

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND  
Legislative Session 2016, Legislative Day No. 1

Bill No. 2-16

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Mr. Wade Kach, Councilman

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By the County Council, January 4, 2016

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A BILL  
ENTITLED

AN ACT concerning

R-O (Residential – Office) Zone – Use Regulations

FOR the purpose of adding certain definitions to the Zoning Regulations; providing for a certain retail use in the R-O (Residential – Office) Zone by special exception; and generally relating to uses in the R-O (Residential – Office) Zone.

BY adding  
Section 101.1, the definitions, alphabetically, of “Non-In-House Retail” and “Office Building, Class IC”  
Baltimore County Zoning Regulations, as amended

BY repealing and re-enacting, with amendments  
Section 204.3.B  
Baltimore County Zoning Regulations, as amended

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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.

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

3 SECTION 101

4 Definitions

5 § 101.1. Word usage; definitions.

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

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

12 NON-IN-HOUSE RETAIL – RETAIL SALE OF GOODS OR CHATTELS PURCHASED VIA  
13 MAIL, PHONE, OR INTERNET AND SHIPPED TO A CUSTOMER, AND NOT THROUGH  
14 RETAIL SALE BY VISITATION OF A CUSTOMER TO A BUILDING OR OTHER PREMISES.

15 OFFICE BUILDING, CLASS IC – A PRINCIPAL BUILDING THAT WAS ORIGINALLY  
16 CONSTRUCTED AS A ONE-FAMILY OR TWO-FAMILY DETACHED DWELLING, OR AN  
17 ACCESSORY USE THERETO, AND THAT IS CONVERTED BY PROPER PERMIT TO  
18 OFFICE OR NON-IN-HOUSE RETAIL USE FOR THE PURPOSE OF CREATING OFFICE OR  
19 NON-IN-HOUSE RETAIL USE SPACE FOR INTERNET COMMERCE (IC), OR OTHERWISE  
20 ACCOMMODATING THE OFFICE USE; SUCH USE MAY ALSO INCLUDE THE STORAGE  
21 OF MERCHANDISE TO BE SOLD VIA INTERNET COMMERCE.

1 SECTION 204

2 R-O (Residential – Office) Zone

3 § 204.3. Use Regulations.

4 B. Uses permitted by special exception. The following uses, only, may be permitted by special  
5 exception in an R-O Zone, if such use has an approved County Review Group (CRG) plan  
6 prior to the granting of a special exception:

7 1. Uses permitted by special exception and as limited in D.R.5.5 Zones.

8 2. Class B office building.

9 a. Class B office buildings containing offices or medical offices, except that no  
10 more than 25% of the total adjusted gross floor area of the office building  
11 may be occupied by medical offices. A Class B office building in existence  
12 prior to the effective date of this legislation with medical offices in excess of  
13 25% of the total adjusted gross floor area is a conforming use if it is in  
14 compliance with the terms of its special exception. Such an office building  
15 may be expanded if the expansion meets the current parking requirements for  
16 medical offices. A Class B office building listed on the Baltimore County  
17 Final Landmarks List, as part of the adaptive reuse of the building, is allowed  
18 up to 1,200 square feet of carry-out restaurant or standard restaurant (without  
19 service of alcoholic beverages), and storage of wine is permitted. Special  
20 exception uses required for community buildings or community swimming  
21 pools that involve a Baltimore County final landmarks structure may be  
22 reviewed as a permitted use subject to review and approval by the Baltimore  
23 County Planning Board.

1           b.       Up to 100% of the total adjusted gross floor area of a Class B office building  
2                   may be occupied by medical offices if:

3                   (1)       The floor area ratio of the proposed Class B office building is not  
4                   greater than 0.20;

5                   (2)       A documented site plan and a special exception for a Class B office  
6                   building have been approved by the Zoning Commissioner or the  
7                   Board of Appeals, either on appeal or as a result of its original  
8                   jurisdiction, prior to the effective date of Bill No. 151-1988;

9                   (3)       Construction of the Class B building is started prior to the expiration  
10                  date of the special exception as required by Section 502.3; and

11                  (4)       Parking requirements shall be calculated by requiring the maximum  
12                  number of parking spaces as determined by Section 409 of these  
13                  regulations, the requirements of the documented site plan, or the  
14                  requirements of the order granting the special exception, whichever  
15                  shall yield the greatest number of spaces.

16           3.       CLASS IC OFFICE BUILDING CONTAINING NON-IN-HOUSE RETAIL USE,  
17                   EXCEPT THAT NO MORE THAN 50% OF THE TOTAL GROSS FLOOR AREA  
18                   OF THE BUILDING MAY BE USED FOR THE STORAGE OF MERCHANDISE.

19           4[3].   Animal grooming facility.

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