

**CITY OF BALTIMORE
COUNCIL BILL 06-0327
(First Reader)**

Introduced by: Councilmember Mitchell, President Dixon
At the request of: Downtown Partnership of Baltimore, Inc.
Address: c/o Kirby Fowler, 317 N. Charles Street, Baltimore, Maryland 21201
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Introduced and read first time: January 23, 2006

Assigned to: Land Use and Transportation Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Board of Municipal and Zoning Appeals, Planning Commission, Department of Housing and Community Development

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Zoning – Housing in Downtown Baltimore**

3 FOR the purpose of repealing certain conversion and lot-area restrictions applicable to dwellings
4 in B-4 and B-5 Districts; preserving the supremacy of all more-restrictive conditions or
5 requirements imposed by Urban Renewal Plans; and generally relating to lot area
6 requirements for housing in B-4 and B-5 Districts.

7 BY repealing and reordaining, without amendments

8 Article - Zoning
9 Section(s) 1-206
10 Baltimore City Revised Code
11 (Edition 2000)

12 BY repealing

13 Article - Zoning
14 Section(s) 6-105(c) and 6-511
15 Baltimore City Revised Code
16 (Edition 2000)

17 **Recitals**

18 Over 3,000 new housing units have been built in Downtown Baltimore since 1999. These
19 new housing developments have brought in over 5,000 new residents to Downtown
20 Baltimore, a majority of whom come from outside of the City of Baltimore. These new
21 downtown residents bring new life, vitality, and tax revenues to the City – generating
22 significant momentum in new housing development in Downtown Baltimore.

23 B-4 and B-5 Zoning Districts only exist in Downtown Baltimore and the Mt. Vernon
24 neighborhoods. Existing zoning regulations do not permit residential development to the
25 maximum potential of floor-area ratios in B-4 and B-5 Districts.

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

1 The intent of this bill is to stimulate new residential development in the Downtown area, but
2 without interfering with or superseding development restrictions imposed by any Urban
3 Renewal Plan.

4 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the
5 Laws of Baltimore City read as follows:

6 **Baltimore City Revised Code**

7 **Article – Zoning**

8 **§ 1-206. Conflicting provisions.**

9 (a) *Article sets minimum requirements.*

10 In their interpretation and application, the provisions of this article are intended as the
11 minimum requirements for the promotion of the public health, security, general welfare,
12 and morals.

13 (b) *Most restrictive provision governs.*

14 If any condition or requirement imposed by a provision of this article is either more or
15 less restrictive than a comparable condition or requirement imposed by any other
16 provision of this article or of any other law, rule, or regulation of any kind, including an
17 applicable Urban Renewal Plan, the condition or requirement that is the more restrictive
18 governs.

19 **§ 6-105. Lot area.**

20 [(c) *Families per acre in B-5 District.*

21 In a B-5 District, no building may be altered or its occupancy changed to house more
22 than 60 families per acre, unless the building was originally designed, constructed, and
23 equipped as a multiple-family dwelling for more than 6 families.]

24 **[§ 6-511. Lot area.**

25 (a) *In general.*

26 For each dwelling, efficiency, or rooming unit located in a B-4 District, the minimum lot
27 area is as specified in this section.

28 (b) *B-4-1 District.*

29 (1) *General.*

30 Except as specified in paragraph (2) of this subsection, the minimum lot area in a
31 B-4-1 District is:

1 (i) 120 square feet per rooming or efficiency unit.

2 (ii) 170 square feet per other dwelling unit.

3 (2) *Housing for elderly.*

4 The minimum lot area for housing for the elderly in a B-4-1 District is:

5 (i) 80 square feet per efficiency unit.

6 (ii) 120 square feet per other dwelling unit.

7 (c) *B-4-2 District.*

8 (1) *General.*

9 Except as specified in paragraph (2) of this subsection, the minimum lot area in a
10 B-4-2 District is:

11 (i) 80 square feet per rooming or efficiency unit.

12 (ii) 120 square feet per other dwelling unit.

13 (2) *Housing for elderly.*

14 The minimum lot area for housing for the elderly in a B-4-2 District is:

15 (i) 55 square feet per efficiency unit.

16 (ii) 80 square feet per other dwelling unit.]

17 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the catchlines contained in this Ordinance
18 are not law and may not be considered to have been enacted as a part of this or any prior
19 Ordinance.

20 **SECTION 3. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30th day
21 after the date it is enacted.