

**Ordinance No. 855-26**

An Ordinance Amending Attachment 1 of Part 2 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 Town of Bel Air has reviewed the development regulations and found inconsistencies between various sections and wish to correct any mistake or oversight in the text; and

**WHEREAS**, the Town Board has reviewed Cannabis Businesses and Mixed-Use Centers in the Permitted Use Charts and found irregularities between the charts and the performance standards; and

**WHEREAS**, the proposed change will reduce possible confusion when the public reviews certain sections of the code; 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. 855-26, incorporated herein as Permitted Use Tables is hereby adopted.

BEL AIR CODE

165 Attachment 1

Town of Bel Air

Permitted Use Tables

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**Table 3-5, Residential**

Principal permitted uses for specific zoning districts  
 [Amended 2-21-2012 by Ord. No. 748-12; 4-3-2017 by Ord. No. 780-17; 4-2-2018 by Ord. No. 783-18; 9-16-2019 by Ord. No. 792-19]

Use Classification	Zoning Districts							
	R-1	R-2	R-3	R-O	B-1	B-2/B-2A	B-3/B-3A	M-1
Dwellings								
Accessory dwelling unit	SD	SD	SD	P	P	P	P	
Multifamily (apartment/condo)			SD	SD	P	P	P	P
Semidetached		P	P	P	P	P	P	
Single-family detached	P	P	P	P	P	P	P	
Townhouse		P	P	P	P	P	P	P
Two-family/duplex		P	P	P	P	P	P	
Bed-and-breakfast	SE**	SE**	SE	SE	P	P	P	
Boardinghouse			SE	SE	SE	SE	SE	
Community shelter			SE	SE	SE	SD	SD	
Day care, family	P	P	P	P	P	P	P	
Group home, large			SD	SD	P	P	P	P
Group home, small	P	P	P	P	P	P	P	P
Halfway house				SE	SE	SE	SE	
Home occupation*	P/SE	P/SE	P/SE	P	P	P	P	
55 and over housing			SE	SE	SE	SE	SE	P
Mixed-use center				SD	SD	SD	SD	

\* Home occupations occupying not more than 300 square feet and employing only persons residing within the home are permitted as right. Home occupations occupying in excess of 300 square feet and/or employing persons residing outside of the home require special exception approval based upon Section 165-53.G(2)(i)

\*\* Permitted in R-1 and R-2 Transition Overlay District as special exception. Not permitted elsewhere in these districts.

KEY:

"P" indicates permitted subject to applicable code requirements

"SD" indicates permitted subject to special development regulations, pursuant to Article XII

"SE" indicates permitted subject to special exception regulations, pursuant to Article XII

A blank cell indicates that the use is not permitted

NOTE: These tables are provided for easy reference. However, the text of Chapter 165, Part 2, should be consulted for further definition and all applicable requirements. In the case of any inconsistencies between the text and the tables, the text shall control.

**Table 3-6, Retail Uses**  
Principal permitted uses for specific zoning districts  
[Amended 4-3-2017 by Ord. No. 780-17]

Use Classification	Zoning Districts							
	R-1	R-2	R-3	R-O	B-1	B-2/B-2A	B-3/B-3A	M-1
Antique shop/art gallery/museum				SE	P	P	P	P
Auction house							P	P
<b>Cannabis business</b>							<b>SE</b>	
Catalog showroom						P	P	P
Convenience good						P	P	P
Department store						P	P	P
Discount store						P	P	P
Farmers market						P	P	P
General merchandise					SE	P	P	P
Liquor store						SE	SE	SE
Medical equipment sale and leasing							P	P
Mixed-use center				SD	SD	SD	SD	
Shoppers merchandise					SE*	P	P	P
Shopping center						SD	SD	SD
Specialty food store					P	P	P	P
Specialty shop					P	P	P	P
Supermarket						P	P	P

\* See Article VII, Development and Performance Standards. Establishment shall not exceed 5,000 square feet.

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**Table 3-7, Service Uses**

Principal permitted uses for specific zoning districts

[Amended 5-2-2011 by Ord. No. 741-11; 4-3-2017 by Ord. No. 780-17; 4-2-2018 by Ord. No. 783-18; 9-3-2019 by Ord. No. 791-19; 11-1-2021 by Ord. No. 806-21]

Use Classification	Zoning Districts							
	R-1	R-2	R-3	R-O	B-1	B-2/B-2A	B-3/B-3A	M-1
Bank					P	P	P	P
Beauty/nails/barber/spa services				SE	SE	P	P	P
Body-piercing/tattoo service							SE	
Bulk mail service			SE	SE	SE	SE	P	P
Business incubator				SE	SE	P	P	P
Business service (group)		SE	SE	SE	SE	P	P	P
Business service (individual)	SE	SE	SE	P	P	P	P	P
Business support service		SE	SE	P	P	P	P	P
<b>Cannabis Business</b>							<b>SE</b>	
Car wash/auto detailing service							SD	P
Cleaners/laundromat						P	P	P
Communication towers and platform					SE	SE	SE	SE
Crematorium							SE	SE
Disinfecting and exterminating service						P	P	P
Drive-through facility						SD	SD	SD
Fitness center						SD	SD	SD
Hotel						SD	SD	SD
Instructional service					SE	P	P	P
Kennel							SE	SE
Linen supply/diaper service						P	P	P
Medical laboratory				SE	SE	P	P	P
Medical service	SE	SE	SE	P	P	P	P	P
<b>Mixed-use center</b>				<b>SD</b>	<b>SD</b>	<b>SD</b>	<b>SD</b>	
Ministorage						P	P	P
Motor vehicle sales and service							SD	P
Office or business equipment rental or leasing				P	P	P	P	P
Outdoor dining/bar*						SD/SE	SD/SE	SD/SE
Parking lot, commercial						SD	SD	SD
Parking lot, satellite						P	P	P
Personal service	SE	SE	SE	P	P	P	P	P
Pharmacy						P	P	P
Professional service	SE	SE	SE	P	P	P	P	P
Professional service (group)		SE	SE	P	P	P	P	P
Restaurant					P	P	P	P
Telecommunications				P	P	P	P	P
Veterinarian				SE	SE	P	P	P
Veterinarian clinic/hospital					SE	P	P	P

\* When included in an outdoor setting, a Special Exception is required for inclusion of a physical bar as defined in this Part 2

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**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. For the purpose of this section, construction activity is defined as the period between issuance of a building permit and use & occupancy permit.

**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:

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Paula Etting, Chair  
Board of Town Commissioners

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Michael L. Krantz, Town Clerk

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