COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2025, Legislative Day No. 14

Bill No. 63-25

Mr. Wade Kach, Councilman

By the County Council, September 2, 2025

A BILL
ENTITLED

AN ACT concerning

Zoning Regulations – C.C.C. Overlay Districts – Restrictions on First Story Apartments

FOR the purpose of eliminating the prohibition on residential uses on the first story of a building in the C.C.C. Overlay District if commercial uses are located in other buildings on the property or within a certain number of feet of the property; and generally relating to the C.C.C. Overlay District.

BY repealing and re-enacting, with amendments

Sections 232A.1.A, 235A.1, and 238A.1
Baltimore County Zoning Regulations, as amended

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.

WHEREAS, in 1970, the Baltimore County Council created the Commercial, Community Core (C.C.C.) overlay district to allow for the addition of high-density (apartment) residential uses in the Business Zones (B.L. – Sections 232A; B.M. – Sections 235A; and B.R. – Sections 238A); and

WHEREAS; the special regulations adopted in conjunction with the creation of this overlay district restricted residential use and occupancy of the "first story of a building" which mirror the restrictions in the Commercial, Town-Center Core (C.T.) overlay district; and

WHEREAS, although there is little in the way of legislative history, the logical reason for this restriction is to create a mix of uses and to provide goods and services in close proximity to those residents, similar to that provided in buildings in city centers where residential occupancy at ground level may not be desirable; and

WHEREAS, the establishment of overlay districts on properties in Baltimore County has not resulted in the development of mixed-use buildings, perhaps because of County residents' dependence on automobiles; and

WHEREAS, buildings that have been constructed with residential only above the first story have had difficulty in attracting and retaining commercial tenants, particularly where there is other retail in close proximity; and

WHEREAS, over the years, the County Council has adopted several bills that waive the restriction on first-floor residential for certain types of projects (See, e.g., Bill Nos. 79-12; 1-14; 35-19; 115-20; 9-22; and 76-22); and

WHEREAS; instead of continuing to chip away at this restriction, the Council now proposes to eliminate the first-floor residential restriction from the C.C.C. overlay district when there is existing or proposed retail within a certain distance; now, therefore

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

ARTICLE 2 – ELEVATOR-APARTMENT RESIDENCE ZONES, RESIDENTIAL-OFFICE ZONES, OFFICE ZONES, BUSINESS ZONES, MANUFACTURING ZONES, DISTRICTS

Section 232A – Special Regulations for C.C.C. Districts

Contrary provisions of these zoning regulations notwithstanding, the regulations of this section shall apply in C.C.C. Districts superimposed upon B.L. Zones. (All aspects of matters not governed by the following provisions of this section shall be governed by all other applicable provisions of these zoning regulations.)

§ 232A.1. Apartments; elderly housing facilities.

A. Apartments shall be permitted, but only above the first story of a building.

1. Elderly housing facilities and apartments restricted to those age 55 and older shall be permitted in any story of a building.

2. A combination of apartments and elderly housing facilities shall be permitted in any story of a building if located east of Perring Parkway, north and northeast of I-695, and north of MD-Route 702 and Eastern Boulevard.

3. NOTWITHSTANDING ANYTHING IN THIS PROVISION TO THE CONTRARY, APARTMENTS SHALL BE PERMITTED IN ANY STORY OF A BUILDING

IF COMMERCIAL USES ARE LOCATED IN OTHER BUILDINGS ON THE PROPERTY OR WITHIN 1,000 FEET OF THE PROPERTY.

Section 235A – Special Regulations for C.C.C. Districts

Contrary provisions of these zoning regulations notwithstanding, the regulations of this section shall apply in C.C.C. Districts superimposed upon B.M. Zones. (All aspects of matters not governed by the following provisions of this section shall be governed by all other applicable provisions of these zoning regulations.)

§ 235A.1. Apartments; elderly housing facilities.

A. Apartments shall be permitted, but only above the first story of a building.

B. Elderly housing facilities shall be permitted in any story of a building.

C. NOTWITHSTANDING ANYTHING IN THIS PROVISION TO THE CONTRARY, APARTMENTS SHALL BE PERMITTED IN ANY STORY OF A BUILDING IF COMMERCIAL USES ARE LOCATED IN OTHER BUILDINGS ON THE PROPERTY OR WITHIN 1,000 FEET OF THE PROPERTY.

Section 238A – Special Regulations for C.C.C. Districts

Contrary provisions of these zoning regulations notwithstanding, the regulations of this section shall apply in C.C.C. Districts superimposed upon B.R. Zones.(All aspects of matters not governed by the following provisions of this section shall be governed by all other applicable provisions of these zoning regulations.)

§ 238A.1. Apartments; elderly housing facilities.

A. Apartments shall be permitted, but only above the first story of a building.

B. Elderly housing facilities shall be permitted in any story of a building.

C. NOTWITHSTANDING ANYTHING IN THIS PROVISION TO THE CONTRARY, APARTMENTS SHALL BE PERMITTED IN ANY STORY OF A BUILDING IF COMMERCIAL USES ARE LOCATED IN OTHER BUILDINGS ON THE PROPERTY OR WITHIN 1,000 FEET OF THE PROPERTY.

SECTION 2. AND BE IT FURTHER ENACTED, that this Act, having been passed by the affirmative vote of five members of the County Council, shall take effect 14 days after its enactment.

LEGISLATION DETAIL

LEGISLATION BILL 63-25

DISPOSITION PASSED

ENACTED 10/09/25

EFFECTIVE 10/23/25

AMENDMENTS NO

*KACH ABSENT

ROLL CALL - LEGISLATION

MOTION MARKS SECOND JONES

AYE	NAY	
☑	☐	Councilman Young
☑	☐	Councilman Patoka
☐	☐	Councilman Kach
☑	☐	Councilman Jones
☑	☐	Councilman Marks
☑	☐	Councilman Ertel
☑	☐	Councilman Crandell

ROLL CALL - AMENDMENTS

MOTION SECOND

AYE	NAY	
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☐	☐	Councilman Patoka
☐	☐	Councilman Kach
☐	☐	Councilman Jones
☐	☐	Councilman Marks
☐	☐	Councilman Ertel
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ROLL CALL - AMENDMENTS

MOTION SECOND

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ROLL CALL - AMENDMENTS

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