

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND  
Legislative Session 2015, Legislative Day No. 8

Bill No. 37-15

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Councilmembers Almond, Jones & Quirk

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By the County Council, April 20, 2015

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A BILL  
ENTITLED

AN ACT concerning

Health Care and Surgery Center and Related Uses

FOR the purpose of defining a health care and surgery center; permitting a health care and surgery center in the OR-2 and B.M. Zones as a matter of right subject to certain requirements; permitting certain accessory commercial uses in the OR-2 Zone; specifying the permitted square footage of certain accessory commercial uses; exempting a health care and surgery center from open space requirements; providing that the performance standards for office buildings apply to a health care and surgery center; providing the off-street parking requirements for a health care and surgery center; exempting a health care and surgery center from basic services mapping standards; clarifying language; and generally relating to a health care and surgery center and related accessory uses.

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EXPLANATION:           CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.  
                                  [Brackets] indicate matter stricken from existing law.  
                                  ~~Strike out~~ indicates matter stricken from bill.  
                                  Underlining indicates amendments to bill.

BY adding

Section 101.1, the definition of health care and surgery center, alphabetically, and Sections 206.3A.3.b.15, 16, and 17, 206.3.A.7, 206.4.E., 233.1.B, health care and surgery center, alphabetically, 409.6.A.2, health care and surgery center, alphabetically, 4A02.4.E.1.H., and 438

Baltimore County Zoning Regulations

BY repealing and re-enacting, with amendments

Sections 206.3.C.1.b. and 206.4.D.

Baltimore County Zoning Regulations

WHEREAS, a health care and surgery center brings together a variety of wellness care, surgical, diagnostic, and treatment services by providing these services within a centralized campus location; and

WHEREAS, a health care and surgery center provides better access, operational efficiencies, and integration for providers which results in conveniences for the patient; and

WHEREAS, a health care and surgery center is part of a fully integrated, patient centered health care delivery system; and

WHEREAS, the Affordable Care Act and the new All-Payer Demonstration provides momentum for the continuing shift from hospital inpatient to ambulatory settings; and

WHEREAS, the consolidation of services in a health care and surgery center creates an opportunity to improve efficiency and coordination of patients' outpatient clinical needs and reduce the need for higher cost inpatient services; now therefore

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

1 Section 101. Definitions.

2 §101.1 Word usage; definitions

3 HEALTH CARE AND SURGERY CENTER. ONE OR MORE BUILDINGS AT  
4 WHICH COMPREHENSIVE HEALTH CARE SERVICES ARE PROVIDED THROUGH  
5 PERSONS OR ENTITIES LICENSED UNDER EITHER THE HEALTH GENERAL OR  
6 HEALTH OCCUPATIONS ARTICLE OF THE ANNOTATED CODE OF MARYLAND.

7 Section 206. OR-2 (Office Building - Residential) Zone.

8 §206.3. Use Regulations in OR-2 Zones.

9 A. Uses permitted by right. The following uses, only, are permitted by right:

10 3. Accessory uses or structures which are normally and customarily incidental to  
11 any permitted principal use, including the following, if within office buildings:

12 b. The following accessory commercial uses:

13 (15) WELLNESS, HEALTH AND FITNESS CENTER.

14 (16) FLORIST.

15 (17) OPTICIAN'S OR OPTOMETRIST'S ESTABLISHMENT.

16 §206.3. Use Regulations in OR-2 Zones.

17 A. Uses permitted by right. The following uses, only, are permitted by right:

18 7. HEALTH CARE AND SURGERY CENTER (see Section 438)

19 §206.3. Use Regulations in OR-2 Zones.

20 C. Supplementary use regulations (see also Section 208).

21 1. Accessory floor area limitations.

22 b. No single accessory commercial use other than a hotel, WELLNESS,

1 health and fitness [club] CENTER, conference facility, standard restaurant, carry-out restaurant  
2 or tavern, DRUGSTORE, OR OPTICIAN'S OR OPTOMETRIST'S ESTABLISHMENT may  
3 occupy more than 1,500 square feet of floor area.

4 §206.4. Performance standards in OR-2 Zones.

5 D. For the purpose of this subsection, a research institute or laboratory, AND A  
6 HEALTH CARE AND SURGERY CENTER, shall be considered an office building and shall be  
7 governed by the performance standards specified for office buildings in this subsection.

8 E. NOTWITHSTANDING THE PERFORMANCE STANDARDS IN SECTION  
9 206.4.C, THERE IS NO MINIMUM AMENITY OPEN SPACE REQUIREMENT FOR A  
10 HEALTH CARE AND SURGERY CENTER.

11 Section 233. Business, Major (B.M.) Zone Use Regulations.

12 §233.1. Permitted Uses.

13 The following uses only are permitted (Section 233.2)

14 B. HEALTH CARE AND SURGERY CENTER (SEE SECTION 438)

15 Section 409. Off-Street Parking and Loading.

16 §409.6. Required number of parking spaces.

17 A. General Requirements. The standards set forth below shall apply in all zones unless  
18 otherwise noted. [Where] IF the required number of off-street parking spaces is not set forth for a  
19 particular type of use, the Director of Permits, Approvals and Inspections shall determine the  
20 basis of the number of spaces to be provided. [When] IF the number of spaces calculated in  
21 accordance with this section results in a number containing a fraction, the required number of

1 spaces shall be the next highest whole number.

2 2. Commercial and service uses.

	Type of Use	Minimum Number of Required Off-Street Parking Spaces
5	HEALTH CARE AND	4 PER 1,000 SQUARE FEET
6	SURGERY CENTER	OF GROSS FLOOR AREA

7 §4A02.4. Basic services mapping standards.

8 E. General exceptions to basic services mapping standards.

9 1. The provisions of Section 4A02.4.A, B, C and D do not apply to any of the  
10 following:

11 H. HEALTH CARE AND SURGERY CENTER.

12 Article 4

13 Special Regulations

14 SECTION 438. HEALTH CARE AND SURGERY CENTER.

15 A HEALTH CARE AND SURGERY CENTER IS SUBJECT TO THE FOLLOWING  
16 REQUIREMENTS:

17 1. AMBULATORY SURGERY AND RADIOLOGY SERVICES SHALL BE  
18 PROVIDED;

19 2. AT LEAST 75% OF THE MEDICAL AND SURGICAL SPECIALITIES OR  
20 SUBSPECIALTIES RECOGNIZED BY THE AMERICAN BOARD OF MEDICAL  
21 SPECIALITIES SHALL BE PROVIDED;

1                   3. HEALTH CARE SERVICES SHALL BE PROVIDED 7 DAYS PER WEEK  
2    AND 365 DAYS PER YEAR;

3                   4. THE CENTER SHALL HAVE AT LEAST FOUR OPERATING ROOMS;  
4    AND

5                   5 . THE GROSS FLOOR AREA OF THE CENTER, WHICH INCLUDES ALL  
6    BUILDINGS, SHALL BE AT LEAST 150,000 SQUARE FEET, WITH A MINIMUM OF  
7    10,000 SQUARE FEET OF RADIOLOGY SPACE, BUT NO MORE THAN 400,000 SQUARE  
8    FEET IN TOTAL.

9                   SECTION 2. AND BE IT FURTHER ENACTED, that this Act, having been passed by  
10   the affirmative vote of five members of the County Council, shall take effect on June 1, 2015.

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