

Bel Air Board of Town Commissioners
Agenda
March 3, 2025

Public Hearing

Ordinance No. 840-25
Chapter 165, Density Limitations in B2A and B3A districts

1. BACKGROUND

The B2 (Central Business) district, B2A (Central Business Gateway) district and the B3A (General Business Gateway) district were revised in 2010 as 'Form-Based' code. A form-based code refers to a type of land use regulation that focuses on controlling the physical appearance and design of buildings, including their relationship to the public realm like streets and sidewalks, rather than solely separating different land uses (residential, commercial, industrial) similar to traditional zoning. It prioritizes how a development looks and functions within a community's desired urban form and does not concentrate on residential density.

2. PRIMARY ISSUES

Density limits are not found in the zoning criteria in order to prioritize architectural and engineering design standards. However, the Town Board has expressed a desire to reinstate density limits in the B2A and B3A zones.

3. DISCUSSION/EXPLANATION

The proposed ordinance will apply density limitations that are similar to those found in the B3 district. Many of the regulations for setbacks and building height in the Lot Requirements Tables refer back to the respective zoning district code section established in 2010 to address the more detailed form-based constraints found there. In addition, displaced requirements for Accessory structures are added to Article X as applying to all districts and some minor bulk regulations for other development types are adjusted to create conformity in the code.

4. RECOMMENDATION

The staff recommends Ordinance No. 840-25, amending Section 165-31 and 165-33, Zoning Districts, Section 165-68, Accessory Uses and 165 Attachment 2, Table of Lot Requirements, be approved by the Bel Air Board of Town Commissioners.

Ordinance No. 840-25

An Ordinance Amending Article III, X and Lot Requirements Tables
of the Development Regulations as related to Density Limits
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 update residential unit density and other lot requirements in the R-2 (Medium Density Residential) District, R-3 (High Density Residential) District, R-O (Residential Office) District, and B-1 (Limited Business) District, B-2 (Central Business), B-2A (Central Business Gateway) District, B-3 (General Business) District, and B-3A (General Business Gateway) District; and

WHEREAS, the Board of Town Commissioners has reviewed how the proposed changes to lot requirements may affect other parts of the code and made the appropriate amendments; and

WHEREAS, the Bel Air Board of Town Commissioners wish to update the Development Regulations to provide for better coordination and clarity between code sections to make referencing the regulations easy and convenient; 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. 840-25, provided for below is hereby adopted.

Section 165-30 Central Business District

C. Site design standards.

(4) Building setbacks and lot width.

*Figure 165-30.I Illustration of height, setback and front yard Standards for the B-2 district (removal of the word **Mixed Use** from the illustration)*

...

Section 165-31 Central Business Gateway District

C. Site design standards.

(4) *Building setbacks and lot width.*

Figure 165-31.II Illustration of height, setback and front yard Standards for the B-2A district

*(removal of the word **Mixed Use** from the illustration)*

...

Section 165-33 General Business Gateway District

C. *Site design standards.*

(4) *Building setbacks and lot width.*

Figure 165-33.I Illustration of height, setback and front yard Standards for the B-3A district

*(removal of the word **Mixed Use** from the illustration)*

...

D. *Density, lot area, **and** 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.*

...

Section 165-68 Accessory Uses

Generally, except as otherwise restricted in Article III, Establishment and Regulation of Zoning Districts, accessory buildings and uses customarily incidental to any principal permitted use or authorized special exception or special development shall be permitted in any district in connection with the principal use, subject to the following:

A. *General*

(6) Except as otherwise noted in this Part 2, all accessory structures shall be located three feet from property lines

...

Section 165 Attachment 2

Please refer to Exhibit A for amendments to the Table of Lot Requirements for Specific Uses

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:

Paula Etting, Chair
Board of Town Commissioners

Michael L. Krantz, Town Clerk

EXHIBIT A

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	10	§ 165-63C(2)	18	30*	0 (10 end unit)**	40	35
Semi-detached dwelling	15,000	10 8	§ 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 required for overall parcel.

**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	14	§ 165-63C(2)	18	30*	0 (10 end unit)**	40	40
Semi-detached dwelling	10,000	10	§ 165-63C(2)	100	30	10	40	40
Two-family dwelling	10,000	10		70	30	10	40	40
Multi-family dwelling 1 1/2 stories	60,000	20 30 (55 and over)	§ 165-63C(2)	100	30	16	42	30
2 1/2 stories				100	33	20	42	40
3 stories				100	36	24	42	40
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 for overall parcel.

**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	14	§ 165-63C(2)	18	30*	0 (10 end unit)**	40	40
Semi-detached dwelling	10,000	14 10	§ 165-63C(2)	100	30	10	40	40
Two-family dwelling	10,000	10		70	30	10	40	40
Multi-family dwelling 1 1/2 stories 2 1/2 stories 3 stories	60,000	20 30 (55 and over)	§ 165-63C(2)	100 100 100	30 33 36	16 20 24	42 42 42	30 40 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
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		10	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 for overall parcel.

**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	14	§ 165-63C(2)	18	30*	0 (10 end unit)**	40	40
Semi-detached dwelling	10,000	14 10	§ 165-63C(2)	100	30	10	40	40
Two-family dwelling	10,000	10		70	30	10	40	40
Multi-family dwelling 1 1/2 stories	20,000	20 30 (55 and over)	§ 165-63C(2)	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 for overall parcel

**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
Semi-detached dwelling	10,000		100	30		10	40	20	45
Two-family dwelling	10,000		70	30		10	40	20	45
Group day care	8,750		70	30		10	35		40
Group home	8,750		70	30		10	35		40
Accessory buildings		30				0	0		20
Other permitted uses		§ 165-30C	§ 165-30C	§ 165-30C	§ 165-30C	§ 165-30C	§ 165-30C	20	55

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

**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) Maximum Density (dwelling/acre)	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	5	70	30		10	35	20	40
Townhouse	1,800	14	18	15	25	0 (10 end unit)**	40	20	45
Semi-detached dwelling	10,000	10	100	30		10	40	20	45
Two-family dwelling	10,000	10	70	30		10	40	20	45
Multi-family dwelling	60,000	20		15	25	0	0	20	45
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

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.

**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	14		18	30*	0 (10 end unit)**	40	40
Semi-detached dwelling	10,000	14 10		100	30	10	40	40
Two-family dwelling	8,750 10,000	10		70	30	10	40	40
Multi-family dwelling	60,000	20	20	100	30	16	42	30
1 1/2 stories		30 (55 and over)	25	100	33	20	42	40
2 1/2 stories			30	100	36	24	42	50
3 stories			35	100	40	28	42	60
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

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 for overall parcel.

**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) Maximum Density (dwelling/acre)	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	5	70	30		10	35	20	40
Townhouse	1,800	14	18	10	20*	0 (10 end unit)**	40	20	45
Semi-detached dwelling	10,000	10	100	30		10	40	20	45
Two-family dwelling	10,000	10	70	30		10	40	20	45
Multi-family dwelling	60,000	20		§ 165-33C(4)	§ 165-33C(4)	§ 165-33C(4)	§ 165-33C(4)	§ 165-33C(4)	§ 165-33C(4)
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

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 for overall parcel