



Legislation Text

File #: 22-0285, Version: 0

Explanation: Capitals indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

* **Warning:** This is an unofficial, introductory copy of the bill.
The official copy considered by the City Council is the first reader copy.

Introductory*

City of Baltimore Council Bill

Introduced by: Councilmember Dorsey

A Bill Entitled

An Ordinance concerning
Abundant Housing Act

For the purpose of amending certain provisions of the Baltimore City Zoning Code to promote increased development of low-density multi-family dwellings in certain residential districts; establishing standards for the conversion of single-family dwellings into low-density multi-family dwellings; establishing opportunities to increase density if a low-density multi-family dwelling is a certain distance from certain City amenities; amending certain permitted and conditional uses; amending certain bulk and yard standards; eliminating certain required off-street parking requirements; and defining certain terms.

By repealing and reordaining, with amendments

Article 32 - Zoning

Sections 1-305(p), 1-310(h), 4-405(a)(4), 8-201, 9-701, 9-703(b) to (g), 14-334(b),

Table 8-301, Table 8-401, Table 9-301, Table 9-401, Table 10-301, Table 10-401, Table 11-301, Table 11-401, Table 12-301, Table 12-302, Table 12-402, Table 12-403, Table 12-1302, Table 12-1303, and Table 16-406

Baltimore City Code
(Edition 2000)

By adding

Article 32 - Zoning

Sections 1-305(p-1), 1-309(w), 8-609, and 9-809

Baltimore City Code
(Edition 2000)

By adding

Article 32 - Zoning

New Sections 1-304(g) and 1-307(k)

Baltimore City Code
(Edition 2000)

By re-numbering current

Article 32 - Zoning

Current Sections 1-304(g) through (z), respectively, to be Sections 1-304(h) through (aa), respectively, and, current Sections 1-307(k) through (w), respectively, to be Sections 1-307(l) through (x), respectively.

Baltimore City Code
(Edition 2000)

By adding

Article 32 - Zoning

Sections 8-501 to 8-503, to be under the new subtitle,
“Subtitle 5. Residential Conversions”

Baltimore City Code
(Edition 2000)

Section 1. Be it ordained by the Mayor and City Council of Baltimore, That the Laws of Baltimore City read as follows:

Baltimore City Code

Article 32. Zoning

Title 1. General Provisions

Subtitle 3
Definitions

§ 1-304. “Chimney” to “Day-care center: Child”.

(g) *Community accessible transit.*

(1) *In general.*

“Community accessible transit” means public transit vehicles with route service intervals no longer than 15 minutes during peak commute hours.

(2) *Inclusions.*

“Community accessible transit” includes:

(i) bus routes; and

(ii) passenger railway routes utilized by the Maryland Transit Administration for Maryland Area Regional Commuter (MARC) Train Service, Light RailLink, and Metro SubwayLink.

(h) [(g)] *Community center.*

(1) *In general.*

“Community center” means a facility in which people who live in the neighborhood or community are able to meet and carry on cultural, social, or recreational

activities.

(2) *Inclusions.*

“Community center” includes indoor or outdoor recreational facilities.

(i) [(h)] *Community-managed open-space garden.*

(1) *In general.*

“Community-managed open-space garden” means an open-space area that:

- (i) is maintained by more than 1 household; and
- (ii) is used for traditional community-garden activities of planting, cultivating, harvesting, maintaining, and distributing fruits, flowers, vegetables, or ornamental plants.

(2) *Inclusions.*

“Community-managed open-space garden” includes:

- (i) accessory sheds, gazebos, and pergolas;
- (ii) temporary greenhouses and similar structures to extend the growing season; and
- (ii) the provision of space for related open-air recreation, active or passive, but not including playground equipment.

(j) [(i)] *Community-managed open-space farm.*

(1) *In general.*

“Community-managed open-space farm” means an open-space area that:

- (i) is maintained by more than 1 household; and
- (ii) in addition to the uses permitted in a community-managed open-space garden, is used for 1 or more of the following:
 - (A) the keeping of livestock and animals;
 - (B) temporary farm stands, but no more than 1 per lot;
and
 - (C) the receipt and free redistribution of organic waste material for composting.

(2) *Inclusions.*

“Community-managed open-space farm” includes on-site storage, including storage for farmstands.

(k) [(j)] *Community-based alternative energy system.*

See “Alternative energy system: Community-based”.

(l) [(k)] *Composting.*

“Composting” means the processing of organic waste material, such as yard and food waste, under controlled conditions to yield a nuisance-free humus-like product.

(m) [(l)] *Comprehensive Master Plan.*

“Comprehensive Master Plan” means the Master Plan adopted under City Charter Article VII, § 74 {“Department of Planning: Master Plan”} and the State Land Use Article.

(n) [(m)] *Comprehensive rezoning.*

“Comprehensive rezoning” means an ordinance that is:

- (1) initiated by City government to modify the zoning classifications of multiple properties;
- (2) based on considerations concerning the common needs of a substantial geographic area, involving a considerable number of properties;
- (3) designed to control and direct the use of land and structures according to present and planned future conditions; and
- (4) the product of:
 - (i) careful consideration and extensive study by the Planning Department; and
 - (ii) review by the Planning Commission.

(o) [(n)] *Conditional use.*

See “Use: Conditional”.

(p) [(o)] *Contractor storage yard.*

“Contractor storage yard” means land or structures used primarily for the storage of equipment, vehicles, machinery, building materials, paint, piping, or electrical components being used by the owner or occupant of the premises in the conduct of a building trade.

(q) [(p)] *Convention center.*

(1) *In general.*

“Convention center” means an establishment that accommodates conventions, conferences, seminars, product displays, recreation activities, and entertainment functions.

(2) *Inclusions.*

“Convention center” includes accessory uses such as:

(i) temporary outdoor displays; and

(ii) food and beverage preparation and service for on-premise consumption.

(r) [(q)] *Corner lot.*

See “Lot: Corner”.

(s) [(r)] *Corner-side lot line.*

See “Lot line: Corner-side”.

(t) [(s)] *Cornice.*

“Cornice” means a continuous molded projection that:

(1) extends outward from an exterior wall at the roof line;

(2) crowns a wall; or

(3) divides a wall horizontally.

(u) [(t)] *Country club.*

“Country club” means a club organized and operated primarily for social and both indoor and outdoor recreation purposes, with recreation facilities for members, their families, and invited guests.

(v) [(u)] *Critical Area (CBCA).*

“Critical Area”, as it applies to the Chesapeake Bay Critical Area, has the meaning stated in § 7-402 {“CBCA Overlay: Definitions”} of this Code.

(w) [(v)] *Critical Area Management Program (CBCA).*

“Critical Area Management Program”, as it applies to the Chesapeake Bay Critical Area, has the meaning stated in § 7-402 {“CBCA Overlay: Definitions”} of this Code.

(x) [(w)] *Crude oil terminal.*

(1) *“Crude oil” defined.*

(i) *In general.*

“Crude oil” means any naturally occurring liquid petroleum that is:

(A) extracted from geological formations beneath the earth’s surface; and

(B) requires further refinement before consumer use.

(ii) *Exclusions.*

“Crude oil” does not include finished products derived from petroleum including asphalt.

(2) *“Crude oil terminal” defined.*

(i) *In general.*

“Crude oil terminal” means a facility that receives, stores, transfers, ships, or processes crude oil.

(ii) *Exclusions.*

“Crude oil terminal” does not include facilities owned or operated by a rail carrier, as defined in U.S. Code Title 49, Subtitle IV, Part A, Chapter 101, § 10102 {“Definitions”}.

(y) [(x)] *Cultural facility.*

(1) *In general.*

“Cultural facility” means a facility that provides cultural services and facilities to the public.

(2) *Illustrations.*

“Cultural facility” includes any of the following, whether operated by a public, non-profit, or private entity:

(i) a museum;

(ii) an historical society; or

(iii) a library.

(3) *Inclusions.*

“Cultural facility” includes the following accessory uses designed and intended

primarily for patrons of the facility:

(i) a gift or souvenir shop; and

(ii) a restaurant or refreshment stands.

(z) [(y)] *Day-care center: Adult.*

(1) *In general.*

“Day-care center: Adult” means an establishment that provides care for 3 or more elderly or functionally impaired adults on less than a 24-hour basis.

(2) *Exclusions.*

“Day-care center: Adult” does not include:

(i) a program that, as an accessory use to a place of worship, provides care for elderly or functionally impaired adults; or

(ii) an adult day-care home.

(aa) [(z)] *Day-care center: Child.*

(1) *In general.*

“Day-care center: Child” means an establishment that provides care for 3 or more children on less than a 24-hour basis.

(2) *Exclusions.*

“Day-care center: Child” does not include:

(i) a program that, as an accessory use to an educational facility or a place of worship, provides care for children; or

(ii) a child day-care home.

§ 1-305. “Day-care home: Adult” to “Electric substation: Outdoor”.

(p) *Dwelling: Multi-family (High Density).*

(1) *In general.*

“Dwelling: Multi-family (High Density)” means a dwelling that contains [or] more than 4 dwelling units, except as otherwise provided in paragraph (2) of this subsection.

(2) *Inclusions.*

“Dwelling: Multi-family (High Density)” includes common facilities for residents, such as laundry rooms.

(p-1) *Dwelling: Multi-family (Low Density)*.

(1) *In general*.

“Dwelling: Multi-family (Low Density)” means a dwelling that contains at least 2 but no more than 4 dwelling units, except as otherwise provided in paragraph (2) of this subsection.

(2) *Inclusions*.

“Dwelling: Multi-family (Low Density)” includes:

- (i) common facilities for residents, such as laundry rooms; and
- (ii) 1 additional dwelling unit, subject to the requirements of § 8-503(d) {“Opportunity density”}.

§ 1-307. “Government facility ” to “Industrial boat repair ”.

(k) *High-density multi-family dwelling*.

See “Dwelling: Multi-family (High Density)”.

(1) [(k)] *Holiday sales lot*.

See “Seasonal or holiday sales lot”.

(m) [(1)] *Home occupation*.

“Home occupation” means an occupation that:

- (1) is carried on in a dwelling unit by a resident of the dwelling unit; and
- (2) is secondary to the use of the dwelling unit for residential purposes.

(n) [(m)] *Homeless shelter*.

(1) *In general*.

“Homeless shelter” means a facility that provides temporary housing to homeless or transient individuals.

(2) *Inclusions*.

“Homeless shelter” includes accessory services such as counseling or vocational training.

(o) [(n)] *Horse stable*.

“Horse stable” means any structure or land within the City at or from which horses are boarded, bred, sold, or rented for riding, driving, or other purposes.

(p) [(o)] *Hospital.*

(1) *In general.*

“Hospital” means an institution that provides health services, primarily inpatient medical or surgical care for the sick or injured.

(2) *Inclusions.*

“Hospital” includes related facilities integral to the hospital, such as laboratories, outpatient centers, health-care clinics, helistops, training facilities, classrooms, staff offices, on-site medical waste and storage facilities, and central service facilities.

(q) [(p)] *Hotel; Motel.*

(1) *“Guest unit” defined.*

In this section, “guest unit” means any room or group of rooms that forms a single habitable unit occupied or designed or intended to be occupied for sleeping or living purposes.

(2) *In general.*

“Hotel” or “motel” means a building that:

(i) is not a dwelling;

(ii) contains 3 or more guest units occupied or designed or intended to be occupied by guests who, even though they might share common areas and facilities, do not form a single housekeeping unit and do not provide compensation under a single lease for occupancy of the facility; and

(iii) offers lodging in these guest units to members of the general public.

(3) *Exclusions.*

“Hotel” or “motel” does not include a bed and breakfast or a rooming house.

(r) [(q)] *Housing Commissioner; Commissioner of Housing.*

“Housing Commissioner” or “Commissioner of Housing” means the Commissioner of Housing and Community Development or the Commissioner’s designee.

(s) [(r)] *Impervious surface.*

(1) *In general.*

“Impervious surface” means any surface that does not allow stormwater to infiltrate

into the ground.

(2) *Inclusions.*

“Impervious surface” includes rooftops, driveways, sidewalks, and pavement.

(3) *Exclusions.*

“Impervious surface” does not include ballasted railroad tracks.

(t) [(s)] *Incinerator.*

(1) *In general.*

“Incinerator” means a combustion unit that uses controlled flame combustion for the thermal destruction of solid waste, including municipal waste, industrial waste, hazardous waste, special medical waste, or sewage sludge.

(2) *Inclusions.*

“Incinerator” includes any:

(1)infrared incinerator; or

(2)plasma arc incinerator.

(u) [(t)] *Indoor entertainment.*

See “Entertainment: Indoor”.

(v) [(u)] *Indoor recreation.*

See “Recreation: Indoor”.

(w) [(v)] *Industrial arts studio.*

See “Arts studio: Industrial”.

(x) [(w)] *Industrial boat repair facility.*

(1) *In general.*

“Industrial boat repair facility” means a facility with 5 or more slips (wet or dry) used solely for the manufacture, assembly, or repair of commercial or recreational watercraft.

(2) *Exclusions.*

“Industrial boat repair facility” does not include docking, storage, or sales of recreational watercraft.

§ 1-309. “Industrial: General” to [“Owner”] “Low-density multi-family dwelling”.

(w) *Low-density multi-family dwelling.*

See “Dwelling: Multi-family (Low Density)”.

§ 1-310. “Motor vehicle” to “Owner”.

(h) *Multi-family dwelling.*

[See § 1-305(p) {“Definitions: Dwelling: Multi-family”}]

“Multi-family dwelling” includes both Dwelling: Multi-family (High Density) and Dwelling: Multi-family (Low Density).

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Article 32. Zoning

Title 4. Development Reviews

*Subtitle 4
Design Review*

§ 4-405. **Applicability.**

(a) *In general.*

Except as provided in subsection (b) of this section, design review is required for the following types of development:

...

- (4) when exterior modifications are proposed for residential conversion in [the R-7, R-8, R-9, and R-10] any Residential [Districts] District;

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Title 8. Detached and Semi-Detached Residential Districts

*Subtitle 2
District Descriptions*

§ 8-201. **Common standards.**

[(a) *Residential development.*]

In the districts described in this subtitle, residential development is limited to either 1 single-family dwelling unit per lot or 1 low-density multi-family dwelling.

[(b) *Residential conversions.*]

[In any of the districts subject to this title, the conversion of a single-family dwelling to a multi-family dwelling is prohibited.]

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Article 32. Zoning

Title 8. Detached and Semi-Detached Residential Districts

Subtitle 5

Residential Conversions

§ 8-501. Where allowed.

Subject to the requirements of this subtitle, the conversion of a single-family dwelling to a low-density multi-family dwelling is allowed in the following Detached and Semi-Detached Residence Districts:

- (1) R-1A;
- (2) R-1B;
- (3) R-1C;
- (4) R-1D;
- (5) R-1E;
- (6) R-1;
- (7) R-2;
- (8) R-3; and
- (9) R-4.

§ 8-502. Design review.

(a) *In general.*

Design review approval is required if exterior modifications are proposed.

(b) *Construction drawings and plans.*

Construction drawings and plans that describe the proposed conversion in detail are required as part of the submission for design review.

§ 8-503. Conversion standards.

(a) *In general.*

All conversions must meet the standards set forth in this section.

(b) *Existing dwelling.*

(1) The existing dwelling must be:

- (i) a structure originally constructed as a single-family dwelling; and
- (ii) a minimum of 1,500 square feet in enclosed gross floor area.

(2) For purposes of this subsection, the enclosed gross floor area does not include any basement area.

(c) *Converted dwelling.*

A low-density multi-family dwelling created under this subtitle must have the enclosed gross floor area listed below:

- (1) 1,500 square feet, if a 2-unit low-density multi-family dwelling;
- (2) 2,250 square feet, if a 3-unit low-density multi-family dwelling; or
- (3) 3,000 square feet, if a 4-unit low-density multi-family dwelling.

(d) *Opportunity density.*

(1) *Additional dwelling unit.*

A low-density multi-family dwelling created under this subtitle may contain 1 additional dwelling unit if:

- (i) the low-density multi-family dwelling is less than 750 feet from:
 - (A) community accessible transit;
 - (B) a grocery store of at least 10,000 square feet; or
 - (C) a main street, as designated by the Baltimore Main Streets program; or
- (ii) the low-density multi-family dwelling is located in a census tract where the household median income is 200% of the Area Medium Income for the metropolitan region that encompasses the City, as published and annually updated by the United States Department of Housing and Urban Development.

(2) *Minimum enclosed gross floor area.*

A low-density multi-family dwelling created under this subtitle that meets the requirements of paragraph (1) of this subsection must have a minimum enclosed gross floor area of:

- (i) 1,500 square feet, if a 3-unit low-density multi-family dwelling;
- (ii) 2,250 square feet, if a 4-unit low-density multi-family dwelling; or
- (iii) 3,000 square feet, if a 5-unit low-density multi-family dwelling.

(3) *Use designation and permitting.*

A residential conversion to a low-density multi-family dwelling seeking 1 additional dwelling unit, as permitted by paragraph (1) of this subsection:

- (i) must explicitly make the request for 1 additional dwelling unit when submitting the construction permit application and the use permit application; and
- (ii) if approved, the dwelling will remain classified as a low-density multi-family dwelling and deemed legally non-conforming.

(e) *Bulk and yard regulations.*

The dwelling must continue to conform to the applicable bulk and yard regulations, including lot area per dwelling unit, for the district in which the dwelling is located.

(f) *Residential character.*

Following the conversion, the exterior of the dwelling must retain its existing residential character.

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Article 32. Zoning

Title 8. Detached and Semi-Detached Residential Districts

Subtitle 6

Other Applicable Standards

§ 8-609. New construction - Low-density multi-family dwelling.

(a) *In general.*

New construction of a low-density multi-family dwelling in a Detached and Semi-Detached Residential District must meet the standards set forth in this subtitle.

(b) *Minimum enclosed gross floor area.*

(1) A newly constructed low-density multi-family dwelling created under this subtitle must have a minimum enclosed gross floor area of:

- (i) 1,500 square feet, if a 2-unit low-density multi-family dwelling;
- (ii) 2,250 square feet, if a 3-unit low-density multi-family dwelling; or
- (iii) 3,000 square feet, if a 4-unit low-density multi-family dwelling.

(2) For purposes of this subsection, the enclosed gross floor area does not include any basement area.

(c) *Opportunity density.*

(1) *Additional dwelling unit.*

A low-density multi-family dwelling created under this subtitle may contain 1 additional dwelling unit if:

- (i) the low-density multi-family dwelling is less than 750 feet from:
 - (A) community accessible transit;
 - (B) a grocery store of at least 10,000 square feet; or
 - (C) a main street designated by the Baltimore Main Streets program; or
- (ii) the low-density multi-family dwelling is located in a census tract where the household median income is 200% of the of the Area Medium Income for the metropolitan region that encompasses the City, as published and annually updated by the United States Department of Housing and Urban Development.

(2) *Minimum enclosed gross floor area.*

A low-density multi-family dwelling created under this subtitle that meets the requirements of paragraph (1) of this subsection must have a minimum enclosed gross floor area of:

- (i) 1,500 square feet, if a 3-unit low-density multi-family dwelling;
- (ii) 2,250 square feet, if a 4-unit low-density multi-family dwelling; or
- (iii) 3,000 square feet, if a 5-unit low-density multi-family dwelling.

(3) *Use designation and permitting.*

New construction of a low-density multi-family dwelling seeking 1 additional dwelling unit as permitted under paragraph (1) of this subsection:

- (i) must explicitly make the request for 1 additional dwelling unit when submitting the construction permit application and the use permit application; and
- (ii) if approved, the dwelling will remain classified as a low-density multi-family dwelling and deemed legally non-conforming.

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Article 32. Zoning

Title 9. Rowhouse and Multi-Family Residential Districts

***Subtitle 7
Residential Conversions***

§ 9-701. Where allowed.

[In the Residence Districts, the conversion of a single-family dwelling to a multi-family dwelling is allowed only in the R-7, R-8, R-9, and R-10 Districts, subject to:]

- [(1) the requirements of this subtitle; and]

[(2) in the R-7 and R-8 Districts, conditional-use approval by Ordinance of the Mayor and City Council.]

Subject to the requirements of this subtitle the conversion of a single-family dwelling to a low-density multi-family dwelling is allowed in the following Residence Districts:

- (1)R-5;
- (2)R-6;
- (3)R-7;
- (4)R-8;
- (5)R-9; and
- (6)R-10.

§ 9-703. Conversion standards.

(b) *Existing dwelling.*

(1)The existing dwelling must be:

- (i) a structure originally constructed as a single-family dwelling; and
- (ii) contain 1,500 square feet or more in enclosed gross floor area.

(2)For purposes of this subsection, the enclosed gross floor area does not include any basement area.

(c)[*GFA per dwelling unit*] *Converted dwelling.*

[The converted dwelling must meet the following gross floor area per unit type:]

- [(1) 1-bedroom unit: 750 square feet.]
- [(2) 2-bedroom unit: 1,000 square feet.]
- [(3) 3- or more bedroom unit: 1,250 square feet.]

A low-density multi-family dwelling created under this subtitle must have the enclosed gross floor area listed below:

- (1) 1,500 square feet, if a 2-unit low-density multi-family dwelling;
- (2) 2,250 square feet, if a 3-unit low-density multi-family dwelling; or
- (3) 3,000 square feet, if a 4-unit low-density multi-family dwelling.

(d) *Opportunity density.*

(1) *Additional dwelling unit.*

A low-density multi-family dwelling created under this subtitle may contain 1 additional dwelling unit if:

- (i) the low-density multi-family dwelling is less than 750 feet from:
 - (A) community accessible transit;
 - (B) a grocery store of at least 10,000 square feet; or
 - (C) a main street, as designated by the Baltimore Main Streets program; or
- (ii) the low-density multi-family dwelling is located in a census tract where the household median income is 200% of the of the area medium income for the metropolitan region that encompasses the City, as published and annually updated by the United States Department of Housing and Urban Development.

(2) *Minimum enclosed gross floor area.*

A low-density multi-family dwelling created under this subtitle that meets the requirements of paragraph (1) of this subsection must have a minimum enclosed gross floor area of:

- (i) 1,500 square feet, if a 3-unit low-density multi-family dwelling;
- (ii) 2,250 square feet, if a 4-unit low-density multi-family dwelling; or
- (iii) 3,000 square feet, if a 5-unit low-density multi-family dwelling.

(3) *Use designation and permitting.*

A residential conversion to a low-density multi-family dwelling seeking 1 additional dwelling unit as permitted by paragraph (1) of this subsection:

- (i) must explicitly make the request for 1 additional dwelling unit when submitting the construction permit application and the use permit application; and
- (ii) if approved, the dwelling will remain classified as a low-density multi-family dwelling and deemed legally non-conforming.

(e) [(d)] *Bulk and yard regulations.*

The dwelling must continue to conform to the applicable bulk and yard regulations, including lot area per dwelling unit, for the district in which the building is located.

[(e) *Occupancy regulations.*]

[No residential conversion may violate any dwelling unit occupancy regulations or restrictions of the City Code.]

[(f) *Off-street parking.*]

[At least 1 off-street parking space must be provided for each dwelling unit.]

(f) [(g)] *Residential character.*

Following the conversion, the exterior of the dwelling must retain its existing residential character.

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Article 32. Zoning

Title 9. Rowhouse and Multi-Family Residential Districts

Subtitle 8 Other Applicable Standards

§ 9-809. New construction - Low-density multi-family dwelling.

(a) *In general.*

New construction of a low-density multi-family dwelling in a Rowhouse and Multi-Family Residential Zoning District must meet the standards set forth in this subtitle.

(b) *Minimum enclosed gross floor area.*

(1) A newly constructed low-density multi-family dwelling created under this subtitle must have a minimum enclosed gross floor area of:

(i) 1,500 square feet, if a 2-unit low-density multi-family dwelling

(ii) 2,250 square feet, if a 3-unit low-density multi-family dwelling; or

(iii) 3,000 square feet, if a 4-unit low-density multi-family dwelling.

(2) For purposes of this subsection, the enclosed gross floor area does not include any basement area.

(c) *Opportunity density.*

(1) *Additional dwelling unit.*

A low-density multi-family dwelling created under this subtitle may contain 1 additional dwelling unit if:

(i) the low-density multi-family dwelling is less than 750 feet from:

(A) community accessible transit;

(B) a grocery store of at least 10,000 square feet; or

(C) a main street designated by the Baltimore Main Streets program; or

- (ii) the low-density multi-family dwelling is located in a census tract where the household median income is 200% of the Area Medium Income for the metropolitan region that encompasses the City, as published and annually updated by the United States Department of Housing and Urban Development.

(2) *Minimum enclosed gross floor area.*

A low-density multi-family dwelling created under this subtitle that meets the requirements of paragraph (1) of this subsection must have a minimum enclosed gross floor area of:

- (i) 1,500 square feet, if a 3-unit low-density multi-family dwelling;
- (ii) 2,250 square feet, if a 4-unit low-density multi-family dwelling; or
- (iii) 3,000 square feet, if a 5-unit low-density multi-family dwelling.

(3) *Use designation and permitting.*

- (i) When submitting the construction permit application and the use permit application the person constructing a new low-density multi-family dwelling and seeking 1 additional dwelling unit as permitted under paragraph (1) of this subsection must explicitly make the request for 1 additional dwelling unit.
- (ii) If the request for 1 additional dwelling unit is approved the newly constructed dwelling will remain classified as a low-density multi-family dwelling and deemed legally non-conforming.

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Title 14. Use Standards

***Subtitle 3
Use Standards***

§ 14-334. Residential-care facilities.

(b) *Multi-family dwelling.*

A residential-care facility may locate where multi-family dwellings are allowed as permitted or conditional uses under this Code , if the facility:

- (1) complies with [§ 1-305(p) {"Definitions: Dwelling: Multi-family"} § 1-310(h) {"Definitions: Multi-family dwelling"}, § 1-305(u) {"Definitions: Dwelling unit"}, and § 1-306(g) {"Definitions: Family"} of this Code; and
- (2) meets the general requirements, the bulk and yard regulations, and all other requirements of this Code applicable to dwellings in the zoning district within which the facility is located.

Zoning Tables

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Table 9-401: Rowhouse and Multi-Family Residential Districts - Bulk and Yard Regulations

Categories Specifications (Per District)

R-5 R-6 R-7 R-8 R-9 R-10

Minimum Lot Area	Community ... Open-Space Garden or Farm	None	None	None	None	None	None
Dwelling: Detached	3,000 sq.ft.	3,000 sq.ft.	3,000 sq.ft.	3,000 sq.ft.	3,000 sq.ft.	3,000 sq.ft.	3,000 sq.ft.
Dwelling: Semi-Detached	2,500 sq.ft.	2,000 sq.ft.	2,000 sq.ft.	2,000 sq.ft.	2,000 sq.ft.	2,500 sq.ft.	2,000 sq.ft.
Dwelling: Rowhouse	2,500 sq.ft.	1,500 sq.ft.	1,100 sq.ft.	750 sq.ft.	750 sq.ft.	500 sq.ft.	
Dwelling: Multi-Family (High Density)	2,500 sq.ft./du	1,500 sq.ft./du	1,100 sq.ft./du	750 sq.ft./du	550 sq.ft./du	300 sq.ft./du	300 sq.ft./du
Dwelling: Multi-Family (Low Density)	750 sq.ft./du	500 sq.ft./du	300 sq.ft./du				
Dwelling: Multi-Family (Age-Restricted)	1,875 sq.ft./du	1,125 sq.ft./du	825 sq.ft./du	575 sq.ft./du	550 sq.ft./du	200 sq.ft./du	
Park or Playground	None	None	None	None	None	None	Residential-Care Facility
Rooming House	N/A	N/A	N/A	375 sq.ft./ru	275 sq.ft./ru	100 sq.ft./ru	Urban Agriculture
All Other Uses	3,000 sq. ft.	3,000 sq. ft.	3,000 sq. ft.	3,000 sq. ft.	3,000 sq. ft.	3,000 sq. ft.	
Maximum Bldg Height	Dwelling: Detached or Semi-Detached	35 feet	Dwelling: Rowhouse				
	Dwelling: Multi-Family (High Density)	35 or 45 feet	45 or 60 feet	3.0 FAR			
	Dwelling: Multi-Family (Low Density)	35 feet	35 feet	35 feet	35 or 45 feet	35 or 45 feet	3.0 FAR
	All Other Uses	35 or 45 feet	35 or 45 feet	35 or 45 feet	45 or 60 feet	45 feet	
Maximum Lot Coverage	Dwelling: Detached or Semi-Detached	35%	35%	35%	35%	35%	Dwelling: Rowhouse
	Dwelling: Multi-Family (High Density)	40%	45%	50%	60% or 80%	40%	
	Dwelling: Multi-Family (Low Density)	40%	45%	50%	60% or 80%	40%	
	All Other Uses	40%	40%	70%	70%	40%	
Maximum Impervious Surface	Dwelling: Detached [or], Semi-Detached, or Multi-Family (Low Density)	60%	60%	60%	60%	60%	Dwelling: Rowhouse (Rear Yard)
	Dwelling: Multi-Family (High Density)	65%	65%	65%	65%		
Minimum Front Yard	Dwelling: Detached or Semi-Detached	Lesser of 25ft. or blockface average	Lesser of 20ft. or blockface average	Dwelling: Multi-Family (High Density)			
	Dwelling: Multi-Family (Low Density)	25 feet	20 feet	10 feet	None	45 or 65 feet	
	All Other Uses	25 feet	20 feet	10 feet	None	25 feet	

sq.ft. 300 sq.ft. Residential-Care Facility (Age-Restricted) 200 sq.ft/du 200 sq.ft/du 200
 sq.ft/du 120 sq.ft/du 120 sq.ft/du 120 sq.ft/du Rooming House None 2,500 sq.ft/ru None
 None None N/A All Other Uses None None None None None None **Maximum Lot Area**
 Restaurant None 4,000 sq. ft. None None None None Retail Goods Establishment (Food Store)
 20,000 sq. ft. 5,000 sq. ft. 20,000 sq. ft. None None None All Other Uses 10,000 sq. ft.
 2,000 sq. ft. 10,000 sq. ft. None None **Maximum Bldg Height** Dwelling: Multi-Family
 (High Density) 60 feet 40 feet 60 feet 60 or 100 feet 2nd 60 or 100 feet 2nd 60 feet Dwelling:
 Multi-Family (Low Density) 45 feet 40 feet 45 feet 45 feet 45 feet 45 feet Mixed-Use w/
 Dwelling Above the Ground Floor 60 feet 40 feet 60 feet 60 or 100 feet 2nd 60 or 100 feet 2nd 60
 feet Residential Care Facility (Elderly) 60 feet 40 feet 60 feet 60 or 100 feet 2nd 60 or 100
 feet 2nd 60 feet All Other Uses 40 feet 40 feet 40 feet 60 feet 60 feet 60 feet **Minimum
 Bldg Height** All Uses 20 feet None 20 feet 20 feet 20 feet None **Maximum Floor Area
 Ratio** All Uses None 0.8 None None None None **C-1 C-1-VC 1 C-1-E C-2 C-3 C-4**
Minimum / Maximum Front Yard All Uses No front yard required but, if one is provided, it
 may not exceed 5 feet 20 feet No front yard required but, if one is provided, it may not exceed 5 feet
 No front yard required but, if one is provided, it may not exceed 5 feet None None **Minimum
 Interior-Side Yard** All Uses No interior-side yard required but, if one is provided, it must be a
 minimum of 10 feet No interior-side yard required but, if one is provided, it must be a minimum of 10
 feet No interior- side yard required but, if one is provided, it must be a minimum of 10 feet No
 interior- side yard required but, if one is provided, it must be a minimum of 10 feet No interior- side
 yard required but, if one is provided, it must be a minimum of 10 feet None **Minimum Corner-Side
 Yard** All Uses For 1st 25 ft. from front lot line: Where structure is to be located, must build to
 corner-side lot line. After 1st 25 ft.: No yard requirement. For 1st 25 ft. from front lot line: Where
 structure is to be located, must build to corner-side lot line. After 1st 25 ft.: Minimum corner-side yard
 of 25 ft. For 1st 25 ft. from front lot line: Where structure is to be located, must build to corner-side
 lot line. After 1st 25 ft.: No yard requirement. None None None **Minimum Rear Yard** All
 Uses If rear yard abuts an alley: None. Otherwise: 20 ft. 30 feet If rear yard abuts an alley: None.
 Otherwise: 20 ft. If rear yard abuts an alley: None. Otherwise: 20 ft. 20 feet 20 feet

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Uses	Districts						Use Standards
	OIC	BSC	IMU-1	IMU-2	I-1	I-2	
Residential							
Dwelling (Residential)		P	P				
Dwelling: I			P		CB		
Dwelling: M (High Densi)		P	P				

Dwelling: M (Low Densit	P					
Dwelling: F	P					
Residential (16 or Fewe	P	P				Per § 14-33
Residential (17 or More	CB	CB				Per § 14-33
Rooming Hou		CB				

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Table 11-401: Industrial Districts - Bulk and Yard Regulations

Categories Specifications (Per District)

IC BSC IMU I-1 I-2 MI Minimum Lot Area Dwelling: Live-Work, Multi-Family (High Density) and (Low Density), or Rowhouse N/A 300 sq.ft. IMU-1: 300 sq. ft. IMU-2: N/A 0,000 sq. ft. N/A N/A All Other Uses None None 5,000 sq. ft. 0,000 sq. ft. 20,000 sq. ft. 20,000 sq. ft. Maximum Bldg Height All Uses 60 feet 50 feet 60 feet 60 feet None 2 None 2 Minimum Front Yard All Uses None None None 3 10 feet 0 feet 0 feet Minimum Interior-Side Yard All uses None 4 None 4 No interior-side yard required but, if one is provided, it must be a minimum of 10 feet None 5 None 6 None 6 Minimum Corner-Side Yard All Uses None None None 7 10 feet 0 feet 0 feet 10 feet Minimum Rear Yard All Uses None 8 None 8 None 8 None 9 None 9 Buffer Yard Req't All Uses None None Where the Landscape Manual requires a landscaped buffer yard between an industrial use and a non-industrial use, that buffer yard must be provided by the more recent use.

Table 12-301: Office-Residential Districts - Permitted and Conditional Uses

Uses Districts Use Standards

OR Residential Bed and Breakfast CB Day-Care Home: Adult or Child P Per §14-310 Dwelling: Detached P Dwelling: Semi-Detached P Dwelling: Multi-Family (High Density) P Per § 14-327 Dwelling: Multi-Family (Low Density) P Dwelling: Rowhouse P Fraternity or Sorority House CO Per § 14-313 Residential-Care Facility (16 or Fewer Residents) P Per § 14-334 Residential-Care Facility (17 or More Residents) CO Per § 14-334 Rooming House CO

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Table 12-302: Office-Residential Districts - Bulk and Yard Regulations

Categories Specifications (Per Subdistrict)

OR-1 OR-2

Minimum Lot Area Dwelling: Multi-Family (High Density) and (Low Density) 550 sq.ft./du 200 sq.ft./du All Other Uses None None Maximum Bldg Height All Uses 40 or 60 feet 1 100 feet Minimum Front Yard All Uses None None Minimum

Interior-Side Yard All Uses No interior-side yard required but, if one is provided, it must be a minimum of 10 feet No interior-side yard required but, if one is provided, it must be a minimum of 10 feet Minimum Corner-Side Yard All Uses 0 feet None Minimum Rear Yard All Uses 0 feet 0 feet

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Table 12-402: Transit-Oriented Development Districts - Permitted and Conditional Uses

Uses Districts Use Standards TOD-1 TOD-2 TOD-3 TOD-4 Residential Dwelling (Above Non-Residential Ground Floor) Dwelling: Multi-Family (High Density) Per § 14-327 Dwelling: Multi-Family (Low Density) Dwelling: Rowhouse Residential-Care Facility (16 or Fewer Residents) Per § 14-334 Residential-Care Facility (17 or More Residents) CB CB Per § 14-334

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Table 12-403: Transit-Oriented Development Districts - Bulk and Yard Regulations

Categories Specifications (Per District) TOD-1 TOD-2 TOD-3 TOD-4 Minimum Lot Area Dwelling: Multi-Family (High Density and Low Density) 300 sq.ft/du None None None All Other Uses None None None None Maximum Building Height Dwelling: Multi-Family (Low Density) 5 feet and no more than 3 stories 5 feet and no more than 3 stories 5 feet and no more than 3 stories All Other Uses 60 feet and no more than 5 stories 60 feet and no more than 5 stories 100 feet 100 feet Minimum Building Height All Uses 24 feet and no less than 2 stories 24 feet and no less than 2 stories 24 feet and no less than 2 stories Minimum / Maximum Front Yard All Uses No front yard required but, if one is provided, it may not exceed 5 feet No front yard required but, if one is provided, it may not exceed 5 feet No front yard required but, if one is provided, it may not exceed 5 feet Minimum Interior-Side Yard All Uses None None None None Minimum Corner-Side Yard All Uses None None None None Maximum Rear Yard All Uses 15 feet 15 feet None None

Table 12-1302: Port Covington District - Permitted and Conditional Uses

Uses Subdistricts Use Standards PC-1 PC-2 PC-3 PC-4 Residential Day-Care Home: Adult or Child Per § 14-310 Dwelling (Above Non-Residential Ground Floor) Dwelling: Multi-Family (High Density) Per § 14-327 Dwelling: Multi-Family (Low Density) Dwelling: Rowhouse Dwelling: Live-Work Fraternity or Sorority House Residential-Care Facility (16 or Fewer Residents)

