

Article III  
**Establishment and Regulation of Zoning Districts**

**EXHIBIT A**

**§ 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. ...

**§ 165-24 General Regulations**

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

**(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.**

- 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]

**§ 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 development** **special exception**. **This use is** **This use is** subject to performance standards as specified in Article VII of this Part 2.

**§ 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.
- (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.

**§ 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]

- (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.

§ 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. ...

**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. ...

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

~~(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: ...

C. Site design standards.

(3) Building placement and frontage on street.

- (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.**

(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 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]
- (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. 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]

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

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

C. Site design standards.

(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 adjacent to the site.~~
- (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.
- (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. 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.**

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

A. Purpose. ...

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

- (1) 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.**
- (5) 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 and fences 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.
- (6) 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.
- (7) 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.**

**ED.** 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: ...

C. Site design standards.

(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]**

(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.

(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. 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.

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