

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2026, Legislative Day No. 18

Bill No. 102-26

Mr. Pat Young, Councilman

By the County Council, October 5, 2026

A BILL
ENTITLED

AN ACT concerning

Zoning Regulations – Mixed-Use Overlay District

FOR the purpose of reducing the percentage of gross floor area within a mixed-use development that must be developed for nonresidential use; removing a limitation on the percentage of a mixed-use development that may be certain types of residential uses and setting requirements for the calculation of gross floor area for such residential uses; permitting certain excess open space to be applied to the required amount of nonresidential use in a mixed-use development; and generally relating to the Mixed Use Overlay District.

BY repealing and re-enacting, with amendments

Section 259.17.C.2 and D.2
Baltimore County Zoning Regulations, as amended

BY adding

Section 259.17.K.7
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.

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
4 ARTICLE 2 – ELEVATOR-APARTMENT RESIDENCE ZONES,
5 RESIDENTIAL-OFFICE ZONES, OFFICE ZONES, BUSINESS ZONES,
6 MANUFACTURING ZONES AND DISTRICTS

7 Section 259 – Districts

8
9 § 259.17. Mixed-Use (M.U.) District.

10 C. Development in the M.U. District.

11 2. Subject to development review, at least [25] 20 percent of the gross floor area
12 within an overall mixed-use development in the M.U. District shall be developed for
13 nonresidential use, which may include amenities in an apartment building.

14 D. Uses permitted by right. The following uses are permitted by right in the M.U.
15 District, in addition to the uses permitted by right in the underlying zone or another assigned
16 overlay district:

17 2. Single-family attached, duplex dwellings, group homes, and alternative site
18 design dwellings are permitted [but shall not constitute more than 50 percent of all residential
19 units proposed as part of a mixed-use site development plan.] AND THE GROSS FLOOR
20 AREA FOR THESE USES SHALL INCLUDE ONLY LIVING SPACE AND EXCLUDE
21 FLOOR SPACE USED FOR OFF-STREET PARKING OR ACCESSORY EQUIPMENT,
22 INCLUDING HEATING, COOLING, VENTILATION, AND AIR CIRCULATION.

23 K. Open space requirements.

1 7. IF THE TOTAL RESIDENTIAL OPEN SPACE PROVIDED BY A MIXED-
2 USE DEVELOPMENT EXCEEDS THE TOTAL AMOUNT OF OPEN SPACE REQUIRED
3 UNDER § 32-6-108 OF THE COUNTY CODE AND THE RESIDENTIAL OPEN SPACE IS
4 IMPROVED WITH ONE OR MORE AMENITIES, SUCH AS A WALKING PATH, THE
5 EXCESS MAY BE APPLIED TO THE REQUIRED PERCENTAGE OF NONRESIDENTIAL
6 GROSS FLOOR AREA UNDER PARAGRAPH C.2 OF THIS SECTION.

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