

Ordinance No. 820-23

An Ordinance Amending Articles III and the Table of Lot Requirements
of the Development Regulations in
Chapter 165 of the Bel Air Town Code

WHEREAS, the Board of Town Commissioners is required, under the Land Use Article of the Annotated Code of Maryland, to maintain consistency between the Development Regulations and the Town of Bel Air Comprehensive Plan; and

WHEREAS, the Land Use Article of the Annotated Code of Maryland provides the authority for the Board of Town Commissioners to adopt planning and zoning controls; and

WHEREAS, the Bel Air Board of Town Commissioners wish to update the Development Regulations to respond to public input and residents desires; and

WHEREAS, the changes to Article III and Attachment 2 consisting of Table 165-26 thru Table 165-33 to lower the maximum building height in the Town of Bel Air to 40-feet and adjust setbacks in the B2 and B3A zoning districts; and

NOW, THEREFORE, BE IT ORDAINED by the Board of Town Commissioners that amendments to the Town of Bel Air Development Regulations, Chapter 165, Ordinance No. 820-23, as provided for below is hereby adopted.

§ 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.

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(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] (a) Minimum front setback: zero feet; maximum front setback: 10 feet.~~

~~[2] (b) Minimum side and rear setback: zero feet, except 25 10 feet if lot is adjacent to an R District.~~

~~[3] (c) 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]

Figure 165-30.I {see Exhibit A for amendments}

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.~~

...

- 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 {see exhibit B for amendments}

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

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§ 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.

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

~~(a) Buildings with height up to 45 feet:~~

~~[1] (a) Minimum front setback: zero feet; maximum front setback 25 feet.~~

~~[2] (b) Minimum side and rear setback: zero feet, except 25 10 feet if lot is adjacent to an R District.~~

~~[3] (c) 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 {see Exhibit C for amendments}

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

BEL AIR CODE

**Table of Lot Requirements
for Specific Uses**

**Table 165-26: R-2 Medium-Density
Residential District [Amended 5-21-2012 by
Ord. No. 750-12; 4-3-2017 by Ord. No. 780-17]**

Use Classification	Minimum Lot Area (square feet)	Maximum Density (dwelling/acre)	Minimum Building or Use Setback from Adjacent Residential Lot (feet)	Minimum Lot Width at Building Line (feet)	Minimum Front Yard Depth (feet)	Minimum Side Yard Width (each) (feet)	Minimum Rear Yard Depth (feet)	Maximum Height (feet)
Residential uses								
Single-family detached	8,750	5		70	30	10	35	35
Townhouse	1,800 60,000**	10	§ 165-63C(2)	18	30*	0 (10 end unit) **	40	35
Semidetached dwelling	15,000	10	§ 165-63C(2)	100	30	10	40	30
Two-family dwelling	15,000	8		70	30	10	35	30
Group day care	8,750			70	30	10	35	30
Parks and recreation areas			10		35	10	40	30
Service uses	8,750		10	70	30	10	35	30
Accessory buildings			3			3	3 (lot line); 6 (alley)	20
Other permitted uses	15,000		10	70	30	20	40	30

NOTES:

General requirements shall apply to all permitted uses in this classification. Some uses may have additional requirements specifically cited in Articles VI through X of this chapter.

* Staggered townhouse units permitted with a minimum twenty-five-foot front yard depth.*

** 20-foot side yard setback **and 60,000 sf** required for overall parcel.

COMPREHENSIVE PLAN AND DEVELOPMENT REGULATIONS

Table of Lot Requirements
for Specific Uses

Table 165-27: R-3 High-Density Residential District
[Amended 4-3-2017 by Ord. No. 780-17]

Use Classification	Minimum Lot Area (square feet)	Maximum Density (dwelling/acre)	Minimum Building or Use Setback from Adjacent Residential Lot (feet)	Minimum Lot Width at Building Line (feet)	Minimum Front Yard Depth (feet)	Minimum Side Yard Width (each) (feet)	Minimum Rear Yard Depth (feet)	Maximum Height (feet)
Residential uses								
Single-family detached	8,750	5		70	30	10	35	40
Townhouse	1,800 60,000**	14	§ 165-63C(2)	18	30*	0 (10 end unit)**	40	40
Semidetached dwelling	10,000	14	§ 165-63C(2)	100	30	10	40	40
Two-family dwelling	10,000	10		70	30	10	40	40
Multifamily dwelling	60,000	20	§ 165-63C(2)	100	30	16	42	30
1 1/2 stories		30 (55 and over)		100	33	20	42	40
2 1/2 stories				100	36	24	42	40
3 stories								
Group home	8,750			70	30	10	35	40
Group day care	8,750			70	30	10	35	40
Parks and recreation areas			10		35	10	40	30
Service uses	8,750		10	70	30	10	35	40
Accessory buildings			3			3	3 (lot line); 6 (alley)	20
Other permitted uses	15,000		10	100	30	20	40	40

NOTES:

General requirements shall apply to all permitted uses in this classification. Some uses may have additional requirements specifically cited in Articles VI through X of this chapter.

* Staggered townhouse units permitted with a minimum twenty-five-foot front yard depth.

** 20-foot side yard setback **and 60,000 sf required** for overall parcel.

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**Table of Lot Requirements
for Specific Uses**

**Table 165-28: R-O
Residential Office District
[Amended 4-3-2017 by Ord.
No. 780-17]**

Use Classification	Minimum Lot Area (square feet)	Maximum Density (dwelling/acre)	Minimum Building or Use Setback from Adjacent Residential Lot (feet)	Minimum Lot Width at Building Line (feet)	Minimum Front Yard Depth (feet)	Minimum Side Yard Width (each) (feet)	Minimum Rear Yard Depth (feet)	Maximum Height (feet)
Residential uses								
Single-family detached	8,750	5		70	30	10	35	40
Townhouse	1,800 60,000**	14	§ 165-63C(2)	18	30*	0 (10 end unit)**	40	40
Semidetached dwelling	10,000	14	§ 165-63C(2)	100	30	10	40	40
Two-family dwelling	10,000	10		70	30	10	40	40
Multifamily dwelling	60,000	20 30 (55 and over)	§ 165-63C(2)	100	30	16	42	30
1 1/2 stories				100	33	20	42	40
2 1/2 stories				100	36	24	42	40
3 stories								
Group day care	8,750			70	30	10	35	40
Group home	8,750			70	30	10	35	40
Parks and recreation areas			10		35	10	40	30
Other institutional uses	5,000		10	50	25	10	40	40
Service uses	8,750		10	70	20	10	35	40
Accessory buildings			3			3	3 (lot line); 6 (alley)	20
Other permitted uses	15,000			100	20	20	40	40

NOTES:

General requirements shall apply to all permitted uses in this classification. Some uses may have additional requirements specifically cited in Articles VI through X of this chapter. A "unit" is defined as each individual apartment or condominium.

* Staggered townhouse units permitted with a minimum twenty-five-foot front yard depth.

** 20-foot side yard setback **and 60,000 sf required** for overall parcel.

COMPREHENSIVE PLAN AND DEVELOPMENT REGULATIONS

Table of Lot Requirements
for Specific Uses

Table 165-29: B-1 Limited
Business District [Amended
4-3-2017 by Ord. No. 780-17]

Use Classification	Minimum Lot Area (square feet)	Maximum Density (dwelling/acre)	Minimum Building or Use Setback from Adjacent Residential Lot (feet)	Minimum Lot Width at Building Line (feet)	Minimum Front Yard Depth (feet)	Minimum Side Yard Width (each) (feet)	Minimum Rear Yard Depth (feet)	Maximum Height (feet)
Residential uses								
Single-family detached	8,750	5		70	30	10	35	40
Townhouse	1,800 60,000**	14	§ 165-63C(2)	18	30*	0 (10 end unit)**	40	40
Semidetached dwelling	10,000	14	§ 165-63C(2)	100	30	10	40	40
Two-family dwelling	10,000	10		70	30	10	40	40
Multifamily dwelling	20,000 60,000	20 30 (55 and over)	§ 165-63C(2)					
1 1/2 stories				100	30	16	42	30
2 1/2 stories				100	33	20	42	40
3 stories				100	36	24	42	40
Group day care	8,750			70	30	10	35	40
Group home	8,750			70	30	10	35	40
Parks and recreation areas			10		35	10	40	30
Other institutional uses	5,000		10	50	25	10	40	40
Accessory buildings			10			3	3	20
Other permitted uses	8,750		20 (side yard) 40 (rear yard)		15	10	25	40

NOTES:

General requirements shall apply to all permitted uses in this classification. Some uses may have additional requirements specifically cited in Articles VI through X of this chapter. A "unit" is defined as each individual apartment or condominium.

* Staggered townhouse units permitted with a minimum twenty-five-foot front yard depth.

** 20-foot side yard setback **and 60,000 sf required** for overall parcel

BEL AIR CODE

**Table of Lot Requirements
for Specific Uses**

**Table 165-30: B-2 Central
Business District
[Amended 2-21-2012 by Ord. No. 748-12; 4-3-
2017 by Ord. No. 780-17]**

Type of Land Use	Minimum Lot Area (square feet)	Minimum Building or Use Setback From Adjacent Residential Lot (feet)	Minimum Lot Width at Building Line (feet)	Minimum Front Yard Depth (feet)	Maximum Front Yard Depth (feet)	Minimum Side Yard Width (feet)	Minimum Rear Yard Depth (each) (feet)	Minimum Height (feet)	Maximum Height (feet)
Residential uses									
Single-family detached	8,750		70	30		10	35	20	40
Townhouse	1,800		18	5	15	0 (10 end unit)**	40	20	45 40
Semidetached dwelling	10,000		100	30		10	40	20	45 40
Two-family dwelling	10,000		70	30		10	40	20	45 40
Group day care	8,750		70	30		10	35		40
Group home	8,750		70	30		10	35		40
Accessory buildings		3				0	0		20
Other permitted uses		§ 165-30C	§ 165-30C	§ 165-30C	§ 165-30C	§ 165-30C	§ 165-30C	20	55 40

NOTES:

General requirements shall apply to all permitted uses in this classification. Some uses may have additional requirements specifically cited in Articles VI through X of this chapter.

** 20-foot side yard setback for overall parcel

COMPREHENSIVE PLAN AND DEVELOPMENT REGULATIONS

**Table of Lot Requirements
for Specific Uses**

**Table 165-31: B-2A Central
Business Gateway District
[Amended 4-3-2017 by Ord. No.
780-17]**

Type of Land Use	Minimum Lot Area (square feet)	Minimum Building or Use Setback From Adjacent Residential Lot (feet)	Minimum Lot Width at Building Line (feet)	Minimum Front Yard Depth (feet)	Maximum Front Yard Depth (feet)	Minimum Side Yard Width (feet)	Minimum Rear Yard Depth (each) (feet)	Minimum Height (feet)	Maximum Height (feet)
Residential uses									
Single-family detached	8,750		70	30		10	35	20	40
Townhouse	1,800 60,000**		18	15	25	0 (10 end unit)**	40	20	45 40
Semidetached dwelling	10,000		100	30		10	40	20	45 40
Two-family dwelling	10,000		70	30		10	40	20	45 40
Group day care	8,750		70	30		10	35		40
Group home	8,750		70	30		10	35		40
Accessory buildings		3				0	0		20
Other permitted uses		10		15	25	0	0	20	45 40

NOTES:

General requirements shall apply to all permitted uses in this classification. Some uses may have additional requirements specifically cited in Articles VI through X of this chapter.

** 20-foot side yard setback **and 60,000 sf required** for overall parcel.

BEL AIR CODE

Table of Lot Requirements
for Specific Uses

Table 165-32: B-3 General
Business District [Amended
4-3-2017 by Ord. No. 780-17]

Use Classification	Minimum Lot Area (square feet)	Maximum Density (dwelling/acre)	Minimum Building or Use Setback from Adjacent Residential Lot (feet)	Minimum Lot Width at Building Line (feet)	Minimum Front Yard Depth (feet)	Minimum Side Yard Width (each) (feet)	Minimum Rear Yard Depth (feet)	Maximum Height (feet)
Residential uses								
Single-family detached	8,750	5		70	30	10	35	40
Townhouse	1,800 60,000**	14		18	30*	0 (10 end unit)**	40	40
Semidetached dwelling	10,000	14		100	30	10	40	40
Two-family dwelling	8,750	10		70	30	10	40	40
Multifamily dwelling	60,000	20 30 (55 and over)	20 25 30 35	100 100 100 100	30 33 36 40	16 20 24 28	42 42 42 42	30 40 50 40 60
1 1/2 stories								
2 1/2 stories								
3 stories								
4 stories and above								
Group day care	8,750			70	30	10	35	40
Group home	8,750			70	30	10	35	40
Parks and recreation areas			10		35	10	40	30
Other institutional uses	5,000		10	50	35	10	40	40
Accessory buildings			10			3	3	20
Other permitted uses			10 (side yard) 30 (rear yard)		22	0	10	65 40

NOTES:

General requirements shall apply to all permitted uses in this classification. Some uses may have additional requirements cited in Articles VI through X of this chapter.

* Staggered townhouse units permitted with a minimum twenty-five-foot front yard depth.

** 20-foot side yard setback **and 60,000 sf required** for overall parcel.

COMPREHENSIVE PLAN AND DEVELOPMENT REGULATIONS

Table of Lot Requirements
for Specific Uses

Table 165-33: B-3A General Business
Gateway District [Amended 11-25-2011 by Ord.
No. 744-11; 4-3-2017 by Ord. No. 780-17]

Type of Land Use	Minimum Lot Area (square feet)	Minimum Building or Use Setback From Adjacent Residential Lot (feet)	Minimum Lot Width at Building Line (feet)	Minimum Front Yard Depth (feet)	Maximum Front Yard Depth (feet)	Minimum Side Yard Width (feet)	Minimum Rear Yard Depth (each) (feet)	Minimum Height (feet)	Maximum Height (feet)
Residential uses									
Single-family detached	8,750		70	30		10	35	20	40
Townhouse	1,800 60,000**		18	10	20*	0 (10 end unit)**	40	20	45 40
Semidetached dwelling	10,000		100	30		10	40	20	45 40
Two-family dwelling	10,000		70	30		10	40	20	45 40
Group day care	8,750		70	30		10	35		40
Group home	8,750		70	30		10	35		40
Accessory buildings		10				0	0		20
Other permitted uses		§ 165-33C(4)	§ 165-33C(4)	§ 165-33C(4)	§ 165-33C(4)	§ 165-33C(4)	§ 165-33C(4)	20	55 40

NOTES:

General requirements shall apply to all permitted uses in this classification. Some uses may have additional requirements specifically cited in Articles VI through X of this chapter.

* See § 165-~~32C~~ **33C**

** 20-foot side yard setback **and 60,000 sf required** for overall parcel.

BEL AIR CODE

**Table of Lot Requirements
for Specific Uses**

**Table 165-34: M-1 Industrial
District
[Amended 4-2-2018 by Ord. No. 783-18; 9-16-
2019 by Ord. No. 792-19]**

Use Classification	Minimum Lot Area (square feet)	Maximum Density (dwelling/acre)	Minimum Building or Use Setback from Adjacent Residential Lot (feet)	Minimum Lot Width at Building Line (feet)	Minimum Front Yard Depth (feet)	Minimum Side Yard Width (each) (feet)	Minimum Rear Yard Depth (feet)	Maximum Height (feet)
All permitted residential uses	15,000	20 30 (55 and over)		100	36	24	42	40
All permitted industrial and natural resource uses								
1 story			50		10	15	10	30
2 story			50			15	15	35
3 story			50			20	20	40
Other permitted uses (amusement, retail, service and institutional)			30		10	10	10	40
Accessory buildings			25			10	10	20

NOTES:

General requirements shall apply to all permitted uses in this classification. Some uses may have additional requirements specifically cited in Articles VI through X of this chapter.

BE IT ORDAINED If any provision of this Ordinance shall be held violative of any applicable law or unenforceable for any reason or *ultra vires*, the invalidity or unenforceability of any such provision shall not invalidate or render unenforceable any other provision hereof, which shall remain in full force and effect.

BE IT FURTHER ORDAINED that this Ordinance shall become effective on the twenty-first (21st) day after passage unless petitioned to referendum.

INTRODUCTION:

PUBLIC HEARING:

ENACTMENT:

EFFECTIVE:

AYES:

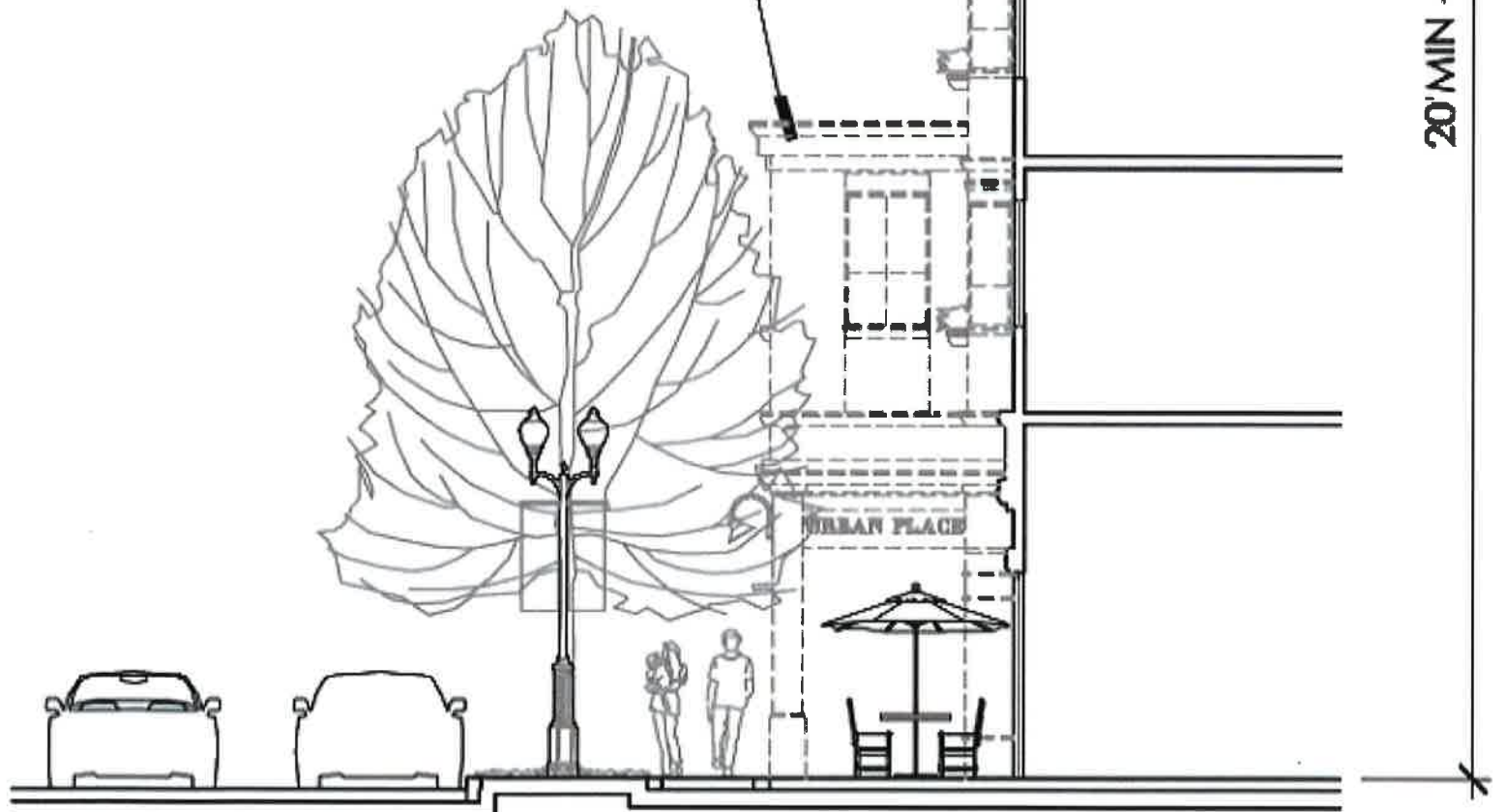
NAYS:

ABSENT:

Chair
Board of Town Commissioners

Michael L. Krantz, Town Clerk

BUILDING PLACEMENT AT 0' FRONTYARD SETBACK BEYOND



20' MIN - 40' MAX



EXHIBIT A

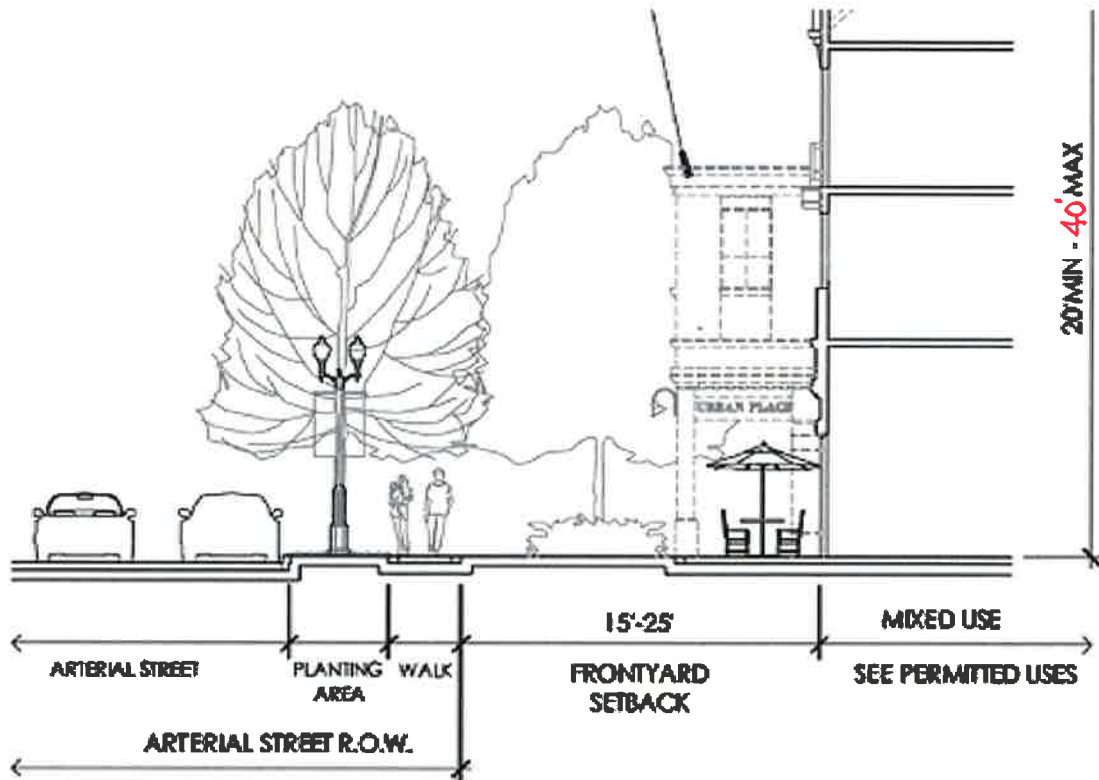


EXHIBIT B

