after providing, upon request, an opportunity for
26. hearing parties in interest. Any material changes in an approved plan
27. shall be incorporated within a new plan, which shall be re-submitted
28. for approval in accordance with the requirements set forth in this
29. subsection for approval of the original plans.

1. 202.2-Content of Plan. The site plan for development in an
2. R.A.E. zone shall show: the locations and heights of all proposed
3. structures and existing structures to be retained; the floor area of
4. each building; parking facilities; all streets and drives giving access
5. to and lying within the property; existing topography and major
6. vegetation; proposed grading, landscaping, and screening; recreation,
7. outdoor living, and other amenity open space; and any other information
8. necessary for the evaluation of the plan.

9. 202.3-Processing Requirements. Before submission of a
10. permit application, three prints of a preliminary site plan-or such
11. greater number as may be required by the Director of Planning-shall
12. be submitted to the Office of Planning and Zoning. After the preliminary
13. site plan has been tentatively approved as being suitable for official
14. submission, or after a lapse of thirty days beginning at the time of
15. preliminary site-plan submission, whichever occurs first, the required
16. number of prints of the plan-as first submitted or as revised, as the
17. case may be-shall be transmitted to the Director of Planning, who
18. shall confirm the date of receipt and subsequently present the plan for
19. consideration by the Planning Board. If the Planning Board finds that
20. the proposed plan of development does not fully meet the purposes of
21. these regulations, it shall disapprove the plan and shall submit its findings
22. in writing, together with the reasons therefor, to the applicant within
23. 90 days after receipt of the required number of prints of the site plan
24. by the Director of Planning. If no action has been taken by the Planning
25. Board within that time, the development plan shall be deemed to have
26. been approved by the Board; provided however, that the applicant may
27. waive this time limit and consent to an extension of such period, in
28. which event he shall so notify the Director of Planning in writing.

1. 202.4-Planning Board Review. In reviewing the site plan,
2. the Planning Board shall consider whether the plan would achieve
3. maximum co-ordination between the proposed development and surrounding
4. uses, the conservation of trees, and the protection of watercourses
5. from erosion and siltation; and whether maximum safety, convenience,
6. and amenity for the residents and for the surrounding neighborhood
7. will be achieved. To these ends the Planning Board shall consider:
8. the locations of buildings, parking areas, and other features as related
9. to the topography of the lot and to existing natural features such as
10. streams and large trees; the efficiency, adequacy, and safety of the
11. proposed internal streets and driveways; the adequacy and location of
12. amenity open space, bearing in mind any possible effects of irregularly
13. shaped tracts; the adequacy, location, screening, and landscaping of
14. parking lots; proposed grading and whether there has been an avoidance
15. of cuts or fills which could unfavorably affect abutting properties through
16. erosion, siltation, obstruction of view, etc.; and such other matters as
17. the Planning Board may find to have a material relation to the standards
18. and objectives of the regulations for R.A.E. zones.

19. Section 8. And be it further enacted, That Subsection 232.5
20. be and it is hereby repealed and re-enacted with amendments, as
21. follows:

22. 232.5-Floor Area Ratio. The maximum permitted floor area
23. ratio for any site in a B. L. Zone, excepting C.C.C. and C. T. districts,
24. shall be 3.0.

25. Section 9. And be it further enacted, That Article 2 be and
26. and it is hereby amended by adding new section 232A immediately after
27. Subsection 232.5 and by redesignating existing section 232A as section
28. 232B and redesignating subsections accordingly, said new section 232A
29. to read as follows:

1. Section 232A-Special Regulations for C. C. C. Districts.

2. Contrary provisions of these Zoning Regulations notwithstanding,
3. the regulations of this section shall apply in C. C. C. districts super-
4. imposed upon B. L. zones. (All aspects of matters not governed by
5. the following provisions of this section shall be governed by all other
6. applicable provisions of these Zoning Regulations.)

7. 232A.1-Apartments shall be permitted, but only above the first
8. story of a building.

9. 232A.2-No apartment window facing a property line other than
10. a street line shall be closer than 25 feet thereto. The minimum distance
11. between the centers of facing windows of different apartments on the
12. same lot shall be 50 feet.

13. 232A.3-The maximum permitted floor area ratio for any site
14. shall be 4.0; the specific number of dwelling or density units, as such,
15. shall not be directly limited.

16. 232A.4-The minimum permitted amenity open space ratio shall
17. be 0.2.

18. 232A.5-For all buildings containing apartments, there shall be
19. provided at least 1.25 parking spaces for each dwelling unit. Up to 50
20. per cent of such spaces on any lot shall be counted in determining the
21. number of spaces provided for commercial and office uses on the same
22. lot. (See also Paragraph 409.2.d.)

23. Section 10. And be it further enacted, That Article 2 be and
24. it is hereby amended by adding new section 235A immediately after
25. subsection 235.5 and by redesignating existing Section 235A as Section
26. 235B and by redesignating subsections accordingly, said new Section
27. 235A to read as follows:

28. Section 235A-Special Regulations for C. C. C. Districts.

1. Contrary provisions of these Zoning Regulations notwith-
2. standing, the regulations of this section shall apply in C.C.C. districts
3. superimposed upon B.M. zones. (All aspects of matters not governed
4. by the following provisions of this section shall be governed by all
5. other applicable provisions of these Zoning Regulations.)

6. 235A.1-Apartments shall be permitted, but only above the first
7. story of a building.

8. 235A.2-No apartment window facing a property line other than
9. a street line shall be closer than 25 feet thereto. The minimum distance
10. between the centers of facing windows of different apartments on the
11. same lot shall be 50 feet.

12. 235A.3-The specific number of dwelling or density units, as
13. such, shall not be directly limited.

14. 235A.4-The minimum permitted amenity open space ratio shall
15. be 0.2.

16. 235A.5-For all buildings containing apartments, there shall
17. be provided at least 1.25 parking spaces for each dwelling unit. Up
18. to 50 per cent of such spaces on any lot shall be counted in determining
19. the number of spaces provided for commercial and office uses on the
20. same lot. (See also Paragraph 409.2.d.)

21. Section 11. And be it further enacted, That subsection 238.5
22. be and it is hereby repealed and re-enacted with amendments, as follows:

23. 238.5-Floor Area Ratio. The maximum permitted floor area
24. ratio for any site in a B.R. zone, excepting C.C.C. and C.T. districts,
25. shall be 2.0.

26. Section 12. And be it further enacted, That Article 2 be and it
27. is hereby amended by adding new Section 238A immediately after
28. subsection 238.5 and by redesignating existing Section 238A as Section
29. 238B and by redesignating existing subsections accordingly, said new
30. Section 238A to read as follows:

1. Section 238A-Special Regulations for C. C. C. Districts.

2. Contrary provisions of these Zoning Regulations notwith-
3. standing, the regulations of this section shall apply in C. C. C. districts
4. superimposed upon B. R. zones. (All aspects of matters not governed
5. by the following provisions of this section shall be governed by all
6. other applicable provisions of these Zoning Regulations.)

7. 238A.1-Apartments shall be permitted, but only above the first
8. story of a building.

9. 238A.2-No apartment window facing a property line other than
10. a street line shall be closer than 25 feet thereto. The minimum distance
11. between the centers of facing windows of different apartments on the
12. same lot shall be 50 feet.

13. 238A.3-The maximum permitted floor area ratio for any site
14. shall be 4.0; the specific number of density or dwelling units, as such,
15. shall not be directly limited.

16. 238A.4-The minimum permitted amenity open space ratio shall
17. be 0.2.

18. 238A.5-For all buildings containing apartments, there shall be
19. provided at least 1.25 parking spaces for each dwelling unit. Up to
20. 50 per cent of such spaces on any lot shall be counted in determining
21. the number of spaces provided for commercial and office uses on the
22. same lot. (See also Paragraph 409.2.d.)

23. Section 13. And be it further enacted, That Article 2 be and
24. it is hereby amended by deleting Section 253 and by adding new Section
25. 253 in lieu thereof, said new Section to read as follows:

26. Section 253-Use Regulations

27. 253.1-Uses Permitted as of Right. The uses listed in this
28. subsection, only, shall be permitted as of right in M. L. zones, subject
29. to any conditions hereinafter prescribed.

1. A. The following industrial uses:
2. 1. Airplane assembly
3. 2. Automobile assembly
4. 3. Boat yards (including marinas or marine railways)
5. 4. Bottling establishments, soft-drink
6. 5. Candy manufacture, packaging, or treatment
7. 6. Carpet or rug cleaning
8. 7. Cellophane-products manufacture or processing-
9. restricted production (See Subsection 253.3).
10. 8. Cleaning or dyeing
11. 9. Concrete-products manufacture, including
12. manufacture of concrete blocks or cinder blocks
13. 10. Cork-products manufacture or processing-
14. restricted production (See Subsection 253.3).
15. 11. Cosmetics manufacture, compounding, packaging,
16. or treatment
17. 12. Drug manufacture, compounding, packaging, or
18. treatment
19. 13. Electrical-appliance assembly
20. 14. Enameling, japanning, or lacquering
21. 15. Excavations, controlled, except those involving
22. the use of explosives
23. 16. Fiber-products manufacture or processing,
24. including the manufacture or processing of articles made
25. of felt or yarn, or of textiles, canvas, or other cloth-
26. restricted production (See Subsection 253.3.).
27. 17. Food-products manufacture, compounding,
28. packaging, or treatment, including but not limited to:
29. wholesale bakeries; canning plants or packing houses

1. for canning, packing, or processing of vegetables;
2. creameries or milk-pasteurization or-distributing
3. stations; or cold-storage plants
4. 18. Fur-products manufacture or processing-
5. restricted production (See Subsection 253.3.)
6. 19. Glass-products manufacture or processing-
7. restricted production (See Subsection 253.3.)
8. 20. Grain processing, provided equipment is
9. installed for effective precipitation and recovery of dust
10. 21. Greenhousing, wholesale
11. 22. Horn-products manufacture or processing-
12. restricted production (See Subsection 253.3.)
13. 23. Ice manufacture
14. 24. Ink blending etc. -restricted production
15. (See Subsection 253.3.)
16. 25. Instrument manufacture, of precision instruments,
17. including manufacture of watches or clocks
18. 26. Jewelry manufacture or processing, or manu-
19. facture or processing of other articles made of precious
20. or semi-precious metals or stones-restricted production
21. (See Subsection 253.3.)
22. 27. Laboratories
23. 28. Leather-products manufacture or processing-
24. restricted production (See Subsection 253.3)
25. 29. Lumber yards
26. 30. Metal-products manufacture or processing,
27. limited to the restricted production (See Subsection 253.3.)
28. of articles made of sheet metal, light metal mesh, pipe, wire,
29. rods, strips, or other shapes or similar component parts

1. 31. Metal-stamp manufacturing
2. 32. Musical-instruments manufacture
3. 33. Offices or Office Buildings
4. 34. Paint blending etc. -restricted production
5. (See Subsection 253.3.)
6. 35. Paper-and paperboard-products manufacture or
7. processing-restricted production (See Subsection 253.3.)
8. 36. Perfume manufacture, compounding, packaging,
9. or treatment
10. 37. Phonograph assembly
11. 38. Plastic-products manufacture or processing-
12. restricted production (See Subsection 253.3.)
13. 39. Plating, including galvanizing
14. 40. Poultry killing
15. 41. Printing, lithographing, or publishing plants
16. 42. Radio assembly, or assembly of other electronic
17. instruments or devices
18. 43. Research institutes
19. 44. Rubber-stamp manufacture, and manufacture
20. of other small molded rubber products
21. 45. Shell-products manufacture or processing-
22. restricted production (See Subsection 253.3.)
23. 46. Stone or monument works
24. 47. Tire retreading or recapping
25. 48. Tobacco-products manufacture or processing-
26. restricted production (See Subsection 253.3.)
27. 49. Toy manufacture, or manufacture of novelties
28. 50. Trailer assembly, including the assembly
29. of truck trailers or mobile homes

1. 51. Wax-products manufacture or processing-
2. restricted production (See Subsection 253.3.)
3. 52. Wood-products manufacture or processing-
4. restricted production (See Subsection 253.3.)
5. 53. Wrought-iron products manufacture
6. 54. Other manufacture of articles of merchandise
7. made from materials permitted to be used and made by
8. processes permitted to be employed in the production activities
9. more specifically listed above.
10. B. The following transportation, storage, or quasi-public
11. uses or utilities:
12. 1. Bus terminals
13. 2. Building-materials storage or sales yards,
14. general
15. 3. Construction-equipment storage yards
16. 4. Above-ground electrical-power, telephone, or
17. telegraph lines, except above-ground electrical-power lines
18. having a capacity of 35 kilovolts or more; pole-mounted trans-
19. formers or transformer banks
20. 5. Cables and conduits not described under item "4",
21. above; gas, water, or sewer mains; or storm-drain systems-
22. all underground
23. 6. Feed or grain sales or storage
24. 7. Fluid storage and sale, above ground, of flammable
25. liquids or gases
26. 8. Freight storage
27. 9. Fuel storage and sale, of solid or gaseous fuels
28. 10. Heliports, Type 1
29. 11. Heliports, Type 11

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12. Helistops
 13. Railroads
 14. Steam-power plants
 15. Storage, warehousing, or wholesale distribution of any product whose sale (retail or wholesale) or final processing or production is permitted as of right as a principal use in M. L. zones; public warehousing
 16. Utility service centers
 17. Utility storage yards
 18. Volunteer-fire-company facilities
- C. The following auxiliary retail or service uses or semi-industrial uses, provided that any such use is located in a planned industrial park at least 25 acres in net area or in an I. M. district, in neither case with any direct access to an arterial street other than a Class I Commercial Motorway:
1. Automobile-rental agencies
 2. Bakeries, retail
 3. Barbershops
 4. Banks, savings and loan associations, or other, similar chartered financial institutions accepting deposits
 5. Beauty shops
 6. Business or trade schools
 7. Carpentry or cabinet-making shops
 8. Drug stores, but the gross floor area devoted to any such store shall not exceed 1500 square feet
 9. Electrical-contractors' shops
 10. Electroplating shops
 11. Food stores, but the gross floor area of any such store shall not exceed 2500 square feet

1. 12. Heating-or air-conditioning-contractors' shops
2. 13. Laundry, dry-cleaning, or clothing-repair or-
3. alteration establishments or stations, including self-service
4. laundry or dry-cleaning facilities
5. 14. Liquor or package stores
6. 15. Machinery-sales or-repair establishments
7. 16. Parking lots or garages
8. 17. Painting shops
9. 18. Plumbing-contractors' shops
10. 19. Restaurants, except drive-in restaurants
11. 20. Sheet-metal shops
12. 21. Shoe-repair shops
13. 22. Stationery or office-supply stores
14. 23. Taverns
15. 24. Truck-rental and truck-trailer-rental agencies.
16. D. The following temporary use: Carnivals, temporary,
17. provided that no such use shall be established for more than 90 days in
18. any one-year period.
19. E. Combinations of the uses listed above.
20. F. Accessory uses or structures, including but not limited to:
21. 1. Incidental sales (wholesale or retail)
22. 2. Living quarters for watchmen or caretakers
23. and their families, and accessory uses or buildings subsidiary
24. thereto
25. 3. Trailers for temporary use, as permitted under
26. Section 415
27. 4. Industrial medical clinics
28. 5. Employees' recreation facilities
29. 6. Excavations, uncontrolled

1. 7. Parking spaces (see Section 409)

2. 8. Signs (see Section 413).

3. 253.2-Uses Permitted by Special Exception. The uses listed
4. in this subsection are permitted by special exception only (see Section 502).

5. A. The following industrial, quasi-industrial, transportation,
6. storage, or quasi-public uses or utilities:

7. 1. Airstrips or airports, where it is shown that
8. such use will serve primarily the industrial uses in the same area

9. 2. Airports, general aviation, if located in accordance
10. with the master plan

11. 3. Excavations, controlled, involving the use of
12. explosives (see Section 403)

13. 4. Sanitary landfills

14. 5. Storage, warehousing, or distribution not permitted
15. as of right

16. 6. Truck terminals

17. 7. Utilities not permitted under the provisions of
18. Subsection 253.1

19. B. The following auxiliary service uses, provided
20. that any such use shall be located in a planned industrial park at least
21. 25 acres in net area or in an I. M. district, in neither case with any
22. direct access to an arterial street other than a Class I Commercial
23. Motorway, and, provided further, that it is shown that any such use
24. will serve primarily the industrial uses and related activities in the
25. surrounding industrial area:

26. 1. Automotive-service stations, subject, further,
27. to the provisions of Section 405

28. 2. Car washes, subject, further, to the provisions
29. of Section 419

1. 3. Garages, service, including establishments
2. for the service or repair of trucks or truck trailers
3. 4. Motels, hotels, or apartment hotels, but the
4. number of apartments in any apartment hotel permitted here-
5. under shall not exceed 10 per cent of the total number of
6. apartments plus rooming units therein, and no more than
7. 10 per cent of the rooming units in any such motel, hotel, or
8. apartment hotel shall be occupied as principal places of residence.
9. 5. Union halls or other places of assembly for
10. employment-related activities.
11. C. The following interim uses, provided that it is shown
12. by the petitioner and verified by the Director of Public Works that
13. public sewerage and water-supply facilities will not be available to
14. the site of any such use for a period of at least two years after the
15. time the petition is heard, and provided, further, that any such use
16. shall be discontinued and the grant of the special exception shall expire
17. on a date within a year after such time as public sewerage and water-
18. supply facilities do become available to the site, as shall be more
19. particularly stipulated in the order granting the special exception:
20. 1. Amusement parks
21. 2. Baseball-batting ranges
22. 3. Farms, or limited-acreage wholesale flower farms
23. 4. Golf-driving ranges
24. 5. Kennels
25. 6. Miniature-golf courses
26. 7. Radio or television broadcasting studios
27. 8. Racetracks
28. 9. Riding stables, commercial
29. 10. Shooting ranges

1. 11. Trailers, non-accessory, subject to the
2. provisions of Section 415, except that trailer parks are not
3. permitted

4. 12. Used-motor vehicle outdoor sales areas

5. 13. Veterinarians' offices

6. D. The following miscellaneous uses:

7. 1. Signs, outdoor-advertising (see Subsection 413.3)

8. 2. Wireless transmitting and receiving structures,
9. except as minor accessory uses or structures (which are
10. permitted without a special exception); provided that, for the
11. purposes of this paragraph, no exterior antenna greater than
12. 50 feet above grade level shall be considered as an accessory
13. use or structure.

14. E. Combinations of the uses listed in this subsection, or
15. combinations of such uses with uses which are permitted as of right.

16. 253.3-Scope of "Restricted Production." For the purposes
17. of this section, "restricted production" shall include only the assembly,
18. manufacture, or compounding of articles of merchandise from previously
19. prepared materials, or the machining, electroplating, or other,
20. comparable light processing or treatment of such articles; but it shall
21. not include the manufacture of large stampings (such as motor-vehicle
22. fenders or bodies). (However, the exclusion of a use under a particular
23. entry, whether by virtue of a limitation to restricted production or
24. otherwise, does not affect the applicability of any other entry under
25. which they use may be described.)

26. 253.4-Within 100 feet of any residential zone boundary or the
27. right of way of any street abutting such a boundary, or within 100 feet
28. of the right of way of an existing or proposed interstate highway, other
29. freeway, or expressway, which motorway is officially so designated by

1. the State Roads Commission or the County, there shall be permitted
2. only passenger-automobile accessory parking and those uses permitted
3. in M. R. zones, as limited by the use regulations in Section 241.

4. 253.5-Conflicts with Section 270. Wherever any provision of
5. this section may conflict with a provision of Section 270, the provision
6. in this section shall control.

7. Section 14. And be it further enacted, That subsection 405.2.A.4
8. be and it is hereby repealed and re-enacted with amendments, as follows:

9. 4. Within a permitted parking garage in any business
10. or manufacturing zone or any D. R. or R. A. E. zone, provided
11. that no evidence of the service station is visible at any property
12. line and that the number of such service stations does not exceed
13. one for each 300 parking spaces or fraction thereof; provided
14. further, however, that in any business or manufacturing zone,
15. exterior signs may be permitted in accordance with the pro-
16. visions of Section 413.

17. Section 15. And be it further enacted, That subsection 409.2. d
18. be and it is hereby repealed and re-enacted with amendments, as follows:

19. d. Modification of Parking-Space Requirements in
20. C. C. C. Districts or Town Centers. The Planning Board may
21. adopt, and from time to time revise, parking-space standards
22. for C. C. C. districts or town centers, which standards differ
23. from the parking-space requirements otherwise applicable
24. under these Zoning Regulations; but the provisions of the Zoning
25. Regulations shall control unless and until the Zoning Com-
26. missioner, upon petition and after public hearing, orders
27. that the Planning Board's standards may be applied to the
28. subject property of the petition.

1. In formulating such parking-space standards,
2. the Planning Board shall consider: any relevant surveys
3. and studies submitted by the Baltimore County Department
4. of Traffic Engineering; projections of transit usage; any
5. probability of lessened parking demand as a result of
6. integrally housed business establishments with different
7. (complementary) peak hours; trends with respect to patterns
8. of car ownership or usage within the areas of concern;
9. probability of assisted ("attendant") parking, nearby parking
10. facilities developed by the Baltimore County Revenue Authority;
11. and other pertinent factors under which recommended decreases
12. in parking requirements may be effected.

13. Section 16. And be it further enacted, That Article 4 be and
14. it is hereby amended by adding new section 430, said new section to
15. read as follows:

16. Section 430-Unit Developments.

17. 430.1-General Provisions.

18. A. Legislative Statement of Findings and Policy.

19. 1. Declaration of Findings. It is found:

20. a. That procedures and regulations under which
21. land development is permitted as of right necessarily
22. limit development opportunities, inhibit design flexibility,
23. and, often, preclude optimum land-planning solutions to
24. complex development problems;

25. b. That such procedures and regulations do not
26. provide for the full range of nonresidential uses that may
27. be desirable to service residential development in optimum
28. relationship thereto; therefore, modern commercial and
29. other nonresidential facilities in Baltimore County have not

1. typically been well integrated with or most advantageously
2. related to the homes they serve;

3. c. That the aforementioned problems become
4. manifest only as large areas are developed, and would not
5. be solved or substantially mitigated by regulations providing
6. for a broad range of complementary uses unless such
7. regulations are made applicable to large-scale developments
8. exclusively;

9. d. That the creation of diversified, well-planned
10. and-designed large integral developments is of such
11. importance to the public interest that establishment of
12. liberal regulations especially applicable to such develop-
13. ments is justified if the County retains and exercises
14. special discretionary authority to control such develop-
15. ments, or, for cause, to prohibit any such development
16. not found to meet appropriate objectives;

17. e. That such control can be properly instituted by
18. the establishment of requirements for review and appropriate
19. action by the Planning Board, for review, public hearing,
20. and deciding action by the Zoning Commissioner or the
21. County Council, as the type of case may require, and for
22. assuring the suitable execution of approved development plans;
23. and

24. f. That large-scale developments of certain
25. types could be so designed and administered as to justify
26. their location in areas where establishment or installation of
27. urban services is not scheduled at the time authorization of
28. such a development is considered.

1. neighborhoods, communities, or towns, as such terms are
2. defined in Section 101, shall be authorized as unit developments.

3. 2. Administrative Authorization of Unit Developments.

4. Unit developments to be established within the urban-rural
5. demarcation line may be authorized by special exception ordered
6. by the Zoning Commissioner, after consideration of a report
7. by the Planning Board on the proposed authorization plan and
8. subject to the provisions hereinafter set forth.

9. 3. Legislative Authorization of Unit Developments.

10. Unit developments to be established beyond the urban-rural
11. demarcation line may be authorized by special permit issued
12. by act of the County Council, after consideration of a report
13. by the Planning Board on the proposed authorization plan and
14. subject to the provisions hereinafter set forth.

15. C. Initial Procedural Steps and Requirements.

16. 1. Any petition for authorization of a unit develop-
17. ment shall state whether such development is to consist of one
18. or more neighborhoods or communities, or of a town (see
19. Section 101). Further, the petition shall include a proposed
20. authorization plan, as described below in Paragraph F,
21. prepared in accordance with applicable provisions adopted
22. pursuant to the authority of Section 504 and with those of the
23. Baltimore County Subdivision Regulations.

24. 2. Any petition for such authorization shall first
25. be submitted to the Zoning Commissioner, in accordance with
26. the provisions of Article 5 of these regulations and in accordance
27. with such reasonable supplementary requirements as may be made
28. under Section 504 or by the Office of Planning and Zoning. The
29. filing date of the petition shall be the date the petition is accepted
30. by the Zoning Commissioner as provided in Paragraph 500.2a.

1. 3. By the end of the fifth regular business day after
2. the filing date, the Zoning Commissioner shall transmit
3. certified copies of the petition to the Director of Planning,
4. the Planning Board, the County Health Officer and the State
5. Department of Health, the Department of Public Works, the
6. Department of Permits and Licenses, the Department of
7. Recreation and Parks, the Department of Education, the
8. Department of Traffic Engineering, the Fire Department,
9. and such other County or state agencies as he may decide upon.

10. 4. Within 45 days after the filing date, agencies or
11. officials to whom copies of the petition have been transmitted
12. pursuant to Subparagraph 3, except the Director of Planning
13. and the Planning Board, shall, upon complete review of those
14. aspects of the petition related to their respective jurisdictions,
15. submit comments thereon to the Director of Planning, the Zoning
16. Commissioner, and the Planning Board.

17. 5. Not more than 60 days after the filing date,
18. subject to extension upon written consent of the petitioner,
19. the Director of Planning shall submit a complete report on
20. the petition to the Planning Board. After receipt of the Director's
21. report, the Planning Board shall take action with respect to the
22. petition, as provided below, at the time of the Board's next
23. regularly scheduled meeting. Provided, however, that the
24. Planning Board may delay final action with respect to the
25. petition for not more than 35 days after the time of such meeting,
26. if the Board finds that additional time is required for proper
27. consideration.

28. 6. The final actions which may be taken by the
29. Planning Board with respect to the petition shall be limited
30. to a resolution effecting one of the following:

1. a. Adoption of a favorable report on the
2. proposed authorization plan;
3. b. Modification of such plan and adoption
4. of a favorable report on the plan as modified; or
5. c. Adoption of an unfavorable report on the plan.

6. The report adopted by the Planning Board may
7. be based on the report submitted by the Director of Planning.

8. 7. A favorable report on a proposed authorization plan
9. may be adopted only if the Board makes affirmative findings,
10. supported in detail, that:

11. a. The development as proposed would, in fact,
12. constitute a neighborhood, or an integral and viable portion
13. thereof, a grouping of neighborhoods, a community, or a
14. town, as the case may be;

15. b. The tract is situated in an appropriate location
16. according to adopted or formally proposed master plans; and

17. c. The plan is in accordance with the planning
18. objectives and requirements of this subsection, of relevant
19. Planning Board policies adopted pursuant to the authority
20. of Section 504 or otherwise, and of these Zoning Regulations
21. in general.

22. 8. In adopting an unfavorable report on a proposed
23. authorization plan, the Planning Board shall set forth the reasons
24. for its disapproval and explanations as to why any one of the above
25. findings cannot be made.

26. 9. The next, regular business day after the Planning
27. Board has taken action as prescribed above, the Director of
28. Planning shall transmit to the Zoning Commissioner copies of
29. the Board's report, together with copies of its resolution whereby
30. the action was taken.

1. 10. Upon his receipt from the Planning Board
2. of a resolution which modifies a proposed authorization plan,
3. the Zoning Commissioner shall substitute the modified plan
4. for the original and notify the petitioner of the modification
5. and of the fact that the original proposed authorization plan
6. is no longer part of the petition.

7. D. Remaining Procedural Steps and Review Requirements
8. in Administrative Authorization of Unit Developments. The following
9. provisions apply only to petitions for unit developments subject to
10. administrative authorization.

11. 1. Upon his receipt of the Planning Board's
12. resolution and report with respect to a petition for authorization
13. of a unit development within the urban-rural demarcation line,
14. the Zoning Commissioner shall promptly schedule a hearing
15. on the petition (as it may have been amended through modi-
16. fication of the proposed authorization plan by the Planning
17. Board). The date of the hearing shall be not less than 20
18. and not more than 45 days after the Planning Board's action,
19. subject to such postponement or continuation as circumstances
20. may require, and except that the hearing may be scheduled for
21. a later date if any day in the interval specified falls within
22. a period for which hearings on zoning reclassification petitions
23. must be scheduled pursuant to Section 22-22 of the Baltimore
24. County Code, 1968 Edition, as amended; but, in this event,
25. the date of the hearing on the unit-development petition shall be
26. not less than 45 days after the end of such period of zoning-
27. reclassification hearings. In any case, the hearing shall be
28. advertised in the same manner as required for other petitions
29. for special exceptions.

1. c. That there is a reasonable expectation
2. that the proposed neighborhood, community, or town
3. would be developed to the full extent of and fully in
4. accordance with the authorization plan (including develop-
5. ment schedules contained therein), in light of: evidence as
6. to the petitioner's or developer's financial responsibility,
7. in general and with respect to the development proposed;
8. pertinent market data submitted by the petitioner, by
9. County agencies or officials, or by others; development
10. costs; general economic conditions which may be anticipated
11. at the time the development or any phase thereof is to be
12. financed; and all other factors which may reasonably be
13. ascertained and have a bearing on the findings; and

14. d. That the development, as approved, would
15. comply with all applicable provisions of the Zoning
16. Regulations and that the resolution of any conflict between
17. other County laws or technical requirements and the proposed
18. authorization plan is reflected by revisions incorporated
19. within the authorization plan as finally approved.

20. 4. The Zoning Commissioner may attach such
21. requirements or conditions to the grant of the petition as he
22. may deem proper, but no such conditions shall be tantamount
23. to a modification of the authorization plan unless such modi-
24. fication is made or reviewed by the Planning Board as provided
25. hereinbefore.

26. 5. The Zoning Commissioner's order granting the
27. petition shall include:

28. a. A statement of each of the findings required
29. to be made pursuant to Subparagraph 3, above, supported
30. in detail by an explanation of the finding as related to the
31. particular petition;

1. b. Any additional statements or documentation
2. needed to adequately set forth the basis of the decision; and

3. c. Statements and explanations of any require-
4. ments or conditions attached to the grant of the petition.

5. E. Remaining Procedural Steps and Review Requirements
6. in Legislative Authorization of Unit Developments. The following
7. provisions apply only to petitions for unit developments subject to
8. legislative authorization (see Subparagraph B. 3).

9. 1. Upon his receipt of the Planning Board's resolution
10. and report with respect to a petition for authorization of a
11. unit development to be situated beyond the urban-rural demar-
12. cation line, the Zoning Commissioner shall file such report
13. and resolution with the petition and forward copies of the
14. petition and all other documents in the file to the County Council
15. by the end of the fifth regular business day after the Planning
16. Board's action.

17. 2. The County Council shall advertise and schedule
18. a hearing on the petition, for a date not less than 30 nor more
19. than 60 days after the Planning Board's action, except that the
20. hearing may be scheduled for a later date if any day in the
21. interval specified falls within the time during which a complete,
22. County-wide zoning map is in preparation or is subject to
23. action pursuant to Section 22-20 or 22-21.1 of the Baltimore
24. County Code, 1968 Edition, as amended. In this event, however,
25. the date of the hearing on the unit-development request shall
26. be not less than 60 days after the zoning map is adopted.

27. 3. After hearing and reviewing the petition as
28. required, the County Council may, by legislative act:

1. a. Grant the petition, with or without certain
2. conditions, and issue a special permit incorporating the
3. authorization plan and any conditions of the grant;
4. b. Deny the petition; or
5. c. Amend the petition by modifying the proposed
6. authorization plan as provided in Subparagraph 4, and
7. issue an appropriate special permit.
8. 4. Any modification of the authorization plan pursuant
9. to Subparagraph 3, above, shall be submitted to the Planning
10. Board for comment before action by the County Council. If,
11. in making such comment, the Planning Board proposes and
12. comments upon further modification, the County Council may
13. approve the further modification thus proposed without further
14. review by the Planning Board.
15. F. Authorization Plan-Effect, Contents, Form, Project
16. Design, and Review.
17. 1. Institution and Effect of Authorization Plan.
18. The grant of a special exception or special permit for a unit
19. development constitutes zoning authorization of the development
20. and, as such, institutes the authorization plan and establishes
21. that the development described therein would be in accordance
22. with zoning policies and criteria for the location in which it
23. is to be situated. No further discretionary zoning action
24. upon the plan shall be required unless the plan is to be
25. amended or to be re-instituted as a result of a lapse of the
26. original authorization. After institution of the plan no use
27. or development within an authorized unit development shall be
28. established except in accordance with the plan, regardless of
29. whether a condition not complying therewith would be per-
30. mitted under the development and use regulations, standards

1. and controls of this section or under the regulations
2. for the zone in question, it being the intent of this section
3. and these Zoning Regulations that plans for unit developments
4. may establish higher or more specific standards than are
5. prescribed herein for general application.

6. 2. Contents. The plan shall cover or include, among
7. other things:

8. a. Existing conditions on, of, and near the
9. site, including: topography; unusual natural formations;
10. water courses, ponds, or lakes; major vegetation; and
11. structures;

12. b. Zones, lot lines, and overall site boundaries;

13. c. Proposed major changes in natural conditions
14. (including major grading) and conditions to remain (including
15. preservation of major vegetation);

16. d. The maximum and minimum numbers of
17. density and dwelling units to be established and the estimated
18. residential and employment populations;

19. e. The general locations, extent, and forms of
20. proposed: uses and development of the various residential,
21. commercial, institutional, or other sites or areas, including
22. indications of the placement of housing according to major
23. differences in housing type and density; common open spaces;
24. and parking areas;

25. f. The general layout and classification of
26. proposed major motorways; general indications of proposed
27. walkways, bicycle paths, etc.; and general descriptions of
28. other transportation routes and modes (including public
29. transit) to the extent feasible with public transportation plans
30. or proposals;

1. g. Service areas and anticipated locations of
2. proposed utilities, public and private;
3. h. Proposed preliminary construction and site-
4. development schedules;
5. i. Descriptions, as applicable, of warranties,
6. methods, standards, regulations, deed restrictions,
7. enforcement provisions, funding, organizations, etc. proposed
8. to be established with respect to: open space and maintenance;
9. approaches to the design of signs, other street graphics,
10. street furniture, and comparable elements of urban environ-
11. ment; and, in general, all other aspects of the plan's
12. implementation and continuance of effect;
13. j. A summary of the plan's objectives;
14. k. Such other items as may be required by
15. the Office of Planning and Zoning or by provisions adopted
16. pursuant to the authority of Section 504.

17. 3. Form.

18. a. The plan shall include text exposition, maps,

19. or plats, charts or tables, and, as necessary, other

20. written or diagrammatic forms needed for a full and

21. clear explanation of the development proposal.

22. b. Forms for proposed authorization plans

23. or parts thereof may be established by the Office of Planning

24. and Zoning or, pursuant to the authority of Section 504,

25. by the Planning Board. Thereafter, all proposed authorization

26. plans filed with the County shall be in accordance with

27. such forms.

28. 4. Project Design. The overall conception of the

29. design of any unit development shall be clearly described

1. and shown in the authorization plan and shall either
2. be in accordance with a generally applicable prototype
3. form, such as a neighborhood/community/town
4. development model, which may be thus established by
5. the Planning Board pursuant to the authority of Section
6. 504, or in a form which affords the same benefits or
7. overriding different benefits. Where the development
8. is not to be in an approved prototype form, the plan
9. shall contain a comprehensive explanation and justification
10. of the form projected.

11. 5. Review and Modification.

12. a. Review. In reviewing a proposed authorization
13. plan, the Planning Board shall consider and report upon
14. whether the design of the unit development is in all respects
15. in accordance with the policy set forth in Paragraph A of
16. Subsection 430.1, with the purposes, standards, and
17. requirements specified or clearly implied in other provisions
18. of this section, and with such furthering policies as may
19. be adopted pursuant to the authority of Section 504, and
20. the Board may consider the effect the development would
21. have upon any other matter of or related to the present
22. and future public interest. In subsequent review, such
23. matters shall also be considered by the Zoning Com-
24. missioner or the County Council, as the case may be.

25. b. Modification. Through modification of a
26. proposed authorization plan, the Planning Board may
27. propose and the Zoning Commissioner or County Council
28. may establish regulations or standards for a particular
29. unit development which extend, increase, or augment

1. the regulations or standards of this section, imposing
2. reasonable restrictions which affect the location, appearance,
3. bulk, use, or any other aspect of the development, and
4. which are greater than provided herein; and greater or
5. additional requirements may be made as to minimum public
6. and private improvements.

7. G. Final Development Plan. No part or phase of any unit
8. development shall begin until a final development plan, particularizing
9. fixed characteristics of the development, has been approved by the Zoning
10. Commissioner as being in accord with the authorization plan, and by
11. the Planning Board as being in accord with standards and policies adopted
12. pursuant to the authority of Section 504. A final development plan may
13. be approved by the Zoning Commissioner and the Planning Board for
14. portions of a unit development for which an authorization plan covering
15. the entire tract or tracts has been instituted.

16. 430.2-Neighborhood Development and Use Regulations, Standards,
17. and Controls. The provisions of this subsection shall apply to unit
18. developments classified as neighborhoods.

19. A. Tract Area. The minimum gross area of the develop-
20. ment tract shall be 250 acres or the area sufficient to accommodate
21. at least 2000 density units under the standards of Subparagraph 1 of
22. Paragraph C, whichever is the lesser area. The maximum gross area
23. of such tract shall be 600 acres.

24. B. Location. The development shall be located within
25. the urban-rural demarcation line in any Density Residential (D. R.) or
26. Business (B.) zone.

27. C. Number of Density Units Permitted; Bulk and Open-
28. Space Regulations.

29. 1. Determination of Permitted Number of Density
30. Units. The maximum number of density units permitted shall

1. be equal to the product of the gross tract area (including
2. portions to be devoted to non-residential use) times the
3. maximum gross density as prescribed below:

4. <u>Zone</u>	<u>Maximum Gross Density</u>
5. D. R. 1	1.5 density units per acre
6. D. R. 2	3.0 " " " "
7. D. R. 3.5	5.0 " " " "
8. D. R. 5.5	8.0 " " " "
9. D. R. 10.5	16.0 " " " "
10. D. R. 16	20.0 " " " "
11. R. A. E. 1	40.0 " " " "
12. R. A. E. 2	80.0 " " " "

13. 2. Bulk Regulations-Height.

14. a. The maximum height of any building shall
15. be as set forth in the table in Sub-subparagraph b, below,
16. wherein:

17. i. The "unrestricted height" is the height
18. to which a building may be constructed, regardless
19. of any lesser height limitation established by
20. the angle of height limitation;

21. ii. The "angle of height limitation" is the
22. angle of all lines sloping inward and upward from
23. the tract boundary, measured from the horizontal
24. plane at the ground intersection on the tract
25. boundary, and any point on such line shall establish
26. the normal maximum height to which a building
27. is restricted at that point;

28. iii. The "perpendicular height limitation"
29. is the maximum height to which a building may

1. be constructed, any greater height established
 2. by the angle of height limitation notwithstanding;
 3. and

4. iv. The unrestricted height and the
 5. perpendicular height limitation of a given building
 6. are determined by measuring from any point along
 7. the building wall at the normal grade level to the
 8. highest point directly above.

9. b. Table of Maximum Heights.

10. Zone	11. Unrestricted 12. Height	13. Angle of 14. Height 15. Limitation	16. Perpendicular 17. Height 18. Limitation
13. D.R. 1	40 feet	10 degrees	85 feet
14. D.R. 2	40 "	10 "	85 "
15. D.R. 3.5	40 "	10 "	85 "
16. D.R. 5.5	45 "	15 "	85 "
17. D.R. 10.5	50 "	20 "	100 "
18. D.R. 16	60 "	20 "	120 "
19. R.A.E. 1	85 "	20 "	120 "
20. R.A.E. 2	No	limitation	

21. 3. Open Spaces.

22. A minimum of 20 per cent of the gross area of a
 23. tract or tracts comprising a neighborhood unit development shall
 24. be allocated to public park, local open space purposes. The
 25. design and distribution of such open spaces shall be in accordance
 26. with the policies and standards adopted pursuant to the authority
 27. of Section 504.

28. D. Uses Which May be Permitted. Uses in the develop-
 29. ment may be permitted as set forth in this paragraph if specified in
 30. the authorization plan (as approved), subject to any limitations set forth
 31. therein.

32. 1. Residential uses: dwellings permitted in D. R.
 33. or R. A. E. zones.

34. 2. Utilities.

35. 3. Public facilities: elementary school-recreation

1. centers, middle-or junior-high schools, parks, transportation
2. systems: all as may be required under the authorization plan.
3. 4. Institutions: churches; private schools.
4. 5. Retail shops and services-aggregate adjusted
5. gross floor area not to exceed 20 square feet per density unit,
6. based on the number of density units projected:
- 6a. 1. AUTOMOBILE SALESROOM AND ADJACENT
7. OUTDOOR SALES AREA
8. -1.2. Automotive-service stations
9. -2.3. Barbershops
10. -3.4. Banks, savings and loan associations, and
11. other, similar chartered financial institutions accepting
12. deposits
13. -4.5. Beauty shops
14. -5.6. Drug stores
15. -6.7. Food stores, general
16. 7.8. Food stores, specialty, such as bakeries,
17. candy stores, and dairy-product stores
18. -8.9. Laundry, dry-cleaning or clothing-repair or-
19. alteration establishments or stations, including self-
20. service laundries or dry-cleaning facilities
21. -9.10. Liquor or package stores
22. -10.11. Restaurants, except drive-in restaurants
23. -11.12. Shoe-repair shops
24. -12.13. Stationery or office-supply stores
25. -13.14. Taverns
26. -14.15. Antique shops
27. -15.16. Clothing and clothing-accessory stores,
28. general or specialty, including dress shops, millinery
29. shops, haberdasheries, shoe stores, etc.
- 16.17. Florist shops

1. -1718. Garden shops
2. -1819. Hardware stores
3. -1920. Artists' supply shops
4. -2021. Hobby shops
5. -2122. Jewelry stores
6. ~~22~~23. Pet shops
7. ~~23~~24. Fabrics or dry-goods shops, or upholstery
8. shops
9. ~~24~~25. Camera shops
10. ~~25~~26. Radio or television sales or repair shops,
11. not to include sales of large appliances, such as
12. refrigerators, washing machines, etc.
13. ~~26~~27. Record shops
14. ~~27~~28. Book stores
15. ~~28~~29. Sporting-goods stores
16. 6. Low-intensity commercial uses-provided that no
17. such use shall be located on ground-floor shopping frontage:
18. 1. Billiard or pool rooms
19. 2. Photographers' studios
20. 3. Tailor shops
21. 4. Dressmaking shops
22. 7. Offices-maximum of 10 square feet per density
23. unit, based on the number of density units projected;
24. 8. Motels or inns;
25. 9. Signs (non-accessory) sign standards must be
26. specified in the authorization plan;
27. 10. Interim uses (temporary during course of
28. development, but shall be shown on the authorization plan):
29. Class A animal boarding places; farms or limited-acreage

1. wholesale flower farms; uncontrolled excavations; kennels;
2. 11. Accessory uses, including parking areas or
3. garages, whether or not on the same lot as the principal use
4. served.

5. 430.3-Regulations, Standards, and Controls for Community
6. Developments. The provisions of this subsection shall apply to unit
7. developments classified as communities.

8. A. Tract Area. The minimum gross area of the develop-
9. ment tract shall be 1500 acres or the area sufficient to accommodate
10. at least 7,500 density units under the standards of Subparagraph 1 of
11. Paragraph C, whichever is the lesser area. The maximum gross area
12. of such tract shall be 2,500 acres.

13. B. Location. The development shall be located within any
14. Rural: Deferred Planning (R.D.P.), Density Residential (D.R.), or
15. Business (B.) zone; but developments located beyond the urban-rural
16. demarcation line shall be subject to requirements for additional financing
17. of public facilities, as provided in standards prepared by the Offices of
18. the Budget and Planning and Zoning and the Department of Public Works
19. and authorized by executive order, and as may be further provided in
20. the authorization plan.

21. C. Number of Density Units Permitted; Bulk and Open-
22. Space Regulations.

23. 1. Determination of Permitted Number of Density
24. Units. The maximum number of density units permitted shall
25. be equal to the product of the gross tract area (including
26. portions to be devoted to nonresidential use) times the maximum
27. gross density as prescribed below.

28. <u>Zone</u>	<u>Maximum Gross Density</u>
29. R.D. P.	8.25
30. D. R. 1	1.58

1. 3. AUTOMOBILE SALESROOM AND ADJOINING
- 1a. OUTDOOR SALES AREA
2. -3. 4. Automotive-service stations
3. -4, 5. Banks, savings and loan associations, and
4. other, similar chartered financial institutions
5. accepting deposits
6. -5-6. Barbershops
7. -6. 7. Beauty shops
8. -7. 8. Book stores
9. -8. 9. Business-or office-machine stores or
10. office-furniture or-equipment stores
11. -9. 10. Camera shops
12. -10. 11. Carpet, rug, tile, linoleum, or other floor-
13. covering stores
14. -11. 12. Clothing and clothing-accessory stores,
15. general or specialty, including dress shops, millinery
16. shops, haberdasheries, shoe stores, etc.
17. -12. 13. Department stores, limited-line
18. -13. 14. Drug stores
19. -14. 15. Electrical-appliance stores, including sales
20. of refrigerators, washing machines, and other large
21. appliances
22. -15. 16. Fabrics or dry-goods shops, or upholstery
23. shops
24. -16. 17. Florist shops
25. -17. 18. Food stores, general
26. -18. 19. Food stores, specialty, such as bakeries,
27. candy stores, and dairy-product stores
28. -19. 20. Furniture stores
29. -20. 21. Garden shops
30. -21. 22. Hardware stores
22. 23. Hobby shops

1. -~~23~~24Jewelry stores
2. -~~24~~25Laundry, dry-cleaning or clothing-repair
3. or-alteration establishments or stations, including
4. self-service laundries or dry-cleaning facilities
5. -~~25~~26Liquor or package stores
6. -~~26~~27Paint stores
7. -~~27~~28Pet shops
8. -~~28~~29Radio or television-sales or-repair shops,
9. not to include sales of large appliances, such as
10. refrigerators, washing machines, etc.
11. -~~29~~30Record shops
12. -~~30~~31Restaurants, except drive-in restaurants
13. -~~31~~32Shoe-repair shops
14. -~~32~~33Sporting-goods stores
15. -~~33~~34Stationery or office-supply stores, not
16. including establishments principally devoted to the
17. sale of typewriters, adding machines, calculators,
18. office furniture, or other heavy business or office
19. machines or equipment
20. -~~34~~35Taverns
21. -~~35~~36Variety stores
22. 6. The following commercial-recreation or related
23. uses, but no such use shall occupy shopping frontage:
24. 1. Billiard or pool rooms
25. 2. Bowling Alleys
26. 3. Theatres or other auditoriums
27. 7. The following service commercial uses:
28. 1. Blueprinting, photostating, or other photo-
29. copying establishments

1. 2. Catering establishments, but the adjusted
2. gross floor area devoted to any such use shall not
3. exceed 7,500 square feet
4. 3. Dressmaking shops
5. 4. Employment agencies
6. 5. Funeral homes
7. 6. Photographers' studios
8. 7. Radio or television broadcasting studios or
9. transmitting facilities
10. 8. Tailor shops
11. 8. Offices, but the aggregate adjusted gross floor
12. area in square feet devoted to office space shall not exceed the
13. product of 40 times the maximum number of density units per-
14. missable under Paragraph C.
15. 9. Hotels, motels, or inns.
16. 10. Signs (non-accessory), subject to detailed standards.
17. 11. The following interim uses, permitted and shown
18. on the authorization plan as temporary until the land is developed
19. for the ultimate use indicated on the plan:
20. 1. Air strips
21. 2. Animal boarding places
22. 3. Excavations, uncontrolled
23. 4. Excavations, controlled, precisely described
24. within the authorization plan as to both use (including
25. specific product) and extent, and with provisions to
26. be specified in the authorization plan regarding
27. renovation or appropriate adaptation of the landscape
28. or adaptation of the property to future use
29. 5. Golf driving ranges (not accessory to golf
30. courses) miniature golf ranges, or baseball-batting
31. ranges

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6. Sanitary landfills
 7. Trailers
 8. Utility lines, overhead, but any such lines shall be removed within three years after they are installed (or by such shorter time as may be established by the authorization plan), and no such lines shall be permitted unless it is clearly infeasible to place the lines underground initially
 9. Lawful uses established on the development tract prior to filing of the petition for the unit development and not permitted under other provisions of this section.
 12. High-performance industrial uses as permitted in M. R. zones, limited to not more than 2 per cent of the tract, as restricted under the authorization plan.
 13. Other principal uses in harmony with the principles and purposes of this section, but any such use, in addition to being identified in the authorization plan, shall be permitted only if authorized under an individual special permit separately identified in the approving ordinance, or separate special-exception order, and only if considered in itself as a subject of the hearing.
 14. Accessory uses or buildings, including, but not limited to:
 1. Accessory radio or television receiving antennas
 2. Home occupations as defined in Section 101
 3. Home offices or studios of physicians, dentists, lawyers, architects, engineers, artists, musicians, or other professional persons

1. 4. Parking spaces, including garage spaces,
2. provided that parking spaces serving any use within
3. the unit development shall be considered as accessory
4. to that use whether or not they are located on the same
5. lot

6. 5. Accessory signs, subject to detailed design
7. standards.

8. 430.4-Regulations, Standards, and Controls for Town Developments.

9. The provisions of this subsection shall apply to unit developments
10. classified as towns.

11. A. Tract Area. The minimum gross area of the development
12. tract shall be 5,000 acres or an area sufficient to accommodate 25,000
13. density units under the standards of Paragraph C, below, whichever is
14. the lesser area.

15. B. Location.

16. 1. The location of the development shall not be
17. limited with respect to the urban-rural demarcation line; but
18. developments located beyond the urban-rural demarcation line
19. shall be subject to requirements for additional financing of
20. public facilities, under the standards as hereinbefore provided.

21. 2. No more than 10 per cent of the tract shall be
22. located in manufacturing zones.

23. C. Number of Density Units Permitted; Bulk and Open-Space
24. Regulations.

25. 1. Determination of Permitted Number of Density
26. Units. The maximum number of density units permitted shall
27. be the product of that portion of the gross tract area not to be
28. devoted to industrial use (but including all other areas devoted
29. to nonresidential use) times the maximum gross density as
30. prescribed below:

1.	<u>Zone</u>	<u>Maximum Gross Density</u>
2.	R. D. P.	8.25
3.	D. R. 1	1.65
4.	D. R. 2	3.30
5.	D. R. 3.5	5.77
6.	D. R. 5.5	9.07
7.	D. R. 10.5	17.32
8.	D. R. 16	26.40
9.	R. A. E. 1	40.00
10.	R. A. E. 2	80.00

11. 2. Bulk Regulations-Height. The maximum height
 12. of buildings shall be as set forth in the table below, wherein the
 13. limitations prescribed shall be applied as set forth under Para-
 14. graph C of Subsection 430.2:

15.	<u>Zone</u>	<u>Unrestricted</u>	<u>Angle of Height</u>	<u>Angle of Height</u>
16.		<u>Height, in</u>	<u>Limitation</u>	<u>Limitation</u>
17.		<u>Feet</u>	<u>Applicable to</u>	<u>Applicable to</u>
18.			<u>any Portion of</u>	<u>any Portion of</u>
19.			<u>a Building 125</u>	<u>a Building More</u>
20.			<u>Feet or Less</u>	<u>Than 125 Feet in</u>
21.			<u>in Perpendicular</u>	<u>Perpendicular</u>
22.			<u>Height</u>	<u>Height</u>
23.	R. D. P.	50	20 degrees	10 degrees
24.	D. R. 1	40	10 "	5 "
25.	D. R. 2	40	10 "	5 "
26.	D. R. 3.5	40	10 "	5 "
27.	D. R. 5.5	45	15 "	5 "
28.	D. R. 10.5	50	20 "	5 "
29.	D. R. 16	55	20 "	10 "
30.	R. A. E. 1	100	40 "	20 "
31.	R. A. E. 2	No	limitation	

32. 3. Open Spaces

33. A minimum of 20 per cent of the gross area of a tract
 34. or tracts comprising a town unit development shall be
 35. allocated to public park, local open space purposes. The design
 36. distribution of such open spaces shall be in accordance with the
 37. policies and standards adopted pursuant to the authority of
 38. Section 504.

39. D. Use Regulations. The uses listed in this paragraph,
 40. as limited herein, may be permitted under the authorization plan.

41. 1. The following residential uses:

42. 1. Dwellings permitted in D. R. and R. A. E. zones

1. 2. Apartment hotels
2. 2. The following utilities:
3. 1. Electrical-power and telephone lines,
4. underground
5. 2. Telegraph lines and other cables or conduits,
6. underground
7. 3. Gas, water, and sewer mains; storm-drain
8. systems; all underground
9. 4. Other utility lines, underground
10. 5. Substations, telephone exchanges, and other
11. structures related to utility lines, mains, etc., subject
12. to detailed site and landscaping plans, elevation
13. drawings, etc.
14. 3. Other public facilities, as follows, and as may be
15. required under the authorization plan:
16. 1. Motorways
17. 2. Public-transportation facilities
18. 3. Schools or school-recreation centers
19. 4. Public colleges, including community colleges
20. 5. Open-space uses (including public parks)
21. 6. Fire and police stations; health centers;
22. libraries; traffic signing and signalization
23. 7. Other public facilities, as provided under the
24. authorization plan.
25. 4. The following institutional uses:
26. 1. Churches or other buildings for religious
27. worship, or other religious institutions
28. 2. Hospitals
29. 3. Private schools or colleges.

1. 5. Retail shops or services permitted in community
2. unit developments, but the aggregated adjusted floor area in
3. square feet shall not exceed sixty times the maximum number
4. of density units permitted under Paragraph C, and the limitations
5. on adjusted gross floor area for department stores (which may be
6. full-line stores), drug stores, and variety stores shall not apply.

7. 6. The following commercial-recreation or related
8. uses, but no such use shall occupy shopping frontage.

9. 1. Billiard or pool rooms

10. 2. Bowling alleys

11. 3. Theaters or other auditoriums

12. 7. The following service commercial uses, but no
13. such use shall occupy shopping frontage:

14. 1. Blueprinting, photostating, or other photo-
15. copying establishments

16. 2. Catering establishments

17. 3. Dressmaking shops

18. 4. Employment agencies

19. 5. Funeral homes

20. 6. Photographers' studios

21. 7. Radio or television broadcasting studios or
22. transmitting facilities

23. 8. Tailor shops

24. 8. Offices, but the aggregate adjusted gross floor
25. area in square feet devoted to office space shall not exceed the
26. product of 200 times the maximum number of density units
27. permissible under Paragraph C.

28. 9. Lawful uses established on the development tract
29. prior to filing of the petition for the unit development and not
30. permitted under the other provisions of this section.

1. area designated on the authorization plan as "industrial
2. site", and the aggregate gross area of industrial sites shall
3. not exceed 20 per cent of the gross area of the tract.

4. 12. Other principal uses in harmony with the
5. principles and purposes of this section, but any such use, in
6. addition to being identified in the authorization plan, shall be
7. permitted only if authorized under an individual special permit
8. separately identified in the approving ordinance or separate
9. special-exception order, and only if considered in itself as
10. a subject of the hearing.

11. 13. Accessory uses or buildings, including but not
12. limited to:

13. 1. Accessory radio or television receiving
14. antennas, or wireless transmitting and receiving
15. structures

16. 2. Home occupations as defined in Section 101

17. 3. Home offices or studios of physicians,
18. dentists, lawyers, architects, engineers, artists,
19. musicians, or other professional persons, subject
20. to controls which shall be established in the author-
21. ization plan

22. 4. Parking spaces, including garage spaces,
23. provided that parking spaces serving any use within
24. the unit development shall be considered as accessory
25. to that use whether or not they are located on the same
26. lot

27. 5. Accessory signs, subject to detailed design
28. standards

29. Section 17. And be it further enacted, That Article 5 be and
30. it is hereby amended by adding new subsection 502.4 to follow immediately
31. after subsection 502.3, said new subsection to read as follows:

1. 502.4-The building size, shape, and location, the accessory
2. uses, and the number of dwelling units authorized under any special
3. exception for an elevator apartment building or office building granted
4. pursuant to the zoning regulations in effect before [effective date of bill]
5. shall not be affected by the enactment of Bill No. [number], [year of passage].

6. Section 18. And be it further enacted, That Article 5 be and it
7. is hereby amended by adding new Section 504, said new section to read
8. as follows:

9. Section 504-Furthering Policies and Procedures.

10. 504.1-Authorization. The Planning Board may adopt and
11. implement administrative, project-design, or planning policies or
12. procedures which are not inconsistent with these regulations and which
13. further the purposes hereof, as specified in the preceding sections of
14. these regulations and as set forth below. However, no such policy or
15. procedure, or amendment thereto, may hereafter be adopted except by
16. a resolution which has been entered on and appended to the advance
17. tentative agenda for a regular meeting of the Planning Board and there-
18. after approved at such meeting without amendment, all as shall be more
19. particularly prescribed in the bylaws of the Planning Board.

20. 504.2-Comprehensive Manual. The Office of Planning and Zoning
21. shall compile and codify, in an appropriate and practical form, a
22. comprehensive manual of the Planning Board's land-use and develop-
23. ment policies and zoning resolutions. The manual shall include the
24. statements of all policies and procedures adopted under Subsection 504.1
25. and all other formal Planning Board actions taken pursuant to these
26. Zoning Regulations, the Subdivision Regulations, and such other land-use
27. and-development regulations as may hereafter be effected, except actions
28. on subdivision plans or other routine actions in individual cases. The
29. form of the manual may be such as to include, in addition, provisions of
30. these Zoning Regulations, of the Subdivision Regulations, or of other rules,

1. regulations, or laws, with the sources of all such provisions clearly
2. identified. Such provisions may be printed together as they were
3. promulgated, and placed in separate sections of the manual, or they may
4. be separated and integrally codified with other manual provisions or state-
5. ments, placed in order according to subject or other logical arrangement.
6. The manual also may include such other matter as the Office of Planning
7. and Zoning or the Planning Board deems relevant.

8. 504.3-OPEN-SPACE MAINTENANCE POLICIES. NO PLAN FOR A
9. UNIT DEVELOPMENT AND NO OTHER PLAN COVERING COMMON OPEN
10. SPACE (INCLUDING LOCAL OPEN SPACE) MAY BE APPROVED UNDER
11. THESE REGULATIONS UNLESS THE COUNTY HAS AGREED TO ACCEPT
12. TITLE TO AND MAINTAIN THE OPEN SPACE OR HAS OTHERWISE AGREED
13. TO PROVIDE CONTINUING MAINTENANCE OF THE OPEN SPACE, OR
14. UNLESS CONTINUING MAINTENANCE IS ASSURED BY OTHER MEANS AS
15. SET FORTH IN POLICIES ADOPTED IN ACCORDANCE WITH SUBSECTION
16. 504.1, ABOVE. TO AFFORD THE LATTER ALTERNATIVE WITHIN A
17. REASONABLE TIME, THE PLANNING BOARD SHALL FORMULATE AND
18. ADOPT POLICIES REGARDING THE CONTINUING MAINTENANCE OF
19. COMMON OPEN SPACE WITHIN SIX MONTHS AFTER THE EFFECTIVE
20. DATE OF THIS SUBSECTION.

21. ~~-----Section 19. -- And be it further enacted, That this Act shall take-----~~
22. ~~-----effect March 31, 1971.-----~~

21. SECTION 19. AND BE IT FURTHER ENACTED, THAT EVERY
22. PART OF EVERY SECTION AND ZONING REGULATION OF THIS ACT
23. ARE ENACTED INDEPENDENTLY AND ARE, THEREFORE, SEVERABLE;
24. IF ANY PART IS DECLARED INVALID BY A COURT OF COMPETENT
25. JURISDICTION, THE REST OF THIS ACT REMAINS VALID.

26. SECTION 20. AND BE IT FURTHER ENACTED, THAT ANY

1. AMENDMENTS HEREIN, OR ANY NEW ZONING CLASSIFICATIONS
2. PROVIDED FOR IN THIS BILL SHALL NOT BE PROMULGATED AS TO
3. ANY EXISTING ZONING MAPS, BUT SHALL BE EFFECTIVE ONLY
4. UPON THE ADOPTION BY THE COUNTY COUNCIL OF ANY NEW ZONING
5. MAPS ON OR BEFORE MARCH 31, 1971.

6. SECTION 21. AND BE IT FURTHER ENACTED, THAT THIS
7. ACT SHALL TAKE EFFECT FORTY-FIVE DAYS AFTER ITS ENACTMENT.

READ AND PASSED this 3rd day of August

1970

By Order

Herbert E. Hohenberger
Herbert E. Hohenberger, Secretary

PRESENTED to the County Executive, for his approval this 4th day of August 1970

Herbert E. Hohenberger
Herbert E. Hohenberger, Secretary

APPROVED AND ENACTED:

8/5/70
Date

Dale Anderson
County Executive

I HEREBY CERTIFY THAT BILL NO. 100 IS TRUE AND CORRECT AND WILL TAKE
EFFECT ON Sept. 19, 1970.

Harry J. Bartenfelder
Chairman, County Council