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## Article III Establishment and Regulation of Zoning Districts

### § 165-22 Purpose.

A. This article establishes zoning districts within the incorporated boundary of Bel Air, Maryland, and outlines the associated standards and regulations that govern each district. The intent of this article is to identify the appropriate locations for various uses; to protect and enhance the Town's quality of life; control congestion; secure public safety; promote health and the general welfare; provide adequate light and air; promote conservation of natural resources; prevent environmental pollution; avoid undue concentration of population and to facilitate the adequate provision of transportation, water, sewerage, schools, recreation, parks and other public requirements through the established criteria and standards to ensure compatibility between more intensive uses and lower intensity uses in adjacent districts; to implement the land use, housing and economic development goals of the Town of Bel Air Comprehensive Plan; to implement the visions noted in the Land Use Article of the Annotated Code of Maryland; and to support the goals of the Maryland Smart Growth Act of 1997. **[Amended 4-3-2017 by Ord. No. 780-17]**

B. The Town is hereby divided into the following zoning districts:

R-1	Low-Density Residential
R-2	Medium-Density Residential
R-3	High-Density Residential
R-O	Residential-Office District
B-1	Limited Business District
B-2	Central Business District
B-2A	Central Business Gateway District
B-3	General Business District
B-3A	General Business Gateway District
M-1	Industrial District
Transition Overlay District	

### § 165-23 Boundaries.

The boundaries of these districts are hereby established as shown on the current Official Town Zoning Map (hereinafter called the "Zoning Map") of the incorporated area of Bel Air, Maryland, hereby made a part of this Part 2. The Zoning Map and all notations, references and other matters shown thereon shall be and are hereby made part of this Part 2. The Zoning Map, properly attested, shall be on file in the office of the Zoning Administrator and at the Bel Air Town Hall.

### § 165-24 General regulations.

A. Delineation of zoning district boundaries shall be in accordance with the following rules:

- (1) Boundaries shown as following or approximately following the Town corporate limits shall be construed as following such limits.
- (2) Boundaries shown as following or approximately following streets shall be construed to follow the center lines of such streets.
- (3) Boundaries shown as following or approximately following platted lot lines or other property

lines as shown on the current Tax Maps shall be construed as following such lines.

- (4) Boundaries shown as separated from, and parallel or approximately parallel to, any of the above-listed features shall be construed to be parallel to such features and at such distances therefrom as scaled from the Zoning Map.
- (5) Whenever any road, alley or other public way is abandoned by official action as provided by law, the zoning districts adjoining the side of such right-of-way shall be automatically extended, depending on the side or sides to which such lands revert, to include the right-of-way of the public way thus abandoned, which shall thenceforth be subject to all regulations of the extended district.
- (6) In all cases where property has not been specifically included within a district, such property shall automatically be classified as R-1 District until otherwise classified.
- (7) In cases of annexation of territory where the annexation proceeding provides a zoning classification for the territory to be annexed, such territory shall be so classified upon incorporation into the Town of Bel Air.
- (8) Zoning district boundaries are discouraged from bisecting lots or structures. If split zoning cannot be avoided and the application of development regulations is unclear, the more restrictive requirements will be applied.**

- B. Junkyards, as defined in Article XIV, are prohibited in all districts.
- C. Sustainable building methodology shall be incorporated in new construction, renovation and restoration projects to the maximum extent practicable. Sustainable building methodology may include, but is not limited to, such items as green roofs, capture and reuse of rainwater, high-efficiency lighting, recycled building components, the use of environmentally friendly building materials, reuse of historic buildings and building components, infill development and pedestrian-oriented design. Emphasis shall be placed on reducing the carbon footprint for new and existing development.
- D. Proposed retail/service/industrial development projects in excess of 7,500 square feet shall be subject to the special development process specified in Article XII, Appeals, Variances, Special Exceptions and Special Developments, and to the architectural review process specified in Article XVI, Subdivision and Site Plan Review. **[Amended 11-25-2011 by Ord. No. 744-11]**
- E. Infill development shall be designed to ensure sensitive integration of new development with historic structures and the architectural context in the neighborhood.
- F. Accessory buildings and uses customarily incidental to the property principal use may be permitted by right or as a special exception. **[Added 4-3-2017 by Ord. No. 780-17]**
- G. Family child-care facilities may be permitted in accordance with all state and local requirements. **[Added 4-3-2017 by Ord. No. 780-17]**
- H. Electric, communications antennae (in accordance with performance standards set forth in Article VII), water, sewer, gas and fuel lines, but not including transmission lines carrying 50,000 volts or more, are permitted. Transmission lines in excess of 50,000 volts require special exception approval. **[Added 4-3-2017 by Ord. No. 780-17]**

- I. Satellite receiving dishes may be permitted subject to the provisions of Articles **VII** and **X**. [**Added 4-3-2017 by Ord. No. 780-17**]
- J. Cemeteries may be permitted when accessory to a house of worship, provided that no graves or burial plots are located in the front yard. [**Added 4-3-2017 by Ord. No. 780-17**]
- K. Temporary structures for uses incidental to construction work shall be removed upon the completion or abandonment of work. Construction/sales trailers may be permitted for no more than 18 months. If longer duration is necessary, ~~special exception~~ approval **from the Director of Public Works** is required. [**Added 4-3-2017 by Ord. No. 780-17**]
- L. A building height bonus of 10% or less may be approved by the Planning Commission provided that structured parking **equal to or exceeding** ~~on the order of~~ 75% of the building footprint is incorporated as part of a proposed development. [**Added 4-3-2017 by Ord. No. 780-17**]
- M. Requirements associated with the use of outdoor space, service of refuse and recycling, loading and unloading and exterior lighting in Article **VII** are applicable to all referenced uses. [**Added 4-3-2017 by Ord. No. 780-17**]

§ 165-25 **R-1 Low-Density Residential District.**

- A. Purpose. The Low-Density Residential District is designed primarily to accommodate single-family detached housing, ensure preservation of existing neighborhoods and retain the Town's small-town character as identified in the Town of Bel Air Comprehensive Plan. Some community service uses, institutional uses, and home occupations may be permitted as provided for by this Part 2.
- B. General regulations. [**Amended 4-3-2017 by Ord. No. 780-17**]
  - (1) **An accessory dwelling unit** ~~Cottage housing~~, as defined in Article **XIV**, ~~may~~ **shall** be permitted as a special exception. **This use is** ~~This use is~~ subject to performance standards as specified in Article **VII** of this Part 2.
  - (2) Home occupations, as defined in Article **XIV**, are permitted, provided that not more than 300 square feet of area shall be used for such purpose and that only persons residing in the home shall be engaged in this activity. Home occupations or professional offices within the home may be permitted in accordance with the performance standards as set forth in Article **VII**. A home occupation certificate shall be required.
  - (3) Conversion of dwellings or construction of buildings for business, personal and professional uses may be permitted as a special exception in the Transition Overlay District, subject to performance standards as specified in Article **VII** of this Part 2. Buildings shall be compatible in size and scale with properties located in the Transition Overlay District that are situated within 300 feet of the property in question.
  - (4) Professional office uses and bed-and-breakfast establishments may be permitted in the R-1 Transition Overlay District with special exception approval.
- C. Specific regulations. Permitted uses are listed in the use classification charts located at the end of Article **III**. The applicable regulations contained in other articles shall apply in the R-1 Low-Density Residential District. Certain uses are subject to the performance standards specified in Article **VII** of this Part 2. [**Amended 4-3-2017 by Ord. No. 780-17**]

- D. Density, lot area, width, height and yard requirements. Table 165-25 outlines the minimum requirements that shall apply for uses in the R-1 District, subject to the modifications provided under Article IX of this Part 2. [Amended 4-3-2017 by Ord. No. 780-17]

**§ 165-26 R-2 Medium-Density Residential District.**  
[Amended 4-3-2017 by Ord. No. 780-17]

- A. Purpose. The Medium-Density Residential District is designed primarily to accommodate single-family housing and attached units with appropriate design and buffering. This district is also intended to ensure preservation of existing neighborhoods and to retain the Town's small-town character as identified in the Town of Bel Air Comprehensive Plan.
- B. General regulations.
- (1) The conversion of an existing (as of November 1959) single-family dwelling into a two-family dwelling is permitted, provided such dwelling has a total finished floor area of at least 1,800 square feet prior to conversion and is located on a lot having an area of at least 15,000 square feet at the time of application.
  - (2) **An accessory dwelling unit** ~~Cottage housing~~, as defined in Article XIV, **may** ~~shall~~ be permitted **as a special development. This use is** subject to performance standards as specified in Article VII of this Part 2.
  - (3) Home occupations, as defined in Article XIV, are permitted, provided that not more than 300 square feet of area shall be used for such purpose and that only persons residing in the home shall be engaged in this activity. Home occupations or professional offices within the home may be permitted in accordance with the performance standards as set forth in Article VII. A home occupation certificate shall be required.
  - (4) Conversion of dwellings or construction of buildings for business, personal and professional uses may be permitted as a special exception in the Transition Overlay District, subject to performance standards as specified in Article VII of this chapter. Buildings shall be compatible in size and scale with properties located in the Transition Overlay District that are situated within 300 feet of the property in question.
  - (5) Professional service uses and bed-and-breakfast establishments may be permitted in the R-2 Transition Overlay District with a special exception approval.
- C. Specific regulations. Permitted uses are listed in the use classification charts located at the end of Article III. Applicable regulations contained in other articles shall apply in the R-2 Medium-Density Residential District. Certain uses are subject to performance standards specified in Article VII of this Part 2. Exterior lighting for parking areas cannot exceed 16 feet in height and must meet requirements found in Article VII.
- D. Density, lot area, width, height and yard requirements. Table 165-26 outlines the minimum requirements that shall apply for uses in the R-2 District, subject to the modifications provided under Article IX of this Part 2.

**§ 165-27 R-3 High-Density Residential District.**

- A. Purpose. The High-Density Residential District is designed primarily to accommodate high-density housing, including apartments and condominiums with appropriate design, open space provisions

and buffering. The intent of this section is to ensure that diverse housing opportunities are available to meet the community's needs.

B. General regulations. [Amended 4-3-2017 by Ord. No. 780-17]

- (1) The conversion of an existing (as of November 1959) single-family dwelling into a two-family dwelling is permitted, provided such dwelling has a total finished floor area of at least 1,800 square feet and is located on a lot having an area of at least 10,000 square feet at the time of application.
- (2) **An accessory dwelling unit** ~~Cottage housing~~, as defined in Article XIV, **may shall** be permitted **as a special development. This use is** subject to performance standards as specified in Article VII of this Part 2.
- (3) Home occupations, as defined in Article XIV, are permitted, provided that not more than 300 square feet of area shall be used for such purpose and that only persons residing in the home shall be engaged in this activity. Home occupations or professional offices within the home may be permitted in accordance with the performance standards as set forth in Article VII. A home occupation certificate shall be required.
- (4) Conversion of dwellings or construction of buildings for business, personal and professional uses may be permitted as a special exception in the Transition Overlay District, subject to performance standards as specified in Article VII of this Part 2. Buildings shall be compatible in size and scale with properties located in the Transition Overlay District that are situated within 300 feet of the property in question.
- (5) Professional office uses may be permitted in the R-3 Transition Overlay District with special exception approval.

C. Specific regulations. Permitted uses are listed in the use classification charts located at the end of Article III. Applicable regulations contained in other articles shall apply in the R-3 High-Density Residential District. Certain uses are subject to performance standards specified in Article VII of this Part 2. Exterior lighting for parking areas cannot exceed 16 feet in height and must meet requirements found in Article VII. [Amended 4-3-2017 by Ord. No. 780-17]

D. Density, lot area, width, height and yard requirements. Table 165-27 outlines the minimum requirements that shall apply for uses in the R-3 District, subject to the modifications provided under Article IX of this Part 2. [Amended 4-3-2017 by Ord. No. 780-17]

§ 165-28 R-O Residential-Office District.

A. Purpose. The Residential-Office District is designed primarily for areas which are no longer viable as single-family residential areas due to high traffic volumes or other factors but which may be viable for high-density residential uses or offices. Office and service uses may be approved as provided for by this Part 2. These areas are generally gateways to the Town Center and should be developed to ensure compatibility with existing residential uses while providing an attractive public frontage and a sense of arrival to the Town's historic core.

B. General regulations. [Amended 4-3-2017 by Ord. No. 780-17]

- (1) **A short term rental unit as defined in Article XIV, may be permitted as a special exception.** Customary home occupations and professional services may be permitted in

accordance with the performance standards as set forth in Article **VII**. A home occupation certificate is required.

- (2) Parking areas for commercial uses shall be located in the side or rear yard only. An access permit shall be required for all parking area curb cuts. In residential districts, curb cuts for new residential uses shall not exceed 30 feet, and the driveway shall not exceed 24 feet in width. The curb cut sidewalk pattern should be carried across the driveway in all districts. Buildings, low walls and attractive plantings shall be used to screen commercial parking areas.
- (3) Development shall be compatible with neighboring development and provide a cohesive and rational pattern. All development shall consider design features that will create an attractive and visual continuity between proposed development and adjacent neighborhoods. Buildings shall be constructed to ensure visual privacy and sunlight for adjacent structures, as well as protection from the new or renovated developments, site illumination, noise and odors, as applicable.
- (4) Building and site design should preserve and enhance special street views, in particular, views of landmark buildings and natural features, focal points at T-intersections and views along curving roadways. Traditional building materials, such as brick or high-quality masonry finish, are encouraged.
- (5) Building, design, height and massing.
  - (a) Building materials shall be compatible in quality, color, texture, finish and dimension with other buildings in the district. Architecturally harmonious material, color, texture and treatment shall be used for all exterior walls.
  - (b) Rear facades shall be of finished quality and shall be consistent in color and material with the rest of the building.
  - (c) The style and scale of the proposed building shall respect design elements prevalent in the community. Examples of such elements are the width, roofline pattern, size, shape, height, facing windows and building materials found throughout the Town.
  - (d) The use of fenestration, patterns and traditional design elements is encouraged. Examples of such design elements are facade offsets, covered porticos, recessed or projected entries and other appropriate architectural features. Building walls shall be a maximum of 40 feet in length without modulation.
  - (e) Roof forms shall be considered based on their compatibility with the existing architectural context and the character of adjoining buildings.
  - (f) Glass should not be reflecting, as in mirrored windows. Tinted glass to prevent inner glare may be allowed, subject to review by the Zoning Administrator. Justification for tinted glass shall be submitted to the Zoning Administrator.
  - (g) Simplicity of design and a limited range of colors and materials are encouraged. Contrasting colors which accent architectural details and entrances are encouraged, as well as the use of graffiti-resistant materials.
  - (h) A building height transition or step down is required for projects that are adjacent to residential districts.

- (i) The area covered by impervious surfaces shall be minimized to the greatest extent practicable.
- (6) Fencing and screening.
- (a) Walls and fences shall be uniform and compatible with architectural style, color and building material. Appropriate materials include iron grating, wood, stone or brick. Walls greater than 40 feet in length shall incorporate some form of visual relief, including, but not limited to, pattern breaks, barrier wall construction, vertical features such as columns, differing construction materials or a combination of the above.
  - (b) All service areas, including, but not limited to, shipping, loading areas, dumpsters, refuse bins and similar accessory uses, shall be placed in the side or rear yard and screened from public view.
  - (c) Rooftop mechanical equipment and vents, utility facilities and other such equipment shall be located away from public view or screened with a treatment that is complimentary to the building architecture. If service areas are exposed to view due to site conditions, such areas shall be screened with landscaping and appropriate fencing.
- (7) Lighting and security.
- (a) The use of decorative lighting and supporting structures consistent with building design, style and color is encouraged.
  - (b) Lighting provided for parking areas shall not exceed 12 feet in height and shall meet requirements found in Article VII.
  - (c) The use of security alarm systems is encouraged.
- (8) Vehicular and pedestrian access.
- (a) Vehicular access points shall be kept to a minimum. Shared or linked parking areas that provide cross access to adjacent properties are encouraged.
  - (b) Access points for corner sites shall be located in accordance with requirements noted in Article VII of this Part 2.
  - (c) Curb cuts should be eliminated or minimized to the greatest extent possible through shared driveways with adjacent properties.
  - (d) Street connectivity and access management shall be ensured through driveway consolidation, relocation and enclosure of curb cuts and driveways, creation of medians and shared driveways to help improve the function of commercial streets.
  - (e) Walkways shall be designed to meet the following requirements:
    - [1] Provide safe, convenient, well-illuminated entrance to the building.
    - [2] Protect pedestrians from vehicular intrusion with landscaping and curbs that are integrated into the overall streetscape design.

[3] Provide safe community access for the handicapped to all major building entrances by means of minimum grade changes, curb cuts, ramps and railings, as required by the Americans with Disabilities Act (ADA).

[4] A continuous internal pedestrian walkway shall be provided from the perimeter public sidewalk to the principal customer entrance(s). ADA-compliant sidewalks extending the full length of the building or center must be provided along any facade featuring a customer entrance and along any facade abutting public parking areas. Modifications may be authorized by the Building Official on a case-by-case basis when site conditions warrant.

[5] The internal pedestrian walkways, including those crossing vehicular lanes, must be distinguished from driving surfaces through the use of special pavers or scored concrete to enhance pedestrian safety and the attractiveness of the walkways.

(9) Landscaping and amenities. Landscaping shall be designed to add visual interest to open spaces, parking areas and facades, as well as to soften the transition between buildings of different heights and styles. Landscaping plans shall be submitted as required in Articles **VI** and **VIII** of this Part **2**. The landscape plan shall be designed to meet the following minimum requirements:

(a) Preserve the maximum number of existing healthy trees when developing the site.

(b) Add visual interest to open spaces and blank facades by utilization of landscaping to enhance the streetscape.

(c) Provide definition of public walkways and open areas.

(d) Provide a consistent visual image between adjacent properties along the streetscape.

(e) Provide appropriate curbs, tree guards and grates to ensure the continued health of the plant material located in pedestrian areas.

(f) Provide plant species for year-round appearance, maintenance and compatibility with adjacent properties.

(g) Provide plants in proper size and quantities to allow their healthiest establishment and to compliment the development and the streetscape.

(10) Signage. Signs shall be designed to project the image of the business or service while complementing the design of the subject property and other buildings in the district. Signs permitted in the district shall conform to regulations as specified in Part **3**, Article **XV**, of the Town of Bel Air Development Regulations.

C. Special regulations. Permitted uses are listed in the use and classification charts located at the end of Article **III**. Applicable regulations contained in other articles shall apply in the R-O Residential-Office District. Certain uses are subject to performance standards specified in Article **VII** of this Part **2**. [Amended 4-3-2017 by Ord. No. 780-17]

D. Density, lot area, width, height and yard requirements. Table 165-28 outlines the minimum requirements that shall apply for uses in the R-O District, subject to the modifications provided under Article **IX** of this Part **2**. [Amended 4-3-2017 by Ord. No. 780-17]



**E. Development standards. The floor area of an individual use shall not exceed 7,500 square feet.**

**§ 165-29 B-1 Limited Business District.**

- A. Purpose. The Limited Business District is designed to accommodate small-scale local business, institutional or service establishments. Some more intense business, institutional, or service establishments may be permitted as provided for by this Part 2. Uses in this district should be developed to ensure compatibility with existing residential uses while providing an attractive public frontage and linkage to the Town Center.
- B. General regulations. [Amended 4-3-2017 by Ord. No. 780-17]
- (1) **A short term rental unit as defined in Article XIV, may be permitted as a special exception.** Customary home occupations and professional services may be permitted in accordance with the performance standards as set forth in Article VII. A home occupation certificate is required.
  - (2) The sidewalk pattern should be carried across the driveway. Buildings, low walls and/or attractive plantings shall be used to screen parking.
  - (3) General regulations, as shown in Article III, § 165-28B(2) through (10), shall apply to all developments in this district.
  - ~~(4) Exterior lighting shall not exceed 16 feet in height and shall meet requirements found in Article VII.~~
- C. Special regulations. Permitted uses are listed in the use classification charts located at the end of Article III. Applicable regulations **for architecture and site design** contained in **RO Residential Office District, section 165-28.B** ~~other articles~~ shall apply in the B-1 Limited Business District. Certain uses are subject to performance standards specified in Article VII of this Part 2. [Amended 4-3-2017 by Ord. No. 780-17]
- D. Density, lot area, width, height and yard requirements. Table 165-29 outlines the minimum requirements that shall apply for uses in the B-1 District, subject to the modifications provided under Article IX of this Part 2. [Amended 4-3-2017 by Ord. No. 780-17]

**§ 165-30 B-2 Central Business District.**

- A. Purpose. The Central Business District is established to:
- (1) Promote reuse, infill and redevelopment in Bel Air's traditional Town Center.
  - (2) Encourage efficient use of land and compact development.
  - (3) Retain and strengthen the land use pattern that includes a mix of shops, services, offices, civic uses and residences.
  - (4) Encourage increased economic vitality through the addition of new downtown residences and uses that attract visitors, such as specialty shops, restaurants, theaters and overnight accommodations.
  - (5) Encourage mixed-use buildings with retail and service uses at street level and office or residential uses on upper levels.

- (6) Retain and create attractive streetscapes with a lively, pedestrian-oriented character.
- (7) Provide for safe and convenient pedestrian, bicycle and automotive travel.
- (8) Promote building forms that respect and reinforce the historic streetscape.
- (9) Require the use of building components that are human in scale.
- (10) Ensure that new, expanded or rehabilitated buildings are compatible with the scale of historic buildings in close proximity.

B. General regulations. [Amended 4-3-2017 by Ord. No. 780-17]

- (1) **A short term rental unit as defined in Article XIV, may be permitted as a special exception.** Customary home occupations and professional services may be permitted in accordance with the performance standards set forth in Article VII. A home occupation certificate is required.
- (2) Street trees shall be required along the street edge of the primary access road, with clustering of smaller trees encouraged throughout the developed areas.
- (3) A comprehensive coordinated sign plan shall be submitted at the time of site plan review. This shall include one or a combination of the following signage styles: freestanding, directory, projecting, wall, roof, awning and/or window. Signs shall conform to regulations specified in Article XV of this chapter.
- (4) Permitted uses are listed in the use and classification charts located at the end of Article III. Applicable regulations contained in other articles shall apply in the B-2 District.

C. Site design standards.

- (1) Design goals.
  - (a) The streetscape and the building facade facing the street shall be the primary focus of the development.
  - (b) New development shall contribute to the creation or reinforcement of a pedestrian-friendly streetscape with sidewalks and a defined pedestrian edge.
  - (c) Buildings on corner lots shall establish a strong presence with unified facade design along both street frontages.
  - (d) Parking shall not be a dominant visual element of the streetscape. Views of parking should be screened by buildings or buffered with attractive plantings or low walls.
  - (e) Building and site designs should preserve and enhance special street views, in particular, views of landmark buildings and natural features, focal points at T-intersections and views along curving roadways.
- (2) Treatment of front yard and sidewalk area. The public streetscape between the building facade and the street shall be developed as a safe and attractive pedestrian area, with amenities such as

sidewalks, lighting, seating, canopies or awnings and landscaping.

(3) Building placement and frontage on street.

- (a) The building facade shall occupy the entire lot frontage, except as provided in Subsection **C(3)(b)** through **(e)** below.
- (b) A single driveway and/or walkway shall be permitted between the building and a side lot line where needed for access to a rear parking area. The maximum distance from the side lot line to the building shall be 30 feet for a two-way access, 16 feet for a one-way access, or eight feet for a walkway without vehicular access. (Driveways may be wider at the street in accordance with access permit requirements.)
- (c) For through lots, placement of building facades along both lot frontages is encouraged but not required. A through lot with building facade frontage on both roads may have one driveway and/or pedestrian access for each road.
- (d) For corner lots with cumulative frontage greater than 200 feet, a lesser building facade frontage may be approved **by the Planning Commission** along one road, provided the primary building facade and entrances are oriented towards the street frontages and the building complies with front yard requirements and architectural standards for corner lots.
- (e) For lots with frontage on two or more roads, in determining which streets should have continuous building facade frontage, priority shall be based upon street classifications established by the Town of Bel Air Comprehensive Plan. Continuous building walls shall be created and retained along streets in the following order of priority: principal arterials, minor arterials, urban collectors, local roads. **Solid walls with a minimum height of 42 inches may be approved by the Planning Commission as a substitute for a building façade for one street frontage only.**

(4) Building setbacks and lot width. [Amended 2-21-2012 by Ord. No. 748-12; 4-3-2017 by Ord. No. 780-17]

- (a) Buildings with height up to 45 feet:
  - [1] Minimum front setback: zero feet; maximum front setback: 10 feet.
  - [2] Minimum side and rear setback: zero feet, except 10 feet if lot is adjacent to an R District.
  - [3] No minimum lot width for nonresidential uses.
- (b) Buildings with height between 45 feet and 55 feet:
  - [1] Minimum front setback: 10 feet from right-of-way, no maximum front setback.
  - [2] Minimum side and rear setback: zero feet, except 30 feet if lot is adjacent to an R District.

[\[Image\]](#)

[\[Image\]](#)

**Figure 165-30.I**

**Illustration of height, setback and front yard standards for the B-2 District.**

- [3] For a corner lot with frontage on two arterial roads, the front yard setback shall be applied to the primary access frontage only.
- (5) Parking and access.
- (a) Required parking may be provided off site in accordance with Article VII, § 165-51. For residential uses, a minimum of one parking space per dwelling unit shall be provided on site or **adjoining** ~~abutting~~ the site. **[Amended 2-21-2012 by Ord. No. 748-12; 4-3-2017 by Ord. No. 780-17; 9-16-2019 by Ord. No. 792-19]**
- (b) Limit the width of curb cuts to 30 feet for two-way access or 22 feet for one-way access, unless a wider curb cut is required by the Maryland State Highway Administration.
- (c) Off-street parking shall be located to the rear of the principal structure.
- (d) If a lot has frontage on more than one street:
- [1] For a corner lot, parking shall be located on one side of the building interior to a block. Parking shall be no closer to the street than the building facade facing the same street **and screened with a minimum three-foot height wall or ornamental fence.**
- [2] For a through lot, parking may be located along one street frontage only. **[Amended 4-3-2017 by Ord. No. 780-17]**
- [3] For a lot with frontage on three streets, parking may be located along no more than two street frontages **and must be screened with a minimum three-foot height wall or ornamental fence.** If feasible, limit **parking** to one street frontage.
- (e) In determining where to locate on-site parking, priority shall be based upon the street classifications established by the Town of Bel Air Comprehensive Plan. Parking areas adjacent to public street rights-of-way should be located adjacent to a local road whenever possible, then adjacent to the following types of roads, in order of preference: urban collectors, minor arterials, principal arterials.

[\[Image\]](#)

**Figure 165-30.II**

**Illustration of site design standards: corner lot and interior lot.**

[\[Image\]](#)

**Figure 165-30.III**

[\[Image\]](#)

**Illustration of site design standards: interior lots with shared driveway.**

[\[Image\]](#)

**Figure 165-30.IV**

**Illustration of site design standards: through lot.**

- (6) Screening for parking. **[Amended 4-3-2017 by Ord. No. 780-17]**
    - (a) Parking areas unscreened by buildings for a length of 50 feet or greater shall be screened by an ornamental fence or wall, three feet high, between the parking area and the street right-of-way. Landscaping may be added between the wall and the right-of-way.
    - (b) Parking areas unscreened by buildings for a length of less than 50 feet shall be screened by a continuous evergreen hedge or an ornamental fence or wall with a minimum height of three feet.
  - (7) Retail development standards.
    - (a) The floor area of an individual retail establishment shall not exceed 40,000 square feet.
  - (8) Residential development standards. **[Amended 4-3-2017 by Ord. No. 780-17]**
    - (a) Townhouses shall not be located on a lot with frontage on a principal arterial road.
    - (b) Garages, attached or detached, shall be accessed from the rear of the dwelling.
    - (c) Standards for percentage of window area shall not apply.
    - (d) Maximum building coverage for townhouses shall be 60% of the lot area.
    - (e) The standards of § **165-27** shall apply to single-family detached dwellings in the B-2 District.
- D. Architectural standards.
- (1) Building facade quality and variation.
    - (a) Use architectural details that provide visual interest and human scale on ground floor facades facing a public street. Features can include windows, columns, piers, entrances, and storefront windows.
    - (b) All facades shall be of finished quality and consistent in color and material with the front facade.
    - (c) Buildings on corner lots shall be architecturally treated as having frontage on all facades along a street.

- (d) Facades greater than 40 feet in length shall be articulated with discernible architectural elements, using one or more of the techniques listed below. Minor changes in material are not sufficient. The facade shall be divided into bays a maximum of 40 feet in length.
  - [1] Divide facades into bays using masonry piers that frame window and door elements.
  - [2] Use vertical and horizontal articulation to break the facade, including features such as breaks in the surface of the wall (wall projections or recesses); the placement of window and door openings; or the placement of balconies, awnings, or canopies.
  - [3] Divide the facade into a series of display windows.
  - [4] Provide recessed entries.
- (e) Buildings greater than 45 feet in height shall: **[Amended 4-3-2017 by Ord. No. 780-17]**
  - [1] Provide a transition from the pedestrian levels to the upper stories through the use of materials, building articulation, and detailing.
  - [2] Use horizontal articulation to avoid monolithic street wall facade, using the features listed in Subsection **D(1)(d)** above.
  - [3] Employ varied, articulated or fenestrated facades.

[\[Image\]](#)

**Figure 165-30.V**

**Facade walls should be designed to break down into component pieces horizontally and vertically.**

- (2) Entrances and windows.
  - (a) Emphasize the entrances on facades facing the street through design features such as columns, transoms, recessed entry, awnings or other features.
  - (b) Provide attractive design features and safe and convenient pedestrian access for entrance on side and rear facades.
  - (c) Generally, use framed, individual windows with vertical proportions. Continuous strip windows or other designs may be approved, subject to review by an independent architect in accordance with Article **XVI**, § **165-118A(6)**.
  - (d) Glass should not be reflecting, as in mirrored windows. Tinted glass to prevent inner glare may be allowed, subject to review by the Zoning Administrator. Justification for tinted glass shall be submitted to the Zoning Administrator.
  - (e) Window area on facades facing public streets shall be within the following range:
    - [1] Storefront buildings: 70% to 90% for the ground floor; 40% to 80% for upper floors.
    - [2] Other buildings: 60% to 90% for the ground floor; 40% to 80% for upper floors.

- [3] A smaller window area may be approved, subject to review by an independent architect in accordance with Article XVI, § 165-118A(6), for buildings that require less window area based upon their function.

[Image]

[Image]

**Figure 165-30.VI**

**Illustration of window area standards. (The building design is for illustrative purposes and is not intended to require or recommend a particular architectural style.)**

- (3) Roof design. Provide a cornice or fascia at the roofline to create a strong roofline and give a finished appearance to the building facade.
- (4) Compatibility with neighboring buildings.
- (a) Infill buildings within a block that is primarily developed shall contribute to the visual cohesiveness of the block. This may be accomplished through:
- [1] Continuation of an established building wall, where applicable; and
- [2] Similarity between existing building facades and the proposed structure in one or more of the following elements: height and spacing of entrances and windows, window proportions, cornice height, canopy lines or roof treatments.
- (b) Buildings located adjacent to a designated historic site shall be designed to complement the historic building architecture using similar proportions, spacing and height of windows, entrances, facade bays, cornices, or similarity in materials and colors.
- (5) Awnings and canopies.
- (a) Awnings and canopies should be visually contained within the building framework of columns and other architectural trim.
- (b) Awnings and canopies should be compatible with the building and/or window in material, scale, proportion, and color.
- (c) Awnings and canopies shall maintain a clearance of eight feet above the ground.
- (6) Materials and colors.
- (a) Brick, high-quality masonry or alternative material compatible and complimentary to materials used in the zoning district are appropriate for the primary building material of a principal building.
- (b) Simplicity of design and a limited range of colors and materials are encouraged. In general, use no more than three colors on a facade, including natural colors, such as unpainted stone or brick.

- (c) Contrasting colors may be used to accent architectural details, window trim, and entrances.
- (7) Trademark buildings. Trademark buildings with franchise architecture shall conform in full to these architectural standards. Departures, for the purpose of conforming to corporate design standards, are not permitted.
- (8) Mechanical equipment. Screen mechanical equipment (such as air compressors, pumps, transformers, meters, boxes, and HVAC units) from public streets and public open spaces. Screening methods may include locating equipment upon a roof behind a parapet wall or to the rear of the building, fencing, or appropriate landscaping.
- (9) Structured parking.
  - (a) Structured parking is encouraged to allow efficient use of land and provide shared parking within the downtown area.
  - (b) Whenever possible, integrate structured parking within a structure containing other uses. Locate retail or service uses on the first-floor street facade if possible. Treat parking structure facades visible from the street in the same manner as the primary building facades.
  - (c) Freestanding parking structures not integrated with other uses should, if possible, be located in the interior of a block accessed from a side street or alley.
  - (d) If a freestanding parking structure is adjacent to a public street right-of-way other than an alley, the structure shall be set back a minimum of eight feet from the right-of-way.
  - (e) Design structured parking with materials, architectural details and landscaping that enable the structure to relate to the pedestrian scale and context and comply with requirements for facade quality and variation. Window area requirements shall not apply.
- (10) Fire protection. For buildings higher than three stories or 45 feet, adequate access for ladder rescue vehicles shall be available on two sides of the proposed building to ensure fire/life safety protection, and a sprinkler system shall be installed throughout the building.

E. Site elements.

- (1) Fencing and screening.
  - (a) Walls and fences shall be uniform and compatible with architectural style, color and building material. Appropriate materials include iron grating, wood, stone or brick. No **jersey barrier**, split rail, wire mesh or chain-link **walls or** fencing will be permitted. **Temporary barriers other than chain link must be approved by the Director of Public Works.** Walls greater than 40 feet in length shall incorporate some form of visual relief, including, but not limited to, pattern breaks, barrier wall construction, vertical features such as columns, differing construction materials or a combination of the above. **[Amended 4-3-2017 by Ord. No. 780-17]**
  - (b) All service areas, including, but not limited to, shipping, loading areas, dumpsters, refuse bins and similar accessory uses, shall be placed in the side or rear yard and screened from public view.



- (c) Rooftop mechanical equipment and vents, utility facilities and other such equipment shall be located away from public view or screened with a treatment that is complementary to the building architecture. If service areas are exposed to view due to site conditions, such areas shall be screened with landscaping and appropriate fencing.
- (2) Lighting and security. **[Amended 4-3-2017 by Ord. No. 780-17]**
- (a) The use of decorative lighting and supporting structures consistent with building design, style and color is encouraged.
  - (b) Exterior lighting shall not exceed 20 feet in height and shall meet requirements found in Article VII.
  - (c) The use of security alarm systems is encouraged.
- (3) Vehicular and pedestrian access.
- (a) Vehicular access points shall be kept to a minimum. Shared or linked parking areas that provide cross access to adjacent properties are encouraged.
  - (b) Access points for corner sites shall be located in accordance with requirements noted in Article VII of this Part 2.
  - (c) Street connectivity and access management shall be ensured through driveway consolidation, relocation and enclosure of curb cuts and driveways, creation of medians and shared driveways to help improve the function of commercial streets.
  - (d) Walkways shall be designed to meet the following requirements:
    - [1] Provide safe, convenient, well-illuminated entrance to the building.
    - [2] Protect pedestrians from vehicular intrusion with landscaping and curbs that are integrated into the overall streetscape design.
    - [3] Provide safe community access for the handicapped to all major building entrances by means of minimum grade changes, curb cuts, ramps and railings, as required by the Americans with Disabilities Act (ADA).
    - [4] A continuous internal pedestrian walkway shall be provided from the perimeter public sidewalk to the principal customer entrance(s). ADA-compliant sidewalks extending the full length of the building or center must be provided along any facade featuring a customer entrance and along any facade abutting public parking areas. Modifications may be authorized by the Building Official on a case-by-case basis when site conditions warrant. **[Amended 4-3-2017 by Ord. No. 780-17]**
    - [5] The internal pedestrian walkways, including those crossing vehicular lanes, must be distinguished from driving surfaces through the use of special pavers or scored concrete to enhance pedestrian safety and the attractiveness of the walkways.
- (4) Landscaping and amenities. Landscaping shall be designed to add visual interest to open spaces, parking areas and facades, as well as to soften the transition between buildings of

different heights and styles. Landscaping plans shall be submitted as required in Articles **VI** and **VIII** of this Part **2**. The landscape plan shall be designed to meet the following minimum requirements:

- (a) Preserve the maximum number of existing healthy trees when developing the site.
- (b) Add visual interest to open spaces and blank facades by utilization of landscaping to enhance the streetscape.
- (c) Provide definition of public walkways and open areas.
- (d) Provide a consistent visual image between adjacent properties along the streetscape.
- (e) Provide appropriate curbs, tree guards and grates to ensure the continued health of the plant material located in pedestrian areas.
- (f) Provide plant species for year-round appearance, maintenance and compatibility with adjacent properties.
- (g) Provide plants in proper size and quantities to allow their healthiest establishment and to complement the development and the streetscape.

F. Density, lot area, width, height and yard requirements. Table 165-30 outlines the requirements for uses in the B-2 District, subject to the modifications provided under Article **IX** of this Part **2**.  
**[Amended 4-3-2017 by Ord. No. 780-17]**

G. Thresholds for applicability of requirements.

- (1) No legally existing use shall be considered nonconforming due to noncompliance with the standards of this zoning district for maximum setback, minimum height, minimum building facade frontage along a public street right-of-way, location of parking or access driveways, or architectural standards.
- (2) The following table specifies the thresholds at which the standards of this district shall apply to proposed expansions or new constructions.
- (3) If a proposed building expansion exceeds 50% of the gross building area existing on the effective date of this section, and the proposed development site will not comply with the requirements of this zoning district:
  - (a) Special exception approval shall be required for the expansion.
  - (b) The Board of Appeals, in reviewing the proposed special exception, shall evaluate whether the proposed expansion will contribute to accomplishing the purposes of this zoning district and complies, to the extent feasible and reasonable, with the applicable standards indicated in the following chart:

**Table 165-30A: Thresholds for Applying Requirements to New Construction**

**[Amended 4-3-2017 by Ord. No. 780-17]**

Extent of Development	General Standards		Standards Specific to B-2 District			
	Architectural Standards	Design Standards for Site Elements	Building Placement and Frontage	Minimum and Maximum Front Setback	Parking Location	Landscaping and Screening for Parking Area
New development	X	X	X	X	X	X
Additions to single-family detached dwellings						
Additions to existing nonresidential or multifamily building not exceeding 50% of gross floor area; the standards indicated shall apply only to new construction and new site improvements	X	X				
Additions to existing nonresidential or multifamily building greater than 50% of gross floor area; compliance is required or special exception approval is needed for deviations from requirements	X	X	X		X	
Parking areas that add 1 to 5 spaces					X	X
Parking areas with 6 or more spaces		X			X	X

§ 165-31 B-2A Central Business Gateway District.

A. Purpose. The Central Business Gateway District is established to:

- (1) Allow reuse, infill and redevelopment in areas bordering Bel Air's traditional Town Center in a

manner that retains the small-town scale of development and provides a sense of arrival to the Town's historic core.

- (2) Encourage efficient use of land and compact development that establishes a logical extension of the traditional downtown, reinforces pedestrian connections and is compatible with existing buildings within and adjacent to the B-2A District.
- (3) Strengthen the pattern of land use that integrates services, offices, civic uses, residences and public amenities.
- (4) Provide for safe and convenient pedestrian, demolition and automotive travel.
- (5) Require the use of building components that are human in scale.
- (6) Encourage protection of mature vegetation and establishment of landscaping to reinforce the existing network of open space, lawns, gardens and landscaped areas.
- (7) Provide transitions or buffers so that new development is compatible with and protective of surrounding residential uses.

B. General regulations. [Amended 4-3-2017 by Ord. No. 780-17]

- (1) **A short term rental unit as defined in Article XIV, may be permitted as a special exception.** Customary home occupations and professional services may be permitted in accordance with the performance standards set forth in Article VII. A home occupation certificate is required.
- (2) Street trees shall be required along the street edge of the primary access road with clustering of smaller trees encouraged throughout the developed areas.
- (3) A comprehensive coordinated sign plan shall be submitted at the time of site plan review. This shall include one or a combination of the following signage styles: freestanding, directory, projecting, wall, roof, canopy, and/or window. Signs shall be designed to project the image of the business or service while complementing the design of the subject property and other buildings in the district. All signs, including banners, require a permit. Signs shall conform to regulations specified in Article XV of this chapter. [Amended 9-16-2019 by Ord. No. 792-19]
- (4) The regulations in the B-2 District, Article III, § 165-30D, Architectural standards, and § 165-30E, Site elements, shall apply to the B-2A District.
- (5) Permitted uses are listed in the use and classification charts located at the end of Article III. Applicable regulations contained in other articles shall apply in the B-2A District.

C. Site design standards.

- (1) Design goals.
  - (a) The streetscape and the building facade facing the street shall be the primary focus of the development.
  - (b) New development shall contribute to the creation or reinforcement of a pedestrian-friendly

streetscape with sidewalks lined by front yards that provide attractive landscaping and convenient access to building entrances.

- (c) Parking shall not be a dominant visual element of the streetscape. Parking should be screened by buildings or buffered by attractive plantings or low walls.
  - (d) Building and site designs should preserve and enhance special street views, in particular, views of landmark buildings and natural features, focal points at T-intersections and views along curving roadways.
- (2) Treatment of front yard areas. The front yard area for a nonresidential use shall be landscaped to provide a green amenity area that contributes to an attractive streetscape. The landscaping shall include at least three of the following elements: trees, shrubs, flowering plants, benches, gazebos, lawn or other elements that contribute towards the goal of this provision.
- (3) Building placement and frontage on street.
- (a) The building facade must occupy at least 60% of the street frontage.
  - (b) A single driveway and/or walkway shall be permitted between the building and a side lot line for access to a side or rear parking area.
  - (c) For corner lots with cumulative frontage greater than 200 feet:
    - [1] A building facade frontage less than 60% may be approved along one road, provided that the proposed building complies with the architectural standards for corner buildings and has the primary building facade and entrances oriented towards the street frontages.
    - [2] In determining which streets should have the required building facade frontage, priority shall be based upon street classifications established by the Town of Bel Air Comprehensive Plan. The required building frontage shall be created along streets in the following order of priority: principal arterials, minor arterials, urban collectors, local roads.
- (4) Parking location and access.
- (a) Required parking may be provided off site in accordance with Article VII, § 165-51. For residential uses, a minimum of one parking space per dwelling unit shall be provided on site or **adjoining adjacent to** the site.
  - (b) Limit the width of curb cuts to 30 feet for two-way access or 22 feet for one-way access, unless a wider curb cut is required by the Maryland State Highway Administration.
  - (c) For interior lots, off-street parking shall be located to the rear of the principal structure. In addition, no more than 1/2 bay of parking may be located to the side of the principal structure, no closer to the street than the building facade.
  - (d) If a lot has frontage on more than one street:
    - [1] For a corner lot, parking shall be located on sides of the building interior to the

blocks. Parking spaces shall be no closer to the street than the building facade facing the same street **and screened with a minimum three-foot height wall, ornamental fence or landscape.**

[2] For a through lot, parking shall be located along one street frontage only.

[3] For a lot with frontage on three streets, parking may be located along no more than two street frontages **and screened with a minimum three-foot height wall, ornamental fence or landscape;** if feasible, limit to one street frontage.

(e) In determining where to locate on-site parking, priority shall be based upon the street classifications established by the Town of Bel Air Comprehensive Plan. Parking areas adjacent to a public street right-of-way should be located adjacent to a local road whenever possible, then along the following types of roads, in order of preference: urban collectors, minor arterials, principal arterials.

[\[Image\]](#)

**Figure 165-31.I**

**Illustration of site design standards for the B-2A District.**

- (5) Screening for parking areas. Perimeter landscaping shall be provided between parking areas and street rights-of-way by a continuous evergreen hedge or an ornamental fence or wall with a minimum height of three feet. **[Amended 4-3-2017 by Ord. No. 780-17]**
- (6) Design of pedestrian areas, walls and fences.
  - (a) Walkways and pedestrian amenities shall be constructed of materials compatible in color, pattern, texture and scale with adjacent and nearby buildings.
  - (b) Walls and fences shall be uniform and compatible with the architectural style, color and materials of buildings in close proximity. Appropriate materials include iron grating, wood, stone, finished decorative concrete or brick. Chain-link fencing is not permitted.
- (7) Retail development standards. The floor area of an individual retail establishment shall not exceed 7,500 square feet.
- (8) Residential development standards.
  - (a) The front facade of townhouses shall not face a principal arterial road.
  - (b) Porches and steps may encroach up to eight feet into the minimum front yard.
  - (c) Garages, attached or detached, shall be accessed from the rear of the dwelling.
  - (d) Standards for percentage of window area shall not apply.
  - (e) Maximum building coverage for townhouses shall be 60% of the lot area.
  - (f) The standards of § **165-27** shall apply to single-family detached dwellings in the B-2A

District.

- D. Density, lot area, width, height and yard requirements. Table 165-31 outlines the requirements for uses in the B-2A District, subject to the modifications provided under Article IX of this Part 2. [Amended 4-3-2017 by Ord. No. 780-17]

[\[Image\]](#)

**Figure 165-31.II**

**Illustration of height, setback and front yard standards for the B-2A District.**

- E. Thresholds for applicability of requirements.
- (1) No legally existing use shall be considered nonconforming due to noncompliance with the standards of this zoning district for maximum setback, minimum height, minimum building facade frontage along a public street right-of-way, location of parking or access driveways, or architectural standards.
  - (2) The following table specifies the thresholds at which the standards of this district shall apply to proposed expansions or new construction.
  - (3) If a proposed building expansion exceeds 50% of the gross building area existing on the effective date of this section, and the proposed development site will not comply with the requirements of this zoning district:
    - (a) Special exception approval shall be required for the expansion.
    - (b) The Board of Appeals, in reviewing the proposed special exception, shall evaluate whether the proposed expansion will contribute to accomplishing the purposes of this zoning district and complies, to the extent feasible and reasonable, with the applicable standards indicated in the following chart:

**Table 165-31A: Thresholds for Applying Requirements to New Construction**

[Amended 4-3-2017 by Ord. No. 780-17]

Extent of Development	General Standards		Standards Specific to B-2A District			
	Architectural Standards	Design Standards for Site Elements	Building Placement and Frontage	Minimum and Maximum Front Setback	Parking Location	Landscaping and Screening for Parking Area
New development	X	X	X	X	X	X
Additions to single-family detached dwellings						
Additions to existing	X	X				

**Table 165-31A: Thresholds for Applying Requirements to New Construction**

[Amended 4-3-2017 by Ord. No. 780-17]

Extent of Development	General Standards		Standards Specific to B-2A District			
	Architectural Standards	Design Standards for Site Elements	Building Placement and Frontage	Minimum and Maximum Front Setback	Parking Location	Landscaping and Screening for Parking Area
nonresidential or multifamily building not exceeding 50% of gross floor area; the standards indicated shall apply only to new construction and new site improvements						
Additions to existing nonresidential or multifamily building greater than 50% of gross floor area; compliance is required or special exception approval is needed for deviations from requirements	X	X	X		X	
Parking areas that add 1 to 5 spaces					X	X
Parking areas with 6 or more spaces		X			X	X

**§ 165-32 B-3 General Business District.**

A. Purpose.

- (1) The General Business District is designed to accommodate a wide range of commercial establishments. Uses in this district serve a wide area and tend to generate high volumes of vehicular traffic. This district is intended to accommodate more intense commercial and mixed-use development and to implement the goals of the Economic Development Element of the Town of Bel Air Comprehensive Plan.



- (2) These areas are located along major transportation corridors and should be developed in a sensitive manner to ensure compatible architecture and site design consistent with a major gateway. Campus-style development patterns with multilevel buildings, service, retail and institutional uses in a park-like setting are encouraged. The district should satisfy regional needs for large-scale institutional and commercial development.

B. General regulations. [Amended 4-3-2017 by Ord. No. 780-17]

- (1) **A short term rental unit as defined in Article XIV, may be permitted as a special exception.** Customary home occupations and professional services may be permitted in accordance with the performance standards set forth in Article VII. A home occupation certificate is required.

~~(2) General regulations found in the R-O District, as shown in Article III, § 165-28B(2) through (10), shall apply to all developments in this district.~~

- (23) Development shall enhance the visual approach to the Town by providing an attractive gateway to the Town.
- (34) Street trees shall be required along the street edge of the primary access road, with clustering of smaller trees encouraged throughout the developed areas.
- (45) A comprehensive coordinated sign plan shall be submitted at the time of site plan review. This shall include one or a combination of the following signage styles: freestanding, directory, projecting, wall, roof, canopy and/or window. All signs, including banners, require a permit. Signs shall conform to the regulations as specified in Article XV of the Town of Bel Air Development Regulations.

C. **Site Design Standards**

- (1) **An access permit shall be required for all parking area curb cuts. Curb cuts on Town roads for new uses shall not exceed 35 feet, and the driveway shall not exceed 24 feet in width. The curb cut sidewalk pattern should be carried across the driveway. Buildings, low walls and attractive plantings shall be used to screen commercial parking areas.**
- (2) **Architecture shall be compatible with neighboring development and provide a cohesive and rational pattern. All development shall consider design features that will create an attractive and visual continuity between proposed development and adjacent areas. Buildings shall be constructed to ensure visual privacy and sunlight for adjacent structures, as well as protection from the new or renovated developments, site illumination, noise and odors, as applicable.**
- (3) **Building and site design should preserve and enhance special street views. Views of landmark buildings, natural features, focal points at T-intersections and views along curving roadways shall be highlighted. Traditional building materials, such as brick or high-quality masonry finish, are encouraged.**
- (4) **Building, design, height and massing.**
  - (a) **Building materials shall be compatible in quality, color, texture, finish and dimension with other buildings in the area. Architecturally harmonious material, color, texture**

and treatment shall be used for all exterior walls.

- (b) Rear facades shall be of finished quality and shall be consistent in color and material with the rest of the building.
  - (c) The style and scale of the proposed building shall respect design elements prevalent in the area. Examples of such elements are the width, roofline pattern, size, shape, height, facing windows and building materials found throughout the Town.
  - (d) The use of fenestration, patterns and traditional design elements is encouraged. Examples of such design elements are awnings, facade offsets, covered porticos, recessed or projected entries and other appropriate architectural features. Building walls shall be a maximum of 40 feet in length without modulation.
  - (e) Roof forms shall be considered based on their compatibility with the existing architectural context and the character of nearby buildings.
  - (f) Glass should not be reflecting, as in mirrored windows. Tinted glass to prevent inner glare may be allowed, subject to review by the Zoning Administrator. Justification for tinted glass shall be submitted to the Zoning Administrator.
  - (g) Simplicity of design and a limited range of colors and materials are encouraged. Contrasting colors which accent architectural details and entrances are encouraged, as well as the use of graffiti-resistant materials.
  - (h) A building height transition or step down is required for projects that are adjacent to residential districts.
  - (i) The area covered by impervious surfaces shall be minimized in accordance with Section 165-00
- (6) Fencing and screening.
- (a) Walls and fences shall be uniform and compatible with architectural style, color and building material. Appropriate materials include iron grating, wood, stone or brick. Walls greater than 40 feet in length shall incorporate some form of visual relief, including, but not limited to, pattern breaks, barrier wall construction, vertical features such as columns, differing construction materials or a combination of the above.
  - (b) All service areas, including, but not limited to, shipping, loading areas, dumpsters, refuse/recycling bins and similar accessory uses, shall be located in the side or rear yard and screened from public view.
  - (c) Rooftop mechanical equipment and vents, utility facilities and other such equipment shall be located away from public view or screened with a treatment that is complimentary to the building architecture. If service areas are exposed to view due to site conditions, such areas shall be screened with landscaping and ornamental fencing.
- (7) Lighting and security.

- (a) The use of decorative lighting and supporting structures consistent with building design, style and color is encouraged.
- (b) Lighting provided for parking areas shall not exceed 25 feet in height and shall meet requirements found in Article VII.
- (c) The use of security alarm systems is encouraged.

**(8) Vehicular and pedestrian access.**

- (a) Access points for corner sites shall be located in accordance with requirements noted in Article VII of this Part 2.
- (b) Curb cuts should be eliminated or minimized to the greatest extent possible through shared driveways with adjacent properties.
- (c) Street connectivity and access management shall be ensured through driveway consolidation, relocation and enclosure of curb cuts and driveways, creation of medians and shared driveways to help improve the function of commercial streets.
- (d) Walkways shall be designed to meet the following requirements:
  - [1] Provide safe, convenient, well-illuminated entrance to the building.
  - [2] Protect pedestrians from vehicular intrusion with landscaping and curbs that are integrated into the overall streetscape design.
  - [3] Provide safe community access for the handicapped to all major building entrances by means of minimum grade changes, curb cuts, ramps and railings, as required by the Americans with Disabilities Act (ADA).
  - [4] A continuous internal pedestrian walkway shall be provided from the perimeter public sidewalk to the principal customer entrance(s). ADA-compliant sidewalks extending the full length of the building or center must be provided along any facade featuring a customer entrance and along any facade abutting public parking areas. Modifications may be authorized by the Building Official on a case-by-case basis when site conditions warrant.
  - [5] The internal pedestrian walkways, including those crossing vehicular lanes, must be distinguished from driving surfaces using special pavers or scored concrete to enhance pedestrian safety and to distinguish walkways.

**CD.** Special regulations. In addition to the general regulations noted above, the following regulations and the applicable regulations contained in other articles shall apply in the B-3 General Business District. Certain uses are subject to performance standards specified in Article VII of this Part 2. **Exterior lighting shall not exceed 25 feet in height and all lighting shall meet the requirements found in Article VII.** [Amended 4-3-2017 by Ord. No. 780-17]

**DE.** Density, lot area, width, height and yard requirements. Table 165-32 outlines the minimum requirements that shall apply for uses in the B-3 District, subject to the modifications provided under Article IX of this Part 2. [Amended 4-3-2017 by Ord. No. 780-17]

§ 165-33 **B-3A General Business Gateway District.**

A. Purpose. The General Business Gateway District is established to:

- (1) Promote reuse, infill and redevelopment that provide a transition from the highway-oriented development of the B-3 District to the Town's pedestrian-oriented, historic core.
- (2) Encourage efficient use of land and compact development with a mixture of retail, service, office, civic and residential uses.
- (3) Allow the land uses permitted in the B-3 District while incorporating design standards appropriate to Bel Air's traditional downtown core.
- (4) Encourage increased economic vitality through the addition of new downtown residences and uses that attract visitors, such as specialty shops, restaurants, theaters and overnight accommodations.
- (5) Encourage mixed-use buildings with retail and service uses at street level and office or residential uses on upper levels.
- (6) Promote redevelopment of vacant and underutilized properties.
- (7) Provide for safe and convenient pedestrian, bicycle and automotive travel.
- (8) Provide pedestrian connections between Route 1 and Bel Air's downtown area.
- (9) Retain and create attractive streetscapes with a lively, pedestrian-oriented character.
- (10) Require the use of building components that are human in scale.
- (11) Provide transitions or buffers so that new development is compatible with and protective of surrounding residential uses.

B. General regulations. [Amended 4-3-2017 by Ord. No. 780-17]

- (1) **A short term rental unit as defined in Article XIV, may be permitted as a special exception.** Customary home occupations and professional services may be permitted in accordance with the performance standards set forth in Article VII. A home occupation certificate is required.
- (2) Street trees shall be required along the street edge of the primary access road, with clustering of smaller trees encouraged throughout the developed areas.
- (3) A comprehensive coordinated sign plan shall be submitted at the time of site plan review. This shall include one or a combination of the following signage styles: freestanding, directory, projecting, wall, roof, canopy, and/or window. Signs shall conform to regulations specified in Article XV of this chapter.
- (4) The regulations in the B-2 District, Article III, § 165-30D, Architectural standards, and § 165-30E, Site elements, shall apply to the B-3A District.
- (5) Permitted uses are listed in the use and classification charts located at the end of Article III.

Applicable regulations contained in other articles shall apply in the B-3A District.

C. Site design standards.

(1) Design goals.

- (a) The streetscape and the building facade facing the street shall be the primary focus of the development.
- (b) New development shall contribute to the creation or reinforcement of a pedestrian-friendly streetscape with a strong pedestrian edge along the sidewalk and screening for parking.
- (c) Buildings on corner lots shall establish a strong presence with unified facade design along both street frontages.
- (d) Parking shall not be a dominant visual element of the streetscape. Parking should be screened by buildings or buffered by attractive plantings or low walls.
- (e) Building and site designs should preserve and enhance special street views, in particular, views of landmark buildings and natural features, focal points at T-intersections and views along curving roadways.

(2) Treatment of front yard and sidewalk area. The public streetscape between the building facade and the street shall be developed as a safe and convenient pedestrian area with attractive amenities, such as sidewalks, public plazas or squares, lighting, seating, canopies or awnings and landscaping.

(3) Building placement and frontage on street.

- (a) For lots with street frontage of less than 100 feet, the building facade must occupy at least 70% of the street frontage.
- (b) For lots with street frontage of 100 feet or greater, the building facade must occupy at least 60% of the street frontage.
- (c) The Planning Commission may approve buildings with lesser frontage:
  - [1] To allow phasing of a development project in accordance with a detailed phasing plan; or
  - [2] To allow a reduction to 50% of the street frontage if the plan represents an alternative design that fulfills the purposes of this zoning district and the design goals listed in Subsection **C(1)** above.
- (d) A single driveway and/or walkway shall be permitted between the building and a side lot line for access to a side or rear parking area.
- (e) For corner lots with cumulative frontage greater than 200 feet:
  - [1] A building facade frontage less than the required percentage may be approved along one road, provided that the proposed building complies with the architectural

standards for corner buildings and has the primary building facade and entrances oriented towards the street frontages.

- [2] In determining which streets should have the minimum building facade frontage, priority shall be based upon street classifications established by the Town of Bel Air Comprehensive Plan. The required building frontage shall be created along streets in the following order of priority: principal arterials, minor arterials, urban collectors, local roads.

(4) Building setbacks and lot width. **[Amended 4-3-2017 by Ord. No. 780-17]**

(a) Buildings with height up to 45 feet:

- [1] Minimum front setback: zero feet; maximum front setback 25 feet.
- [2] Minimum side and rear setback: zero feet, except 10 feet if lot is adjacent to an R District.
- [3] No minimum lot width for nonresidential uses.

(b) Buildings with height between 45 feet and 55 feet:

- [1] Minimum front setback: 15 feet; no maximum front setback.
- [2] Minimum side and rear setback: zero feet, except 30 feet if lot is adjacent to an R District.

**[Image]**

**Figure 165-33.I**

**Illustration of height, setback and front yard standards for the B-3A District.**

(5) Parking location and access.

- (a) Required parking may be provided off site in accordance with Article VII, § 165-51. For residential uses, a minimum of one parking space per dwelling unit shall be provided on site or adjacent to the site. **[Amended 2-21-2012 by Ord. No. 748-12; 4-3-2017 by Ord. No. 780-17]**
- (b) Curb cut width shall be limited to 30 feet for two-way access or 22 feet for one-way access, unless a wider curb cut is required by the Maryland State Highway Administration.
- (c) Off-street parking shall be located to the rear and to the side of the principal structure.
- (d) For interior lots, parking spaces shall not be located between the building facade and the street.
- (e) If a lot has frontage on more than one street:
  - [1] For a corner lot, parking shall be located on the sides of the building interior to the

block. Parking shall be no closer to the street than the building facade facing the same street **and screened with a minimum height three-foot wall, fence or landscape.**

- [2] For a through lot, parking shall be located along one street frontage only.
- [3] For a lot with frontage on three streets, parking may be located along no more than two street frontages **and screened with a minimum height three-foot wall, fence or landscape**; if feasible, limit to one street frontage.
- (f) In determining where to locate on-site parking, priority shall be given based upon the street classifications established by the Town of Bel Air Comprehensive Plan. Parking areas adjacent to a public street right-of-way should be located adjacent to a local road whenever possible, then adjacent to the following types of roads, in order of preference: urban collectors, minor arterials, principal arterials.

[Image](#)

**Figure 165-33.II**

**Illustration of site design standards for the B-3A District.**

- (6) Screening for parking areas.
  - (a) Parking areas unscreened by buildings shall be screened by a minimum three-foot-high continuous evergreen hedge or equivalent dense landscaping or a decorative wall or fence located at the edge of the sidewalk. **[Amended 4-3-2017 by Ord. No. 780-17]**
- (7) Design of pedestrian areas, walls and fences.
  - (a) Walkways and pedestrian amenities shall be constructed of materials compatible in color, pattern, texture and scale with adjacent and nearby buildings.
  - (b) Walls and fences shall be uniform and compatible with the architectural style, color and materials of buildings in close proximity. Appropriate materials include iron grating, wood, stone, finished decorative concrete or brick. Chain-link fencing is not permitted.
- (8) Residential development standards.
  - (a) The front facade of the townhouses shall not face a principal arterial road.
  - (b) Garages, attached or detached, shall be accessed from the rear of the dwelling.
  - (c) No density standards are applicable to townhouses or multifamily dwellings.
  - (d) Standards for minimum percentage of window area shall not apply.
  - (e) Maximum building coverage for townhouses shall be 60% of the lot area.
  - (f) The standards of § **165-27** shall apply to single-family detached dwellings in the B-3A District.

D. Density, lot area, width, height and yard requirements. Table 165-33 outlines the requirements for uses in the B-3A District, subject to the modifications provided under Article IX of this Part 2. **[Amended 4-3-2017 by Ord. No. 780-17]**

E. Thresholds for applicability of requirements.

- (1) No legally existing use shall be considered nonconforming due to noncompliance with the standards of this zoning district for maximum setback, minimum height, minimum building facade frontage along a public street right-of-way, location of parking or access driveways, or architectural standards.
- (2) The following table specifies the thresholds at which the standards of this district shall apply to proposed expansions or new construction.
- (3) If a proposed building expansion exceeds 50% of the gross building area existing on the effective date of this section, and the proposed development site will not comply with the requirements of this zoning district:
  - (a) Special exception approval shall be required for the expansion.
  - (b) The Board of Appeals, in reviewing the proposed special exception, shall evaluate whether the proposed expansion will contribute to accomplishing the purposes of this zoning district and complies, to the extent feasible and reasonable, with the applicable standards indicated in the following chart:

**Table 165-33A: Thresholds for Applying Requirements to New Construction**

**[Amended 4-3-2017 by Ord. No. 780-17]**

**Extent of Development**

	General Standards		Standards Specific to B-3A District			
	Architectural Standards	Design Standards for Site Elements	Building Placement and Frontage	Minimum and Maximum Front Setback	Parking Location	Landscaping and Screening for Parking Area
New development	X	X	X	X	X	X
Additions to single-family detached dwellings						
Additions to existing nonresidential or multifamily building not exceeding 50% of gross floor area; the standards	X	X				



**Table 165-33A: Thresholds for Applying Requirements to New Construction**

[Amended 4-3-2017 by Ord. No. 780-17]

**Extent of Development**

	General Standards		Standards Specific to B-3A District			
	Architectural Standards	Design Standards for Site Elements	Building Placement and Frontage	Minimum and Maximum Front Setback	Parking Location	Landscaping and Screening for Parking Area
indicated shall apply only to new construction and new site improvements						
Additions to existing nonresidential or multifamily building greater than 50% of gross floor area; compliance is required or special exception approval is needed for deviations from requirements	X	X	X		X	X
Parking areas that add 1 to 5 spaces					X	X
Parking areas with 6 or more spaces		X			X	X

**§ 165-34 M-1 Industrial District.**

- A. Purpose. The Industrial District is designed to accommodate enterprises engaging in the manufacturing, processing, designing, repairing, renovating, cleaning, or assembling of goods, merchandise or equipment. In some instances, the traditional industrial areas are immediately adjacent to residential uses. The regulations and standards in this district are intended to ensure compatibility between these divergent land uses while assuring implementation of the Economic Development Element goals of the Town of Bel Air Comprehensive Plan.
- B. General regulations. [Amended 4-3-2017 by Ord. No. 780-17]
  - (1) Development shall be compatible with neighboring development and provide a cohesive and rational pattern. All development shall consider design features that will create an attractive and visual continuity between proposed development and adjacent neighborhoods. Buildings shall

be constructed to ensure visual privacy and sunlight for adjacent structures, as well as protection from the new or renovated developments, site illumination, noise and odors, as applicable.

- (2) The use of fenestration, patterns and traditional design elements is encouraged. Examples of such design elements are facade offsets, covered porticos, recessed or projected entries and other appropriate architectural features. Building walls shall be a maximum of 40 feet in length without modulation.
- (3) A building height transition or step down is required for projects that are adjacent to residential districts.
- (4) The area covered by impervious surfaces shall be minimized to the greatest extent practicable.
- (5) Fencing and screening.
  - (a) Walls and fences shall be uniform and compatible with architectural style, color and building material.
  - (b) All service areas, including, but not limited to, shipping, loading areas, dumpsters, refuse bins and similar accessory uses, shall be placed in the side or rear yard and screened from public view with a solid wall or fence.
  - (c) Rooftop mechanical equipment and vents, utility facilities and other such equipment shall be located away from public view or screened with a treatment that is complimentary to the building architecture. If service areas are exposed to view due to site conditions, such areas shall be screened with landscaping and appropriate fencing.
- (6) Lighting and security.
  - (a) Exterior lighting provided for parking areas shall not exceed 25 feet high and shall meet requirements found in Article **VII**.
  - (b) The use of security alarm systems is encouraged.
- (7) Vehicular and pedestrian access.
  - (a) Vehicular access points shall be kept to a minimum. Shared or linked parking areas that provide cross access to adjacent properties are encouraged.
  - (b) Access points for corner sites shall be located in accordance with requirements noted in Article **VII** of this Part 2.
  - (c) Walkways shall be designed to meet the following requirements:
    - [1] Provide safe, convenient, well-illuminated entrance to the building.
    - [2] Protect pedestrians from vehicular intrusion with landscaping and curbs that are integrated into the overall streetscape design.
    - [3] Provide safe community access for the handicapped to all major building entrances by means of minimum grade changes, curb cuts, ramps and railings, as required by

the Americans with Disabilities Act (ADA).

[4] A continuous internal pedestrian walkway shall be provided from the perimeter public sidewalk to the principal customer entrance(s). ADA-compliant sidewalks extending the full length of the building or center must be provided along any facade featuring a customer entrance and along any facade abutting public parking areas. Modifications may be authorized by the Building Official on a case-by-case basis when site conditions warrant.

[5] The internal pedestrian walkways, including those crossing vehicular lanes, must be distinguished from driving surfaces through the use of special pavers or scored concrete to enhance pedestrian safety and the attractiveness of the walkways.

(8) Landscaping and amenities. Landscaping shall be designed to add visual interest to open spaces, parking areas and facades, as well as to soften the transition between buildings of different heights and styles **and screen exterior storage of materials and equipment from public view.** Forest stand delineation, forest conservation and landscaping plans shall be submitted as required in Articles **VI** and **VIII** of this Part **2**.

(9) Signage. Signs shall be designed to project the image of the business or service while complimenting the design of the subject property and other buildings in the district. All signs, including banners, require permits. Signs permitted in the district shall conform to regulations as specified in Article **XV** of the Town of Bel Air Development Regulations.

C. Density, lot area, width, height and yard requirements. Table 165-34 outlines the minimum requirements that shall apply for uses in the M-1 District, subject to the modifications provided under Article **IX** of this Part **2**. [**Amended 4-3-2017 by Ord. No. 780-17**]

**§ 165-35 Permitted use tables.**

The permitted use tables are included at the end of this chapter.