

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 11-0658

Introduced by: The Council President
At the request of: The Administration (Department of Transportation)
Introduced and read first time: March 7, 2011
Assigned to: Land Use and Transportation Committee
Committee Report: Favorable with amendments
Council action: Adopted
Read second time: November 14, 2011

AN ORDINANCE CONCERNING

1 **Traffic Mitigation – Establishing Traffic-Mitigation Zones**

2 FOR the purpose of modifying the requirements for certain development projects to mitigate their
3 impacts on City traffic; requiring the Department of Transportation to review certain
4 development projects; defining certain terms; designating certain areas to be
5 Traffic-Mitigation Zones; providing for payments in lieu of Traffic-Mitigation studies;
6 establishing how these payments are to be calculated; creating certain exceptions; authorizing
7 certain traffic-mitigation projects; and generally relating to the requirements and procedures
8 for building and zoning code permits and authorizations.

9 BY authority of
10 Article II - General Powers
11 Section(s) (40) and (47)
12 Baltimore City Charter
13 (1996 Edition)

14 BY repealing and reordaining, with amendments
15 Article - Building, Fire, and Related Codes
16 Section(s) 2-103 (IBC §§ 105.3(4), 105.3.1, 105.3.3, and 105.3.4)
17 Baltimore City Revised Code
18 (Edition 2000)

19 BY adding
20 Article - Building, Fire, and Related Codes
21 Section(s) 2-103 (IBC Chapter 38)
22 Baltimore City Revised Code
23 (Edition 2000)

24 BY transferring, with amendments
25 Article - Building, Fire, and Related Codes
26 Section(s) 2-103 (IBC § 105.3.2)
27 to

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.
Underlining indicates matter added to the bill by amendment.
~~Strike out~~ indicates matter stricken from the bill by
amendment or deleted from existing law by amendment.

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1 Section(s) 2-103 (IBC § 105.3.1.2 and Chapter 38)
2 Baltimore City Revised Code
3 (Edition 2000)

4 BY repealing and reordaining, with amendments
5 Article - Zoning
6 Section(s) 2-305, 2-403(c), 13-704(b), 14-201(d) and (e), and 16-301(b)
7 Baltimore City Revised Code
8 (Edition 2000)

9 BY repealing and reordaining, with amendments
10 Article 1 - Mayor, City Council, and Municipal Agencies
11 Section(s) 40-14(e)(5a)
12 Baltimore City Code
13 (Edition 2000)

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

16 **Baltimore City Revised Code**

17 **Article – Building, Fire, and Related Codes**

18 **Part II. International Building Code**

19 **§ 2-103. City modifications.**

20 The additions, deletions, amendments, and other modifications adopted by the City are as
21 follows:

22 **Chapter 1. Administration**

23 **Section 105 Permits**

24 **105.3 Application for permit.** To obtain a permit, the applicant must first file an
25 application on the form provided by the Building Official for that purpose. The application
26 must:

27 . . .

28 4. specify the gross floor area, as defined in [§ 105.3.2.1] ZONING CODE § 1-304,
29 involved in the proposed work,

30 . . .

31 **105.3.1 Action on application[– General].**

32 **105.3.1.1 GENERAL.** The Building Official must examine all applications
33 for permits within a reasonable time after filing. If the application or the proposed
34 work does not conform to the requirements of this Code or any other applicable law,
35 the Building Official must reject the application in writing, stating the reasons for the
36 rejection. If the Building Official is satisfied that the application and the proposed

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1 work conform to the requirements of this Code and all other applicable laws, the
2 Building Official must issue the permit as soon as practicable.

3 **105.3.1.2 [105.3.2.2] Referral [to DoT] TO ASSESS NEED FOR TRAFFIC**
4 **MITIGATION.** Within 15 business days of receiving a completed application, the
5 Building Official must refer the application and all accompanying documents to the
6 Director of Transportation, FOR REVIEW AND ACTION UNDER CHAPTER 38 {"TRAFFIC
7 IMPACT AND MITIGATION"} OF THIS CODE, if:

8 1. TRAFFIC MITIGATION REQUIREMENTS FOR THE PROPOSED WORK HAVE NOT
9 ALREADY BEEN COMPLIED WITH IN ACCORDANCE WITH THIS CODE OR THE
10 BALTIMORE CITY ZONING CODE; AND

11 2. the proposed work:

12 A. IS IN A TRAFFIC-MITIGATION ZONE DESIGNATED UNDER CHAPTER 38
13 {"TRAFFIC IMPACT AND MITIGATION"} OF THIS CODE AND INVOLVES
14 10 OR MORE DWELLING UNITS,

15 B. [1.] involves 15,000 sq. ft. or more of gross floor area (AS DEFINED IN
16 ZONING CODE § 1-304), [and] OR

17 C. INVOLVES 50 OR MORE DWELLING UNITS [2. a traffic-impact study for
18 the proposed work has not already been undertaken in accordance with
19 the Baltimore City Zoning Code].

20 **105.3.2 [105.3.3] Time limitation of application. {As in IBC [§ 105.3.2]}**

21 **105.3.3 [105.3.4] Bond for exterior removal of formstone, paint, etc.** An application
22 for a permit to remove formstone, paint, or other material from exterior surfaces must be
23 accompanied by evidence satisfactory to the Building Official that the applicant has
24 obtained a bond to cover the City's expense in the event of a spill or failure to properly
25 dispose of hazardous waste. The bond must be in an amount of at least \$5,000.

26 **CHAPTER 38. TRAFFIC IMPACT AND MITIGATION**

27 **SECTION 3801 DEFINITIONS**

28 **3801.1 GENERAL.** IN THIS CHAPTER, THE FOLLOWING TERMS HAVE THE MEANINGS
29 INDICATED.

30 **3801.1.1 DIRECTOR.** "DIRECTOR" MEANS THE DIRECTOR OF THE DEPARTMENT OF
31 TRANSPORTATION OR THE DIRECTOR'S DESIGNEE.

32 **[105.3.2 Action on application – Traffic-impact study.]**

33 **3801.1.2 [105.3.2.1 "Gross floor area" defined] GROSS FLOOR AREA.** [In this
34 § 105.3.2, "gross] "GROSS floor area" means the area specified in § 1-304 of the
35 Baltimore City Zoning Code.

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1 **3801.1.3 SUBSTANTIAL REHABILITATION.** “SUBSTANTIAL REHABILITATION” MEANS
2 ANY PROPOSED WORK THAT WILL RESULT IN A CHANGE IN THE USE OF A PROPERTY FROM
3 ONE TO ANOTHER OF THE USAGE CATEGORIES ESTABLISHED BY RULE OR REGULATION FOR
4 DETERMINING THE NUMBER OF TRIPS GENERATED BY A USE CHANGE IN OCCUPANCY.
5 “CHANGE IN OCCUPANCY” HAS THE MEANING STATED IN BUILDING CODE § 202.2.9.

6 **3801.1.4 TRAFFIC-MITIGATION ZONE.** “TRAFFIC-MITIGATION ZONE” OR “ZONE”
7 MEANS A GEOGRAPHIC AREA DESIGNATED BY THIS CHAPTER FOR HEIGHTENED REVIEW OF
8 THE POTENTIAL IMPACT OF DEVELOPMENT ON THE AREA’S TRANSPORTATION NETWORK.

9 **SECTION 3802 SCOPE OF CHAPTER**

10 **3802.1** ~~{Reserved} CITY EXEMPT. THIS CHAPTER DOES NOT APPLY TO ANY PROJECT~~
11 ~~CONSTRUCTED OR OWNED BY THE CITY OF BALTIMORE.~~

12 **3802.2 [105.3.2.3 Study criteria] OUTSIDE OF A TRAFFIC-MITIGATION ZONE.** A
13 traffic-impact study is required [if the] FOR ANY proposed work OUTSIDE OF A
14 TRAFFIC-MITIGATION ZONE IF THE PROPOSED WORK involves any 1 of the following:

- 15 1. an impact area[, as determined by the Director of Transportation,] that includes an
16 intersection performing at Level of Service D or worse, [or]
- 17 2. [100] 50 or more dwelling units, or
- 18 3. a gross floor area that equals or exceeds:
 - 19 a. for a warehouse use, [150,000] 100,000 sq. ft., or
 - 20 b. for any other use OR COMBINATION OF USES, 50,000 sq. ft.

21 **3802.2.1. DETERMINATION OF IMPACT AREA.** FOR PURPOSES OF THIS § 3802.2, AN
22 IMPACT AREA ~~MAY NOT HAVE A RADIUS OF MORE THAN ½ MILE~~ MUST INCLUDE THE ENTIRE
23 AREA LOCATED ½ MILE OR LESS FROM ANY POINT ON THE DEVELOPMENT’S PROPERTY
24 LINE, UNLESS THE DIRECTOR, IN ACCORDANCE WITH THE RULES AND REGULATIONS
25 ADOPTED UNDER THIS CHAPTER, DETERMINES THAT EXTRAORDINARY CIRCUMSTANCES
26 EXIST THAT REQUIRE THAT A LARGER IMPACT AREA OF UP TO 1 MILE FROM THE
27 DEVELOPMENT’S PROPERTY LINE BE CONSIDERED.

28 **3802.3 WITHIN A TRAFFIC-MITIGATION ZONE.** A TRAFFIC-MITIGATION FEE IS REQUIRED
29 FOR ANY PROPOSED NEW CONSTRUCTION OR ~~SUBSTANTIAL REHABILITATION~~ CHANGE IN
30 OCCUPANCY WITHIN A TRAFFIC-MITIGATION ZONE IF THE PROPOSED WORK INVOLVES ANY 1
31 OF THE FOLLOWING:

- 32 1. 10 OR MORE DWELLING UNITS, OR
- 33 2. A GROSS FLOOR AREA THAT EQUALS OR EXCEEDS:
 - 34 A. FOR A WAREHOUSE USE, 100,000 SQ. FT., OR
 - 35 B. FOR ANY OTHER USE OR COMBINATION OF USES, 50,000 SQ. FT.

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1 **3802.4 [105.3.2.4] DoT initial determination.** Within 20 business days [of the referral of
2 an] AFTER AN application HAS BEEN REFERRED TO THE DIRECTOR OF TRANSPORTATION
3 UNDER § 105.3.1.2 {"REFERRAL TO ASSESS NEED FOR TRAFFIC-MITIGATION"} OF THIS CODE,
4 the Director [of Transportation] must review the application and notify the [Building
5 Official] REFERRING OFFICIAL and the applicant:

- 6 1. whether and, if so, what additional information is needed to evaluate the application,
7 or
- 8 2. if no additional information is needed:
 - 9 A. WHETHER THE PROPOSED PROJECT IS IN A TRAFFIC-MITIGATION ZONE, AND IF
10 SO, WHETHER THE DEVELOPER OF A PROJECT MUST PAY A
11 TRAFFIC-MITIGATION FEE UNDER § 3806 {"TRAFFIC-MITIGATION FEE"} OF
12 THIS CHAPTER,
 - 13 B. [a.] whether, under the criteria set forth in [§ 105.3.2.3] THIS § 3802, a
14 traffic-impact study will be required, and
 - 15 C. [b.] if a traffic-impact study will be required, the estimated expenses for
16 undertaking or contracting for the study.

17 **3803 [105.3.2.9] DoT rules and regulations.**

18 **3803.1 [105.3.2.9.1] In general.** The Department of Transportation [may] MUST adopt
19 rules and regulations to carry out this CHAPTER [§ 105.3.2.].

20 **3803.2 CONTENTS.** THESE RULES AND REGULATIONS:

- 21 1. MUST INCLUDE:
 - 22 A. PROCEDURES FOR DETERMINING THE NUMBER OF TRIPS TO BE ATTRIBUTABLE
23 TO PROJECTS IN A PARTICULAR TRAFFIC-MITIGATION ZONE OR SUB-ZONE,
 - 24 B. PROCEDURES FOR DETERMINING WHAT CONSTITUTE EXTRAORDINARY
25 CIRCUMSTANCES REQUIRING THAT AN IMPACT AREA OF UP TO A 1 MILE RADIUS
26 BE CONSIDERED FOR PURPOSES OF § 3802.2, ~~AND~~
 - 27 C. A SCHEDULE OF THE FEES THAT AN APPLICANT MAY BE CHARGED UNDER
28 § 3804, AND,
 - 29 D. AN ACCOUNTING METHOD, ADOPTED IN ACCORDANCE WITH § 3807.5.3, TO
30 IDENTIFY WHAT SPECIFIC PROJECTS INDIVIDUAL FEES ARE OBLIGATED TO FOR
31 PURPOSES OF A REVIEW UNDER § 3807.5.1

32 2. MAY ESTABLISH:

- 33 A. USAGE CATEGORIES FOR DETERMINING THE NUMBER OF TRIPS GENERATED BY
34 DIFFERING USES WITHIN TRAFFIC-MITIGATION ZONES, AND

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1 B. PROCEDURES FOR DESIGNATING, WITHIN TRAFFIC-MITIGATION ZONES,
2 SUB-ZONES WITH DIFFERING TRIP-GENERATION FORMULAS, AND

3 3. MAY INCLUDE ANY OTHER PROCEDURES, STANDARDS, OR REQUIREMENTS CONSISTENT
4 WITH THIS CHAPTER.

5 **3803.3 PUBLIC REVIEW.** ALL PROPOSED RULES AND REGULATIONS UNDER THIS CHAPTER
6 MUST BE PUBLISHED FOR PUBLIC COMMENT ON THE DEPARTMENT OF TRANSPORTATION’S
7 WEBSITE BY THE DIRECTOR FOR AT LEAST ~~30~~ 45 DAYS. DURING THE ~~30~~ 45 DAY PUBLIC
8 COMMENT PERIOD THE DIRECTOR MUST HOLD 1 OR MORE PUBLIC HEARINGS ON THE PROPOSED
9 RULES AND REGULATIONS, AT LEAST 1 OF WHICH MUST BEGIN BETWEEN 6 PM AND 8 PM.
10 AFTER THIS PUBLICATION AND HEARING, THE DIRECTOR MAY MODIFY AND ADOPT RULES AND
11 REGULATIONS BY FILING A COPY OF THE FINAL RULES AND REGULATIONS WITH THE DIRECTOR
12 OF LEGISLATIVE REFERENCE.

13 **3803.4 [105.3.2.9.2] Filing.** A copy of all rules and regulations adopted under this CHAPTER
14 [§ 105.3.2.] must be filed with:

- 15 1. the Building Official,
- 16 2. the Zoning Administrator,
- 17 3. the Board of Municipal and Zoning Appeals, ~~and~~
- 18 4. the Director of Legislative Reference, AND
- 19 5. THE DIRECTOR OF PLANNING.

20 **SECTION 3804 TRAFFIC-IMPACT STUDY**

21 **3804.1 SCOPE OF SECTION.** THIS § 3804 IS APPLICABLE TO ALL PROPOSED PROJECTS
22 LOCATED OUTSIDE OF A TRAFFIC-MITIGATION ZONE.

23 **3804.2 [105.3.2.5] How conducted.**

24 **3804.2.1 [105.3.2.5.1] By DoT or consultant.** The Department of Transportation may
25 itself undertake the study or contract with independent consultants for the study, as the
26 Director [of Transportation] considers necessary or appropriate.

27 **3804.2.1.1 CONSULTANT CONFLICTS.** FOR A CONSULTANT TO BE ELIGIBLE TO
28 UNDERTAKE A TRAFFIC-IMPACT STUDY, THE CONSULTANT MUST CERTIFY TO THE
29 DIRECTOR, IN THE MANNER PRESCRIBED BY THE DIRECTOR, THAT THE CONSULTANT IS
30 FREE OF ANY CONFLICTS OF INTEREST.

31 **3804.2.1.1.1 CONFLICT DEFINED.** FOR PURPOSES OF THIS § 3804.2 A “CONFLICT
32 OF INTEREST” IS DEFINED AS ANY CONSULTANT HAVING MATERIALLY
33 PARTICIPATED IN THE DEVELOPMENT OF THE APPLICATION OR HAVING WORKED
34 FOR THE APPLICANT ON ANY APPLICATION WITHIN THE PRIOR 24 MONTHS.

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1 **3804.2.2 [105.3.2.5.2] Scope of study.** The area and scope of each study is to be
2 determined by the Department of Transportation, IN ACCORDANCE WITH THE RULES AND
3 REGULATIONS ADOPTED UNDER § 3803.

4 **3804.2.2.1 MINIMUM AREA OF STUDY.** THE AREA OF A STUDY REQUIRED UNDER THIS
5 § 3804 MUST NOT BE SMALLER THAN THE IMPACT AREA OF THE PROJECT, AS
6 DETERMINED USING THE METHOD DESCRIBED IN § 3802.2.1.

7 **3804.3 [105.3.2.6] Expenses.** All reasonable expenses incurred in undertaking or
8 contracting for the study must be paid by the applicant, [as an additional service charge for
9 the permit, to] AND WILL be imposed and collected as provided in § 108 of this Code for fees
10 and service charges.

11 **3804.3.1 [105.3.2.6.1] Initial payment.** Before the study begins, the applicant must pay
12 [an amount equal to 50% of] the expenses estimated under [§ 105.3.2.4] § 3802.4.

13 **3804.3.2 [105.3.2.6.2] Balance.** After the study is completed, but before any permit may
14 be issued, the applicant must pay [the] ANY difference between the INITIAL amount paid
15 UNDER § 3804.3.1 and the actual expenses incurred for the study.

16 **3804.3.2.1 REFUND.** AFTER THE STUDY IS COMPLETED, SUBJECT TO APPROPRIATION
17 BY THE BOARD OF ESTIMATES, THE APPLICANT IS ENTITLED TO A REFUND OF ANY
18 PAYMENTS MADE UNDER § 3804.3.1 THAT EXCEED THE ACTUAL EXPENSES INCURRED
19 FOR THE STUDY PLUS A REASONABLE SERVICE CHARGE.

20 **3804.4 [105.3.2.7] Applicant’s option on delay.** If the traffic-impact study is not
21 completed within 60 business days after the initial payment is made under [§ 105.3.2.6.1]
22 § 3804.3.1[,]:

- 23 1. the applicant may proceed to contract for the traffic-impact study with a consultant
24 selected from a list of consultants [approved by the Department of Transportation]
25 PREQUALIFIED BY THE DEPARTMENT OF PUBLIC WORKS’ OFFICE OF BOARDS AND
26 COMMISSIONS; AND
- 27 2. SUBJECT TO APPROPRIATION BY THE BOARD OF ESTIMATES, THE APPLICANT IS
28 ENTITLED TO A FULL REFUND OF ALL FEES PAID TO THE CITY FOR THE UNCOMPLETED
29 TRAFFIC-IMPACT STUDY.

30 **3804.5 [105.3.2.8] Mitigation.** The applicant AND THE DEPARTMENT OF TRANSPORTATION
31 must negotiate in good faith [with the Department of Transportation] to determine who must
32 pay for and undertake the actions necessary or appropriate to mitigate the adverse traffic
33 impacts identified in the traffic-impact study. If no agreement is reached, the application is
34 not approved.

35 **SECTION 3805 TRAFFIC-MITIGATION ZONES**

36 **3805.1 PURPOSE OF ZONES.** AREAS DESIGNATED AS TRAFFIC-MITIGATION ZONES ARE
37 AREAS THAT HAVE OVERBURDENED AND INTERRELATED TRANSPORTATION NETWORKS AND
38 THAT ARE ANTICIPATED TO EXPERIENCE SIGNIFICANT DEVELOPMENT. HEIGHTENED REVIEW

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1 OF DEVELOPMENT THAT MIGHT IMPACT THE TRANSPORTATION NETWORKS IN THESE AREAS IS
2 THEREFORE NECESSARY.

3 **3805.2 TRAFFIC MANAGEMENT PLANS FOR ZONES.** THE PLANNING COMMISSION ~~MUST~~ MAY
4 ADOPT A 10-YEAR TRAFFIC MANAGEMENT PLAN FOR EACH TRAFFIC-MITIGATION ZONE AND
5 REVIEW AND UPDATE EACH PLAN EVERY 5 YEARS.

6 **3805.2.1 REQUIRED PLAN INCLUSIONS.** EACH PLAN MUST, AMONG OTHER THINGS:

- 7 1. PROJECT THE NUMBER OF TRIPS THAT REASONABLY MIGHT BE EXPECTED TO BE
8 GENERATED IN THE ZONE, BASED ON NEW DEVELOPMENT (INCLUDING
9 REDEVELOPMENT OF VACANT AND UNDERUTILIZED PARCELS),
- 10 2. IDENTIFY MULTIMODAL TRANSPORTATION SOLUTIONS TO MITIGATE THE LIKELY
11 GROWTH IN TRAFFIC CONGESTION, AND
- 12 3. BASED ON THE DIRECTOR’S RECOMMENDATIONS, INDICATE WHAT PROJECTS MAY
13 BE FUNDED, IN WHOLE OR IN PART, BY TRAFFIC-MITIGATION FEES FROM THE
14 ZONE.

15 **3805.2.2 PLAN EXCLUSIONS.** THE PLAN MAY NOT INCLUDE TRAFFIC-MITIGATION FEE
16 FUNDING FOR SYSTEM PRESERVATION PROJECTS SUCH AS STREET RESURFACING,
17 RECONSTRUCTION, OR OTHER PROJECTS NOT REQUIRED TO MITIGATE THE GROWTH IN
18 TRAFFIC CONGESTION UNLESS THE SYSTEM PRESERVATION PROJECTS ARE REASONABLY
19 NECESSARY TO IMPROVE SAFETY OR CAPACITY.

20 **3805.3 DESIGNATED ZONES.** THERE ARE 5 TRAFFIC-MITIGATION ZONES IN THE CITY OF
21 BALTIMORE.

22 **3805.3.1 DOWNTOWN/MIDTOWN ZONE.** THE AREA WITHIN THE FOLLOWING
23 BOUNDARIES IS THE “DOWNTOWN/MIDTOWN TRAFFIC-MITIGATION ZONE”:

24 BEGINNING FOR THE SAME AT THE POINT FORMED BY THE INTERSECTION OF THE
25 CENTERLINE OF EAST NORTH AVENUE (VARYING IN WIDTH), AND THE CENTERLINE
26 OF NORTH CALVERT STREET, 60 FEET WIDE; THENCE RUNNING WITH THE
27 CENTERLINE OF SAID NORTH CALVERT STREET WITH MERIDIAN REFERENCE TO
28 THE BALTIMORE CITY SURVEY CONTROL SYSTEM, THE FOLLOWING COURSES:

- 29 (1) SOUTHERLY TO THE POINT FORMED BY THE GEOMETRIC INTERSECTION OF
30 THE CENTERLINE OF SAID NORTH CALVERT STREET, AND THE
31 CENTERLINE OF INTERSTATE ROUTE 83 RIGHT-OF-WAY (ROADWAY
32 BELOW); THENCE RUNNING WITH THE CENTERLINE OF SAID INTERSTATE
33 ROUTE 83 RIGHT-OF-WAY
- 34 (2) SOUTHERLY TO A POINT FORMED BY THE GEOMETRIC INTERSECTION OF
35 THE CENTERLINE OF SAID INTERSTATE ROUTE 83 RIGHT-OF-WAY AND
36 THE CENTERLINE OF THE FALLSWAY, VARYING IN WIDTH (ROADWAY
37 ABOVE); THENCE RUNNING WITH THE CENTERLINE OF SAID THE
38 FALLSWAY
- 39 (3) SOUTHEASTERLY TO A POINT FORMED BY THE INTERSECTION OF THE
40 CENTERLINE OF SAID THE FALLSWAY AND THE CENTERLINE OF EAST
41 FAYETTE STREET; THENCE RUNNING WITH THE CENTERLINE OF SAID
42 EAST FAYETTE STREET

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- 1 (4) WESTERLY TO A POINT FORMED BY THE INTERSECTION OF THE
2 CENTERLINE OF SAID EAST FAYETTE STREET AND THE CENTERLINE OF
3 NORTH PRESIDENT STREET CORRIDOR, VARYING IN WIDTH; THENCE
4 RUNNING WITH THE CENTERLINE OF SAID NORTH PRESIDENT STREET
5 CORRIDOR

- 6 (5) SOUTHEASTERLY, PASSING OVER EAST BALTIMORE STREET AT WHICH
7 POINT SAID NORTH PRESIDENT STREET CORRIDOR BECOMES SOUTH
8 PRESIDENT STREET CORRIDOR, VARYING IN WIDTH; TO A POINT FORMED
9 BY THE INTERSECTION OF SAID SOUTH PRESIDENT STREET CORRIDOR
10 AND THE CENTERLINE OF FLEET STREET, VARYING IN WIDTH; THENCE
11 DEPARTING LASTLY MENTIONED POINT AND RUNNING WITH THE
12 CENTERLINE OF FELICIA STREET CORRIDOR

- 13 (6) SOUTHEASTERLY TO THE CENTER OF ALBEMARLE STREET ROUND-
14 ABOUT; THENCE DEPARTING LASTLY MENTIONED POINT AND RUNNING
15 WITH ALBEMARLE STREET

- 16 (7) SOUTHEASTERLY TO A POINT FORMED BY THE INTERSECTION OF SAID
17 ALBEMARLE STREET AND THE CENTERLINE OF LANCASTER STREET;
18 THENCE DEPARTING LAST POINT OF INTERSECTION AND RUNNING

- 19 (8) DUE SOUTH TO A POINT ON THE SOUTH 52° 18' 41" EAST, 1018.66 FOOT
20 LINE AS SHOWN ON A PLAT ENTITLED "PIERHEAD AND BULKHEAD LINES,
21 BALTIMORE HARBOR, MARYLAND" SHEET 2 OF 6, FILE 13 MAP 849
22 DATED JULY 13, 1950 AND PREPARED BY THE CORPS OF ENGINEERS,
23 BALTIMORE DISTRICT; THENCE RUNNING WITH SAID SOUTH 52° 18' 41"
24 EAST, 1018.66 FOOT LINE REVERSELY AND

- 25 (9) NORTHWESTERLY TO THE BEGINNING THEREOF AND A POINT LABELED
26 VII, AS SHOWN ON SAID PLAT; THENCE DEPARTING SAID POINT VII AND
27 RUNNING WITH THE SOUTH 10° 17' 58" EAST 424.29 FOOT LINE,
28 REVERSELY AND

- 29 (10) NORTHERLY TO THE BEGINNING THEREOF, AND A POINT LABELED VI, AS
30 SHOWN ON SAID PLAT; THENCE DEPARTING SAID POINT VI AND CROSSING
31 THE NORTHWEST BRANCH OF THE PATAPSCO RIVER

- 32 (11) IN A WESTERLY DIRECTION TO A POINT LABELED LIV, AS SHOWN ON
33 SAID PLAT; SAID POINT LIV ALSO BEING LABELED 16 ON A PLAT ENTITLED
34 "HARBORVIEW SUBDIVISION PLAN" AND RECORDED AMONG THE LAND
35 RECORDS OF BALTIMORE CITY, MARYLAND, IN PLAT BOOK S.E.B.,
36 PAGE 3187; THENCE DEPARTING SAID POINT 16 (AKA LIV) AND RUNNING
37 WITH THE SOUTH 74° 47' 38" EAST, 30.90 FOOT LINE, REVERSELY AND

- 38 (12) IN A NORTHWESTERLY DIRECTION TO THE BEGINNING THEREOF AND A
39 POINT LABELED 15, AS SHOWN ON LASTLY MENTIONED PLAT; THENCE
40 RUNNING WITH THE NORTH 02° 06' 20" WEST, 340.82 FOOT LINE
41 REVERSELY AND

- 42 (13) IN A SOUTHERLY DIRECTION AS SHOWN ON THE LASTLY MENTIONED
43 PLAT, AND BINDING ON, IN PART, THE EAST SIDE OF THE FORMER BED OF
44 COVINGTON STREET, IF PROJECTED, TO A POINT FORMED BY THE
45 INTERSECTION OF THE EAST SIDE OF SAID COVINGTON STREET AND KEY
46 HIGHWAY; THENCE RUNNING WITH THE CENTERLINE OF SAID KEY
47 HIGHWAY

- 48 (14) WESTERLY TO A POINT FORMED BY THE INTERSECTION OF THE
49 CENTERLINE OF SAID KEY HIGHWAY AND THE CENTERLINE OF LIGHT
50 STREET, 82.5 FEET WIDE; THENCE RUNNING WITH THE CENTERLINE OF
51 SAID LIGHT STREET

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- 1 (15) SOUTHERLY TO A POINT FORMED BY THE INTERSECTION OF THE
2 CENTERLINE OF SAID LIGHT STREET AND THE CENTERLINE OF EAST
3 MONTGOMERY STREET, 82 FEET WIDE; THENCE RUNNING WITH THE
4 CENTERLINE OF SAID EAST MONTGOMERY STREET

- 5 (16) WESTERLY TO A POINT FORMED BY THE INTERSECTION OF THE
6 CENTERLINE OF SAID EAST MONTGOMERY STREET AND THE CENTERLINE
7 OF SOUTH CHARLES STREET, 66 FEET WIDE; THENCE RUNNING WITH THE
8 CENTERLINE OF SAID SOUTH CHARLES STREET

- 9 (17) SOUTHERLY TO A POINT FORMED BY THE INTERSECTION OF THE
10 CENTERLINE OF SAID SOUTH CHARLES STREET AND THE CENTERLINE OF
11 WEST CHURCHILL STREET, 20 FEET WIDE; THENCE RUNNING WITH THE
12 CENTERLINE OF SAID WEST CHURCHILL STREET

- 13 (18) WESTERLY TO A POINT FORMED BY THE INTERSECTION OF THE
14 CENTERLINE OF SAID WEST CHURCHILL STREET AND THE CENTERLINE OF
15 SOUTH HANOVER STREET, 66 FEET WIDE; THENCE RUNNING WITH THE
16 CENTERLINE OF SAID SOUTH HANOVER STREET

- 17 (19) NORTHERLY TO A POINT FORMED BY THE INTERSECTION OF THE
18 CENTERLINE OF SAID SOUTH HANOVER STREET AND THE CENTERLINE OF
19 WEST MONTGOMERY STREET, 35 FEET WIDE; THENCE RUNNING WITH
20 THE CENTERLINE OF SAID WEST MONTGOMERY STREET

- 21 (20) NORTHWESTERLY TO A POINT FORMED BY THE INTERSECTION OF THE
22 CENTERLINE OF SAID WEST MONTGOMERY STREET AND THE CENTERLINE
23 OF SOUTH SHARP STREET, 66 FEET WIDE; THENCE RUNNING WITH THE
24 CENTERLINE OF SAID SOUTH SHARP STREET

- 25 (21) SOUTHWESTERLY TO A POINT ON THE SOUTH SIDE OF WEST HENRIETTA
26 STREET, 66 FEET WIDE; THENCE BINDING ON AND RUNNING WITH THE
27 SOUTH SIDE OF SAID WEST HENRIETTA STREET

- 28 (22) NORTHWESTERLY TO A POINT ON THE WEST SIDE OF SAID SOUTH SHARP
29 STREET AND THE BEGINNING OF THE SECOND LINE OF A PARCEL OF LAND
30 DESCRIBED IN A CONVEYANCE FROM CONGRESS HALL SQUARE LIMITED
31 PARTNERSHIP, UNTO CHS SWIM CLUB, INC. BY DEED DATED MAY 26,
32 1987 AND RECORDED AMONG AFORESAID LAND RECORDS IN LIBER
33 S.E.B. No. 1319, FOLIO 231; THENCE RUNNING WITH THE SECOND OR
34 NORTH 70° 05' 00" WEST, 99.74 FOOT LINE,

- 35 (23) IN A NORTHWESTERLY DIRECTION, AS DESCRIBED IN SAID DEED,
36 PASSING OVER THE END THEREOF AND CROSSING INTERSTATE ROUTE 395
37 TO INTERSECT THE CENTERLINE OF SOUTH MARTIN LUTHER KING JR.
38 BOULEVARD; THENCE RUNNING WITH THE CENTERLINE OF SAID SOUTH
39 MARTIN LUTHER KING JR. BOULEVARD,

- 40 (24) NORTHERLY, PASSING OVER WEST BALTIMORE STREET AT WHICH POINT
41 SOUTH MARTIN LUTHER KING JR. BOULEVARD BECOMES NORTH
42 MARTIN LUTHER KING JR. BOULEVARD, TO A POINT FORMED BY THE
43 INTERSECTION OF THE CENTERLINE OF SAID NORTH MARTIN LUTHER
44 KING JR. BOULEVARD AND THE CENTERLINE OF NORTH EUTAW STREET,
45 110 FEET WIDE; THENCE RUNNING WITH THE CENTERLINE OF SAID NORTH
46 EUTAW STREET

- 47 (25) NORTHWESTERLY TO A POINT FORMED BY THE INTERSECTION OF SAID
48 NORTH EUTAW STREET AND THE CENTERLINE OF DOLPHIN STREET, 100
49 FEET WIDE; THENCE RUNNING WITH THE CENTERLINE OF SAID DOLPHIN
50 STREET

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- (26) NORTHEASTERLY TO A POINT FORMED BY THE INTERSECTION OF THE CENTERLINE OF SAID DOLPHIN STREET AND THE CENTERLINE OF NORTH HOWARD STREET, 80 FEET WIDE; THENCE RUNNING WITH THE CENTERLINE OF SAID NORTH HOWARD STREET

- (27) NORTHERLY TO A POINT FORMED BY THE INTERSECTION OF SAID NORTH HOWARD STREET AND THE CENTERLINE OF WEST NORTH AVENUE; THENCE RUNNING WITH THE CENTERLINE OF SAID WEST NORTH AVENUE

- (28) EASTERLY, PASSING OVER NORTH CHARLES STREET AT WHICH POINT SAID WEST NORTH AVENUE BECOMES EAST NORTH AVENUE, TO THE PLACE OF BEGINNING.

- (24) NORTHERLY, PASSING OVER WEST BALTIMORE STREET AT WHICH POINT SOUTH MARTIN LUTHER KING JR. BOULEVARD BECOMES NORTH MARTIN LUTHER KING JR. BOULEVARD, TO A POINT FORMED BY THE INTERSECTION OF THE CENTERLINE OF SAID NORTH MARTIN LUTHER KING JR. BOULEVARD AND THE CENTERLINE OF MADISON AVENUE, 66 FEET WIDE; THENCE RUNNING WITH THE CENTERLINE OF SAID MADISON AVENUE.

- (25) NORTHWESTERLY TO A POINT FORMED BY THE INTERSECTION OF SAID MADISON AVENUE AND THE CENTERLINE OF DOLPHIN STREET, 100 FEET WIDE; THENCE RUNNING WITH THE CENTERLINE OF SAID DOLPHIN STREET.

- (26) NORTHEASTERLY TO A POINT FORMED BY THE INTERSECTION OF SAID DOLPHIN STREET AND THE CENTERLINE OF NORTH EUTAW STREET, 110 FEET WIDE; THENCE RUNNING WITH THE CENTERLINE OF SAID NORTH EUTAW STREET.

- (27) SOUTHEASTERLY TO A POINT FORMED BY THE INTERSECTION OF SAID NORTH EUTAW STREET AND THE CENTERLINE OF 29TH DIVISION STREET, 66 FEET WIDE (FORMERLY WEST HOFFMAN STREET); THENCE RUNNING WITH THE CENTERLINE OF SAID 29TH DIVISION STREET.

- (28) NORTHEASTERLY TO A POINT FORMED BY THE INTERSECTION OF SAID 29TH DIVISION STREET AND THE CENTERLINE OF BOLTON STREET, VARYING IN WIDTH; THENCE RUNNING WITH THE CENTERLINE OF SAID BOLTON STREET.

- (29) NORTHWESTERLY TO A POINT FORMED BY THE INTERSECTION OF SAID BOLTON STREET AND THE CENTERLINE OF SAID DOLPHIN STREET; THENCE RUNNING WITH THE CENTERLINE OF SAID DOLPHIN STREET.

- (30) NORTHEASTERLY TO A POINT FORMED BY THE INTERSECTION OF THE CENTERLINE OF SAID DOLPHIN STREET AND THE CENTERLINE OF NORTH HOWARD STREET, 80 FEET WIDE; THENCE RUNNING WITH THE CENTERLINE OF SAID NORTH HOWARD STREET.

- (31) NORTHERLY TO A POINT FORMED BY THE INTERSECTION OF SAID NORTH HOWARD STREET AND THE CENTERLINE OF WEST NORTH AVENUE; THENCE RUNNING WITH THE CENTERLINE OF SAID WEST NORTH AVENUE.

- (32) EASTERLY, PASSING OVER NORTH CHARLES STREET AT WHICH POINT SAID WEST NORTH AVENUE BECOMES EAST NORTH AVENUE, TO THE PLACE OF BEGINNING.

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3805.3.2 SOUTHEAST ZONE. THE AREA WITHIN THE FOLLOWING
BOUNDARIES IS THE “SOUTHEAST TRAFFIC-MITIGATION ZONE”:

BEGINNING AT A POINT FORMED BY THE INTERSECTION OF THE CENTERLINE OF
ORLEANS STREET (U.S. ROUTE 40), VARYING IN WIDTH, AND THE CENTERLINE OF
NORTH PATTERSON PARK AVENUE, 70 FEET WIDE; THENCE DEPARTING SAID POINT
SO FIXED AND RUNNING WITH THE CENTERLINE OF SAID ORLEANS STREET, WITH
MERIDIAN REFERENCE TO THE BALTIMORE CITY SURVEY CONTROL SYSTEM THE
FOLLOWING COURSES:

- (1) EASTERLY TO A POINT FORMED BY THE INTERSECTION OF SAID
CENTERLINE OF ORLEANS STREET (U.S. ROUTE 40) AND THE CENTERLINE
OF PULASKI HIGHWAY (U.S. ROUTE 40), VARYING IN WIDTH, FORMERLY
BEING PHILADELPHIA AVENUE AS LISTED IN ORDINANCE #81, DATED
APRIL 24, 1944; THENCE RUNNING WITH THE CENTERLINE OF SAID
PULASKI HIGHWAY (U.S. ROUTE 40)
- (2) EASTERLY AND NORTHEASTERLY TO A POINT FORMED BY THE
INTERSECTION OF THE CENTERLINE OF SAID PULASKI HIGHWAY (U.S.
ROUTE 40) AND THE CENTERLINE OF ERDMAN AVENUE (MARYLAND
ROUTE 151), VARYING IN WIDTH; THENCE RUNNING WITH CENTERLINE OF
SAID ERDMAN AVENUE (MARYLAND ROUTE 151)
- (3) SOUTH EASTERLY TO A POINT FORMED BY THE INTERSECTION OF WITH
THE CENTERLINE OF SAID ERDMAN AVENUE (MARYLAND ROUTE 151)
AND THE CENTERLINE OF BALTIMORE HARBOR TUNNEL (INTERSTATE
ROUTE 895) RIGHT-OF-WAY; THENCE RUNNING WITH CENTERLINE OF
SAID BALTIMORE HARBOR TUNNEL RIGHT-OF-WAY
- (4) SOUTHERLY TO A POINT FORMED BY THE INTERSECTION OF THE
CENTERLINE OF SAID BALTIMORE HARBOR TUNNEL (INTERSTATE ROUTE
895) RIGHT-OF-WAY AND THE CENTERLINE OF EAST LOMBARD STREET,
80 FEET WIDE, (FORMERLY KNOWN AS BAYVIEW AVENUE AS LISTED IN
ORDINANCE #302, DATED MARCH 30, 1977); THENCE RUNNING WITH
CENTERLINE OF SAID EAST LOMBARD STREET
- (5) NORTHERLY AND EASTERLY TO A POINT FORMED BY THE INTERSECTION
OF THE CENTERLINE OF SAID EAST LOMBARD STREET AND THE
CENTERLINE OF KANE STREET, VARYING IN WIDTH; THENCE RUNNING
WITH THE CENTERLINE OF SAID KANE STREET
- (6) NORTH EASTERLY TO A POINT FORMED BY THE GEOMETRIC
INTERSECTION OF THE CENTERLINE OF SAID KANE STREET (ROADWAY
BELOW), AND THE CENTERLINE OF INTERSTATE ROUTE 95, JOHN F.
KENNEDY MEMORIAL HIGHWAY, RIGHT-OF-WAY (VARYING IN WIDTH,
ROADWAY ABOVE); THENCE RUNNING WITH THE CENTERLINE OF SAID
INTERSTATE ROUTE 95 (JOHN F. KENNEDY MEMORIAL HIGHWAY)
- (7) SOUTHERLY AND WESTERLY TO A POINT FORMED BY THE GEOMETRIC
INTERSECTION OF THE CENTERLINE OF SAID INTERSTATE ROUTE 95 -
JOHN F. KENNEDY MEMORIAL HIGHWAY,(ROADWAY ABOVE), AND THE
CENTERLINE OF GUSRYAN STREET (ROADWAY BELOW), 60 FEET WIDE;
THENCE RUNNING WITH THE CENTERLINE OF SAID GUSRYAN STREET
- (8) SOUTHERLY TO A POINT FORMED BY THE INTERSECTION OF THE
CENTERLINE OF SAID GUSRYAN STREET AND THE CENTERLINE OF
O'DONNELL STREET, 60 FEET WIDE; THENCE RUNNING WITH THE
CENTERLINE OF SAID O'DONNELL STREET

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- (9) WESTERLY TO A POINT FORMED BY THE INTERSECTION OF THE CENTERLINE OF SAID O'DONNELL STREET AND THE CENTERLINE OF BROENING HIGHWAY, VARYING IN WIDTH; THENCE RUNNING WITH THE CENTERLINE OF SAID BROENING HIGHWAY

- (10) SOUTHERLY TO A POINT FORMED BY THE INTERSECTION OF THE CENTERLINE OF SAID BROENING HIGHWAY AND THE CENTERLINE OF KEITH AVENUE, VARYING IN WIDTH; THENCE RUNNING WITH THE CENTERLINE OF SAID KEITH AVENUE

- (11) WESTERLY RUNNING WITH THE CENTERLINE OF SAID KEITH AVENUE TO A POINT FORMED BY THE INTERSECTION OF SAID KEITH AVENUE AND INTERSTATE ROUTE 95 (FORT MCHENRY TUNNEL), AS SHOWN ON BALTIMORE CITY BLOCK PLAT-WARD 1, SECTION 10, BLOCK 1903-D, DATED AUGUST 1963, VARYING IN WIDTH; THENCE RUNNING WITH THE CENTERLINE OF SAID INTERSTATE ROUTE 95 (FORT MCHENRY TUNNEL)

- (12) SOUTHWESTERLY TO A POINT FORMED BY THE INTERSECTION OF THE CENTERLINE OF SAID INTERSTATE ROUTE 95 (FORT MCHENRY TUNNEL) AND THE CENTERLINE OF NORTHWEST BRANCH; THENCE DEPARTING LASTLY MENTIONED POINT OF INTERSECTION AND RUNNING WITH THE CENTERLINE OF THE NORTHWEST BRANCH

- (13) NORTHERLY AND WESTERLY TO A POINT FORMED BY THE INTERSECTION OF THE CENTERLINE OF SAID NORTHWEST BRANCH AND A LINE CROSSING THE NORTHWEST BRANCH OF THE PATAPSCO RIVER, IF DRAWN BETWEEN A POINT LABELED VI AND A POINT LABELED LIV, BOTH BEING SHOWN ON A PLAT ENTITLED "PIERHEAD AND BULKHEAD LINES, BALTIMORE HARBOR, MARYLAND" SHEET 2 OF 6, FILE 13 MAP 849 DATED JULY 13, 1950 AND PREPARED BY THE CORPS OF ENGINEERS, BALTIMORE DISTRICT; THENCE DEPARTING LASTLY MENTIONED POINT OF INTERSECTION AND RUNNING

- (14) IN A EASTERLY DIRECTION TO A POINT LABELED VI, AS SHOWN ON LASTLY MENTIONED PLAT; THENCE DEPARTING SAID POINT VI, BINDING ON AND RUNNING IN A

- (15) SOUTHERLY DIRECTION WITH THE SOUTH 10° 17' 58" EAST 424.29 FOOT LINE AS SHOWN ON LASTLY MENTIONED PLAT TO END THEREOF AND A POINT LABELED VII; THENCE DEPARTING SAID POINT VII, BINDING ON AND RUNNING

- (16) IN A SOUTHERLY DIRECTION WITH THE SOUTH 52° 18' 41" EAST, 1018.66 FOOT LINE AS SHOWN ON LASTLY MENTIONED PLAT, TO POINT FORMED BY THE INTERSECTION OF SAID SOUTH 52° 18' 41" EAST, 1018.66 FOOT LINE AND A LINE DRAWN DUE SOUTH FROM A POINT FORMED BY THE INTERSECTION OF THE CENTERLINE OF THE FORMER BED OF ALBEMARLE STREET, VARYING IN WIDTH, AND THE CENTERLINE OF LANCASTER STREET, 52 FEET WIDE; THENCE DEPARTING LAST POINT OF INTERSECTION AND RUNNING

- (17) DUE NORTH TO A POINT FORMED BY THE INTERSECTION OF SAID FORMER BED OF ALBEMARLE STREET AND THE CENTERLINE OF SAID LANCASTER STREET; THENCE DEPARTING LAST POINT OF INTERSECTION AND RUNNING WITH THE CENTERLINE OF FORMER BED OF SAID ALBEMARLE STREET

- (18) NORTHWESTERLY TO THE CENTER OF ALBEMARLE STREET ROUND-BOUT; THENCE DEPARTING LASTLY MENTIONED POINT AND RUNNING WITH THE CENTERLINE OF FELICIA STREET CORRIDOR

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- 1 (19) NORTHWESTERLY TO A POINT FORMED BY THE INTERSECTION OF THE
2 CENTERLINE OF SAID FELICIA STREET CORRIDOR / SOUTH PRESIDENT
3 STREET CORRIDOR AND THE CENTERLINE OF FLEET STREET, VARYING IN
4 WIDTH; THENCE RUNNING WITH THE CENTERLINE OF SOUTH PRESIDENT
5 STREET CORRIDOR, VARYING IN WIDTH

- 6 (20) NORTHWESTERLY, PASSING OVER EAST BALTIMORE STREET AT WHICH
7 POINT SAID SOUTH PRESIDENT STREET CORRIDOR BECOMES NORTH
8 PRESIDENT STREET CORRIDOR, VARYING IN WIDTH, TO A POINT FORMED
9 BY THE INTERSECTION OF SAID NORTH PRESIDENT STREET CORRIDOR
10 AND THE CENTERLINE OF EAST FAYETTE STREET, VARYING IN WIDTH;
11 THENCE RUNNING WITH THE CENTERLINE OF SAID EAST FAYETTE STREET

- 12 (21) NORTHEASTERLY TO A POINT FORMED BY THE INTERSECTION OF THE
13 CENTERLINE OF SAID EAST FAYETTE STREET AND THE CENTERLINE OF
14 THE FALLSWAY, VARYING IN WIDTH; THENCE RUNNING WITH THE
15 CENTERLINE OF SAID THE FALLSWAY

- 16 (22) NORTHERLY TO A POINT FORMED BY THE INTERSECTION OF THE
17 CENTERLINE OF SAID THE FALLSWAY AND THE CENTERLINE OF HILLEN
18 STREET, 66 FEET WIDE; THENCE RUNNING WITH THE CENTERLINE OF SAID
19 HILLEN STREET

- 20 (23) NORTHEASTERLY TO A POINT FORMED BY THE INTERSECTION OF SAID
21 HILLEN STREET AND THE CENTERLINE OF NORTH EXETER STREET,
22 VARYING IN WIDTH; THENCE RUNNING WITH THE CENTERLINE OF SAID
23 NORTH EXETER STREET

- 24 (24) SOUTHWESTERLY TO A POINT FORMED BY THE INTERSECTION OF SAID
25 NORTH EXETER STREET AND THE CENTERLINE OF ORLEANS STREET
26 (U.S. ROUTE 40), 66 FEET WIDE; THENCE RUNNING WITH THE
27 CENTERLINE OF SAID ORLEANS STREET (U.S. ROUTE 40)

- 28 (25) WESTERLY TO THE PLACE OF BEGINNING.

29 **3805.3.3 SOUTH BALTIMORE/MIDDLE BRANCH ZONE.** THE AREA
30 WITHIN THE FOLLOWING BOUNDARIES IS THE “SOUTH BALTIMORE/MIDDLE
31 BRANCH TRAFFIC-MITIGATION ZONE”:

32 BEGINNING FOR THE SAME AT A POINT FORMED BY THE GEOMETRIC
33 INTERSECTION OF THE CENTERLINE OF SOUTH MARTIN LUTHER KING, JR.
34 BOULEVARD, VARYING IN WIDTH, AND THE CENTERLINE OF RUSSELL STREET
35 (BALTIMORE-WASHINGTON PARKWAY MD 295/129), VARYING IN WIDTH; THENCE
36 RUNNING WITH CENTERLINE OF SAID RUSSELL STREET WITH MERIDIAN REFERENCE
37 TO THE BALTIMORE CITY SURVEY CONTROL SYSTEM, THE FOLLOWING COURSES:

- 38 (1) SOUTHWESTERLY TO A POINT FORMED BY THE GEOMETRIC INTERSECTION
39 OF SAID CENTERLINE OF SAID RUSSELL STREET (BALTIMORE-
40 WASHINGTON PARKWAY MD 295/129) AND THE CENTERLINE OF
41 INTERSTATE ROUTE 95 (JOHN F. KENNEDY MEMORIAL HIGHWAY),
42 VARYING IN WIDTH; THENCE RUNNING WITH THE CENTERLINE OF SAID
43 INTERSTATE ROUTE 95

- 44 (2) WESTERLY TO A POINT FORMED BY THE INTERSECTION OF THE
45 CENTERLINE OF SAID INTERSTATE ROUTE 95 AND THE CENTERLINE OF
46 THE RAMP FROM SOUTH BOUND SOUTH MONROE STREET TO SAID
47 BALTIMORE-WASHINGTON PARKWAY (MD 295/129); THENCE RUNNING
48 WITH THE CENTERLINE OF SAID RAMP

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- 1 (3) SOUTHERLY TO A POINT FORMED BY CENTERLINE OF SAID RAMP AND
2 CENTERLINE OF SOUTHBOUND MD 295 (BALTIMORE-WASHINGTON
3 PARKWAY); THENCE RUNNING WITH SAID SOUTHBOUND MD 295
4 (BALTIMORE-WASHINGTON PARKWAY)
- 5 (4) SOUTHERLY TO A POINT FORMED BY THE INTERSECTION OF SAID
6 SOUTHBOUND MD 295 (BALTIMORE-WASHINGTON PARKWAY) AND THE
7 CENTERLINE OF WATERVIEW AVENUE (MD ROUTE 648), VARYING IN
8 WIDTH; THENCE RUNNING WITH THE CENTERLINE OF SAID WATERVIEW
9 AVENUE
- 10 (5) WESTERLY TO A POINT FORMED BY THE INTERSECTION OF CENTERLINE OF
11 SAID WATERVIEW AVENUE AND THE CENTERLINE OF ANNAPOLIS ROAD
12 (ALSO MD ROUTE 648), VARYING IN WIDTH; THENCE RUNNING WITH
13 CENTERLINE OF SAID ANNAPOLIS ROAD
- 14 (6) SOUTHERLY TO A POINT FORMED BY THE CENTERLINE OF SAID
15 ANNAPOLIS ROAD AND CENTERLINE OF A RAILROAD RIGHT-OF-WAY
16 OWNED BY THE CSX TRANSPORTATION, INC.; THENCE RUNNING WITH
17 THE CENTERLINE OF SAID CSX RIGHT-OF-WAY
- 18 (7) SOUTH EASTERLY TO A POINT FORMED BY THE CENTERLINE OF SAID CSX
19 RIGHT-OF-WAY AND THE CENTERLINE OF REEDBIRD AVENUE, 60 FEET
20 WIDE, AS SHOWN ON BLOCK PLAT 7612-L; THENCE RUNNING WITH
21 CENTERLINE OF SAID REEDBIRD AVENUE
- 22 (8) NORTH EASTERLY TO A POINT FORMED BY THE INTERSECTION OF
23 CENTERLINE SAID REEDBIRD AVENUE AND THE CENTERLINE OF POTEE
24 STREET (MD ROUTE 2), 66 FEET WIDE; THENCE RUNNING WITH THE
25 CENTERLINE OF SAID POTEE STREET
- 26 (9) SOUTH EASTERLY TO A POINT FORMED BY THE INTERSECTION OF THE
27 CENTERLINE OF SAID POTEE STREET AND THE CENTERLINE OF
28 FRANKFURST AVENUE, 80 FEET WIDE; THENCE RUNNING WITH THE
29 CENTERLINE OF SAID FRANKFURST AVENUE
- 30 (10) EASTERLY TO A POINT FORMED BY THE INTERSECTION OF SAID
31 FRANKFURST AVENUE AND THE CENTERLINE OF OF INTERSTATE ROUTE
32 895 (HARBOR TUNNEL THROUGHWAY), VARYING IN WIDTH; THENCE
33 DEPARTING LASTLY MENTIONED POINT OF INTERSECTION AND RUNNING
- 34 (11) DUE NORTH TO THE CENTERLINE OF THE PATAPSCO RIVER CHANNEL AS
35 SHOWN ON A PLAT ENTITLED "PIERHEAD AND BULKHEAD LINES,
36 BALTIMORE HARBOR, MARYLAND" SHEET 3 OF 6, FILE 13 MAP 849
37 DATED JULY 13, 1950 AND PREPARED BY THE CORPS OF ENGINEERS,
38 BALTIMORE DISTRICT; THENCE RUNNING WITH CENTERLINE OF SAID
39 PATAPSCO RIVER CHANNEL
- 40 (12) EASTERLY TO A POINT FORMED BY THE INTERSECTION OF CENTERLINE OF
41 SAID PATAPSCO RIVER CHANNEL AND THE CENTERLINE OF NORTHWEST
42 BRANCH; THENCE DEPARTING LASTLY MENTIONED POINT OF
43 INTERSECTION AND RUNNING WITH THE CENTERLINE OF THE NORTHWEST
44 BRANCH
- 45 (13) NORTHERLY AND WESTERLY TO A POINT FORMED BY THE INTERSECTION
46 OF THE CENTERLINE OF SAID NORTHWEST BRANCH AND A LINE CROSSING
47 THE NORTHWEST BRANCH OF THE PATAPSCO RIVER, IF DRAWN BETWEEN
48 A POINT LABELED VI AND A POINT LABELED LIV, BOTH BEING SHOWN ON
49 A PLAT ENTITLED "PIERHEAD AND BULKHEAD LINES, BALTIMORE
50 HARBOR, MARYLAND" SHEET 2 OF 6, FILE 13 MAP 849 DATED JULY 13,
51 1950 AND PREPARED BY THE CORPS OF ENGINEERS, BALTIMORE

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- 1 DISTRICT; THENCE DEPARTING LASTLY MENTIONED POINT OF
2 INTERSECTION AND RUNNING
- 3 (14) IN A WESTERLY DIRECTION TO A POINT LABELED LIV, AS SHOWN ON
4 LASTLY MENTIONED PLAT; SAID POINT LIV ALSO BEING LABELED 16 ON A
5 PLAT ENTITLED "HARBORVIEW SUBDIVISION PLAN" AND RECORDED
6 AMONG THE LAND RECORDS OF BALTIMORE CITY, MARYLAND, IN PLAT
7 BOOK S.E.B., PAGE 3187; THENCE DEPARTING SAID POINT 16 (AKA LIV)
8 AND RUNNING WITH THE SOUTH 74° 47' 38" EAST, 30.90 FOOT LINE,
9 REVERSELY AND
- 10 (15) IN A NORTHWESTERLY DIRECTION TO THE BEGINNING THEREOF AND A
11 POINT LABELED 15, AS SHOWN ON LASTLY MENTIONED PLAT; THENCE
12 RUNNING WITH THE NORTH 02° 06' 20" WEST, 340.82 FOOT LINE
13 REVERSELY AND
- 14 (16) IN A SOUTHERLY DIRECTION AS SHOWN ON THE LASTLY MENTIONED
15 PLAT, AND BINDING ON, IN PART, THE EAST SIDE OF THE FORMER BED OF
16 COVINGTON STREET, IF PROJECTED, TO A POINT FORMED BY THE
17 INTERSECTION OF THE EAST SIDE OF SAID COVINGTON STREET AND KEY
18 HIGHWAY; THENCE RUNNING WITH THE CENTERLINE OF SAID KEY
19 HIGHWAY
- 20 (17) WESTERLY TO A POINT FORMED BY THE INTERSECTION OF THE
21 CENTERLINE OF SAID KEY HIGHWAY AND THE CENTERLINE OF LIGHT
22 STREET, 82.5 FEET WIDE; THENCE RUNNING WITH THE CENTERLINE OF
23 SAID LIGHT STREET
- 24 (18) SOUTHERLY TO A POINT FORMED BY THE INTERSECTION OF THE
25 CENTERLINE OF SAID LIGHT STREET AND THE CENTERLINE OF EAST
26 MONTGOMERY STREET, 82 FEET WIDE; THENCE RUNNING WITH THE
27 CENTERLINE OF SAID EAST MONTGOMERY STREET
- 28 (19) WESTERLY TO A POINT FORMED BY THE INTERSECTION OF THE
29 CENTERLINE OF SAID EAST MONTGOMERY STREET AND THE CENTERLINE
30 OF SOUTH CHARLES STREET, 66 FEET WIDE; THENCE RUNNING WITH THE
31 CENTERLINE OF SAID SOUTH CHARLES STREET
- 32 (20) SOUTHERLY TO A POINT FORMED BY THE INTERSECTION OF THE
33 CENTERLINE OF SAID SOUTH CHARLES STREET AND THE CENTERLINE OF
34 WEST CHURCHILL STREET, 20 FEET WIDE; THENCE RUNNING WITH THE
35 CENTERLINE OF SAID WEST CHURCHILL STREET
- 36 (21) WESTERLY TO A POINT FORMED BY THE INTERSECTION OF THE
37 CENTERLINE OF SAID WEST CHURCHILL STREET AND THE CENTERLINE OF
38 SOUTH HANOVER STREET, 66 FEET WIDE; THENCE RUNNING WITH THE
39 CENTERLINE OF SAID SOUTH HANOVER STREET
- 40 (22) NORTHERLY TO A POINT FORMED BY THE INTERSECTION OF THE
41 CENTERLINE OF SAID SOUTH HANOVER STREET AND THE CENTERLINE OF
42 WEST MONTGOMERY STREET, 35 FEET WIDE; THENCE RUNNING WITH
43 THE CENTERLINE OF SAID WEST MONTGOMERY STREET
- 44 (23) NORTHWESTERLY TO A POINT FORMED BY THE INTERSECTION OF THE
45 CENTERLINE OF SAID WEST MONTGOMERY STREET AND THE CENTERLINE
46 OF SOUTH SHARP STREET, 66 FEET WIDE; THENCE RUNNING WITH THE
47 CENTERLINE OF SAID SOUTH SHARP STREET
- 48 (24) SOUTHWESTERLY TO A POINT ON THE SOUTH SIDE OF WEST HENRIETTA
49 STREET, 66 FEET WIDE; THENCE BINDING ON AND RUNNING WITH THE
50 SOUTH SIDE OF SAID WEST HENRIETTA STREET

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1 (25) NORTHWESTERLY TO A POINT ON THE WEST SIDE OF SAID SOUTH SHARP
2 STREET AND THE BEGINNING OF THE SECOND LINE OF A PARCEL OF LAND
3 DESCRIBED IN A CONVEYANCE FROM CONGRESS HALL SQUARE LIMITED
4 PARTNERSHIP, UNTO CHS SWIM CLUB, INC. BY DEED DATED MAY 26,
5 1987 AND RECORDED AMONG AFORESAID LAND RECORDS IN LIBER
6 S.E.B. No. 1319, FOLIO 231; THENCE RUNNING WITH THE SECOND OR
7 NORTH 70° 05' 00" WEST, 99.74 FOOT LINE,

8 (26) IN A NORTHWESTERLY DIRECTION, AS DESCRIBED IN SAID DEED,
9 PASSING OVER THE END THEREOF AND CROSSING INTERSTATE ROUTE
10 395 TO INTERSECT THE CENTERLINE OF SOUTH MARTIN LUTHER KING JR.
11 BOULEVARD; THENCE RUNNING WITH THE CENTERLINE OF SAID SOUTH
12 MARTIN LUTHER KING JR. BOULEVARD

13 (27) NORTHWESTERLY TO THE POINT OF BEGINNING.

14 **3805.3.4 EAST ZONE.** THE AREA WITHIN THE FOLLOWING BOUNDARIES IS
15 THE "EAST TRAFFIC-MITIGATION ZONE":

16 BEGINNING FOR THE SAME AT THE POINT FORMED BY THE INTERSECTION OF THE
17 CENTERLINE OF NORTH CALVERT STREET, 60 FEET WIDE, AND THE CENTERLINE OF
18 EAST NORTH AVENUE, VARYING IN WIDTH; THENCE DEPARTING SAID POINT SO
19 FIXED AND RUNNING WITH THE CENTERLINE OF SAID EAST NORTH AVENUE, WITH
20 MERIDIAN REFERENCE TO THE BALTIMORE CITY SURVEY CONTROL SYSTEM THE
21 FOLLOWING COURSES:

22 (1) EASTERLY TO A POINT FORMED BY THE INTERSECTION OF THE
23 CENTERLINE OF SAID EAST NORTH AVENUE AND THE CENTERLINE OF
24 NORTH BROADWAY, 130 FEET WIDE; THENCE RUNNING WITH THE
25 CENTERLINE OF SAID NORTH BROADWAY

26 (2) SOUTHERLY TO A POINT FORMED BY THE INTERSECTION OF THE
27 CENTERLINE OF SAID NORTH BROADWAY AND A POINT FORMED BY THE
28 CENTERLINE OF A RAILROAD RIGHT OF WAY; THENCE RUNNING WITH
29 THE CENTERLINE OF SAID RAILROAD RIGHT OF WAY

30 (3) SOUTHEASTERLY TO A POINT FORMED BY THE INTERSECTION OF SAID
31 RAILROAD RIGHT OF WAY AND THE CENTERLINE OF NORTH PATTERSON
32 PARK AVENUE, 70 FEET WIDE; THENCE RUNNING WITH THE CENTERLINE
33 OF SAID NORTH PATTERSON PARK AVENUE

34 (4) SOUTHERLY DIRECTION TO A POINT FORMED BY THE INTERSECTION OF
35 SAID NORTH PATTERSON PARK AVENUE AND THE CENTERLINE OF
36 ORLEANS STREET (U.S. ROUTE 40), 66 FEET WIDE; THENCE RUNNING
37 WITH THE CENTERLINE OF SAID ORLEANS STREET (U.S. ROUTE 40)

38 (5) WESTERLY TO A POINT FORMED BY THE INTERSECTION OF SAID ORLEANS
39 STREET (U.S. ROUTE 40) AND NORTH EXETER STREET (VARYING IN
40 WIDTH); THENCE RUNNING WITH THE CENTERLINE OF SAID NORTH
41 EXETER STREET

42 (6) NORTHWESTERLY TO A POINT FORMED BY THE INTERSECTION OF THE
43 CENTERLINE OF SAID NORTH EXETER STREET AND THE CENTERLINE OF
44 HILLEN STREET (66' WIDE); THENCE RUNNING WITH THE CENTERLINE OF
45 SAID HILLEN STREET

46 (7) SOUTHWESTERLY TO A POINT FORMED BY THE INTERSECTION OF THE
47 CENTERLINE OF SAID HILLEN STREET AND THE CENTERLINE OF THE
48 FALLSWAY (VARYING IN WIDTH); THENCE RUNNING WITH THE
49 CENTERLINE OF SAID THE FALLSWAY

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1 (8) NORTHERLY TO A POINT FORMED BY THE GEOMETRIC INTERSECTION OF
2 THE CENTERLINE OF SAID THE FALLSWAY AND THE CENTERLINE OF
3 INTERSTATE ROUTE 83 RIGHT OF WAY BELOW; THENCE RUNNING WITH
4 THE CENTERLINE OF SAID INTERSTATE ROUTE 83

5 (9) NORTHWESTERLY DIRECTION TO THE POINT FORMED BY THE GEOMETRIC
6 INTERSECTION OF THE CENTERLINE OF SAID INTERSTATE ROUTE 83
7 RIGHT OF WAY AND THE CENTERLINE OF SAID NORTH CALVERT STREET
8 ABOVE; THENCE RUNNING WITH THE CENTERLINE OF SAID NORTH
9 CALVERT STREET TO THE PLACE OF BEGINNING.

10 **3805.3.5 SOUTHWEST ZONE.** THE AREA WITHIN THE FOLLOWING
11 BOUNDARIES IS THE “SOUTHWEST TRAFFIC-MITIGATION ZONE”:

12 BEGINNING FOR THE SAME AT THE POINT FORMED BY THE INTERSECTION OF THE
13 CENTERLINE OF WEST MULBERRY (AKA US ROUTE 40) AND THE CENTERLINE OF
14 NORTH MARTIN LUTHER KING, JR. BOULEVARD, VARYING IN WIDTH; THENCE
15 RUNNING WITH THE CENTERLINE OF SAID NORTH MARTIN LUTHER KING, JR.
16 BOULEVARD, WITH MERIDIAN REFERENCE TO THE BALTIMORE CITY SURVEY
17 CONTROL SYSTEM, THE FOLLOWING COURSES:
18

19 (1) SOUTHERLY AND SOUTHEASTERLY, PASSING OVER WEST BALTIMORE
20 STREET WHEREAS SAID NORTH MARTIN LUTHER KING, JR. BOULEVARD
21 BECOMES SOUTH MARTIN LUTHER KING, JR. BOULEVARD, VARYING IN
22 WIDTH, TO A POINT FORMED BY THE INTERSECTION OF THE CENTERLINE
23 OF SAID SOUTH MARTIN LUTHER KING, JR. BOULEVARD AND THE
24 CENTERLINE OF RUSSELL STREET (BALTIMORE-WASHINGTON PARKWAY,
25 MD I-295), 160 FEET WIDE; THENCE RUNNING WITH THE CENTERLINE OF
26 SAID RUSSELL STREET

27 (2) SOUTHWESTERLY AND WESTERLY TO A POINT FORMED BY THE
28 INTERSECTION OF THE CENTERLINE OF SAID RUSSELL STREET AND THE
29 CENTERLINE OF INTERSTATE ROUTE 95 (JOHN F. KENNEDY MEMORIAL
30 HIGHWAY), VARYING IN WIDTH; THENCE RUNNING WITH THE CENTERLINE
31 OF SAID INTERSTATE ROUTE 95

32 (3) WESTERLY TO A POINT FORMED BY THE INTERSECTION OF THE
33 CENTERLINE OF SAID INTERSTATE ROUTE 95 AND THE CENTERLINE OF
34 WASHINGTON BOULEVARD, 49.5 FEET WIDE; THENCE RUNNING WITH THE
35 CENTERLINE OF SAID WASHINGTON BOULEVARD

36 (4) NORTHEASTERLY TO A POINT FORMED BY THE INTERSECTION OF THE
37 CENTERLINE OF SAID WASHINGTON BOULEVARD AND THE NORTH 44°
38 31' 29" WEST 1,544.00 FOOT LINE, AS SHOWN ON A PLAT ENTITLED
39 “SUBDIVISION OF THE LANDS OF 998 MONROE CORPORATION” DATED
40 MAY 26, 1994 AND RECORDED AMONG THE LAND RECORDS OF
41 BALTIMORE CITY IN PLAT BOOK S.E.B. 3479, IF PROJECTED
42 SOUTHEASTERLY; THENCE BINDING ON AND RUNNING WITH SAID
43 PROJECTED LINE, REVERSELY

44 (5) NORTH 44° 31' 29" WEST 1,544.00 FEET TO A POINT DESIGNATED AS
45 “508” AS SHOWN ON SAID PLAT; THENCE BINDING ON AND RUNNING WITH
46 THE NORTH-WEST BOUNDARY LINE OF LOT 1 AS SHOWN ON SAID PLAT

47 (6) NORTH 45° 24' 52" EAST 1,109.33 FEET LINE TO A POINT DESIGNATED AS
48 “509” AS SHOWN ON SAID PLAT AND LOCATED ALONG THE SOUTH SIDE OF
49 THE FORMER BED OF PUTNAM STREET, ALSO KNOWN AS THE FORMER BED
50 OF THE BALTIMORE AND OHIO RAILROAD RIGHT-OF-WAY, AND
51 CURRENTLY THE SOUTH SIDE OF CSX TRANSPORTATION, INC. PROPERTY;
52 THENCE BINDING ON AND RUNNING WITH THE NORTH-EAST BOUNDARY
53 LINE OF LOT 1 AS SHOWN ON SAID PLAT

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1 (7) SOUTH 44° 31' 29" EAST TO INTERSECT THE LAST LINE OF THE SECOND
2 PARCEL OF LAND CONVEYED BY CARROLL PARK, LLC, TO WASHINGTON-
3 MONROE, LLC, BY DEED DATED SEPTEMBER 7, 2001 AND RECORDED
4 AMONG SAID THE LAND RECORDS IN LIBER F.M.C. 1719, FOLIO 30, IF
5 PROJECTED IN A SOUTHERLY DIRECTION; THENCE BINDING ON AND
6 RUNNING WITH SAID LAST LINE OF SECOND PARCEL SO PROJECTED

7 (8) NORTH 44° 42' 07" EAST, PASSING OVER THE NORTH SIDE OF SAID CSX
8 TRANSPORTATION, INC. PROPERTY AND THE SOUTH WEST SIDE OF SOUTH
9 MONROE STREET, 66 FEET WIDE, TO THE CENTERLINE OF SAID SOUTH
10 MONROE STREET; THENCE RUNNING WITH THE CENTERLINE OF SAID
11 SOUTH MONROE STREET

12 (9) NORTHWESTERLY AND NORTHERLY TO A POINT FORMED BY THE
13 INTERSECTION OF THE CENTERLINE OF SAID SOUTH MONROE STREET AND
14 THE "SOUTHERN PROPERTY LINE" OF THE B&O RAILROAD MUSEUM,
15 INCORPORATED PROPERTY AS DESCRIBED IN A DEED DATED AUGUST
16 14TH, 1991, BY AND BETWEEN CSX TRANSPORTATION, INC. ET AL TO
17 B&O RAILROAD MUSEUM, INCORPORATED AS RECORDED AMONG SAID
18 LAND RECORDS IN LIBER S.E.B. 3638, FOLIO 208; THENCE BINDING AND
19 RUNNING WITH THE SAID "SOUTHERN PROPERTY LINE" OF THE B&O
20 RAILROAD MUSEUM, INCORPORATED PROPERTY

21 (10) NORTHEASTERLY TO A POINT FORMED BY THE INTERSECTION OF SAID
22 "SOUTHERN PROPERTY LINE" OF THE B&O RAILROAD MUSEUM,
23 INCORPORATED PROPERTY AND THE CENTERLINE OF SOUTH CAREY
24 STREET, 80 FEET WIDE; THENCE BINDING ON THE CENTERLINE OF SAID
25 SOUTH CAREY STREET

26 (11) NORTHERLY, PASSING OVER WEST BALTIMORE STREET WHEREAS SAID
27 SOUTH CAREY STREET BECOMES NORTH CAREY STREET, 80 FEET WIDE,
28 TO A POINT FORMED BY THE INTERSECTION OF SAID NORTH CAREY
29 STREET AND AFORESAID WEST MULBERRY STREET; THENCE RUNNING
30 WITH THE CENTERLINE OF SAID WEST MULBERRY STREET

31 (12) EASTERLY, TO THE POINT OF BEGINNING.

32 **3806 TRAFFIC-MITIGATION FEE**

33 **3806.1 SCOPE OF SECTION.** THIS § 3806 IS APPLICABLE TO ALL PROPOSED PROJECTS
34 LOCATED INSIDE OF A TRAFFIC-MITIGATION ZONE.

35 **3806.2 GENERAL.** A TRAFFIC-MITIGATION FEE IS A PAYMENT THAT, BY AUTHORITY OF
36 CHARTER ARTICLE II, §§ (40) AND (47), MUST BE PAID FOR PROJECTS THAT MEET THE
37 CRITERIA ESTABLISHED IN § 3802.3.

38 **3806.2.1 APPLICATION AND PROCESSING FEE.** AN APPLICATION TO BEGIN THE
39 REQUIRED TRAFFIC-MITIGATION FEE PROCESS MUST BE:

- 40 1. MADE IN THE FORM AND WITHIN THE TIME FRAME SET FORTH IN THE RULES AND
41 REGULATIONS ADOPTED UNDER THIS CHAPTER; AND
- 42 2. ACCOMPANIED BY A PROCESSING FEE IN THE AMOUNT SET BY THESE RULES AND
43 REGULATIONS.

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3806.3 ASSESSMENT OF FEE.

3806.3.1 TRIP FORMULA. THE RULES AND REGULATIONS ADOPTED UNDER THIS CHAPTER MUST ESTABLISH:

1. PROCEDURES FOR DETERMINING THE NUMBER OF TRIPS ATTRIBUTABLE TO VARIOUS TYPES OF PROJECTS IN A PARTICULAR TRAFFIC-MITIGATION ZONE OR SUB-ZONE;
AND
2. ADJUSTMENT FACTORS FOR CALCULATING THE NUMBER OF NON-SINGLE-OCCUPANT-VEHICLE TRIPS ATTRIBUTABLE TO VARIOUS TYPES OF PROJECTS.

3806.3.2 FEE RATES. THE FEE RATE PER TRIP IS AS SET BY THE BOARD OF ESTIMATES, IN CONSULTATION WITH THE DIRECTOR, FOR EACH ZONE.

3806.3.2.1 TEMPORARY LIMITATION ON FEE RATE INCREASES. FOR THE PERIOD BEGINNING WHEN A FEE RATE IS INITIALLY SET FOR A ZONE, AND ENDING ON DECEMBER 31, 2016, THE BOARD OF ESTIMATES MAY NOT INCREASE THE FEE RATE FOR THAT ZONE MORE OFTEN THAN ONCE EVERY 5 YEARS.

3806.3.3 FEE FORMULA. THE AMOUNT OF THE TRAFFIC-MITIGATION FEE ASSESSED ON A SPECIFIC PROJECT IS DETERMINED BY MULTIPLYING:

1. THE APPLICABLE RATE PER TRIP, AS OF THE DATE THAT THE PERMIT IS APPLIED FOR, FOR THE ZONE WHERE THE PROJECT IS LOCATED, BY
2. THE NUMBER OF TRIPS THAT THE DEPARTMENT OF TRANSPORTATION ATTRIBUTES TO THE PROJECT USING THE PROCEDURE ESTABLISHED UNDER § 3806.3.1.

3806.4 TRIP-GENERATION CREDITS.

3806.4.1 GENERAL. THE DIRECTOR MUST ISSUE TRIP-GENERATION CREDITS TO ANY PROPOSED PROJECT THAT MEETS THE REQUIREMENTS OF THIS § 3806.4. EACH CREDIT ISSUED REDUCES BY 1 THE NUMBER OF TRIPS USED TO CALCULATE THE AMOUNT OF THE TRAFFIC-MITIGATION FEE UNDER § 3806.3.

~~**3806.4.1.1 CREDIT CAP.** THE DIRECTOR MAY NOT ISSUE ANY TRIP-GENERATION CREDITS THAT WOULD REDUCE THE TOTAL NUMBER OF TRIPS USED TO CALCULATE THE TRAFFIC-MITIGATION FEE BY MORE THAN 50%.~~

3806.4.2 AUTHORIZED CREDITS. TRIP-GENERATION CREDITS ARE AUTHORIZED AS FOLLOWS.

3806.4.2.1 NEGOTIATED AGREEMENT. THE DIRECTOR MAY AGREE TO ISSUE TRIP-GENERATION CREDITS FOR A PROPOSED PROJECT IF:

1. THE MAYOR AND CITY COUNCIL ENTER INTO A BINDING, WRITTEN MITIGATION AGREEMENT WITH THE DEVELOPER OF THE PROJECT THAT REQUIRES THE PERFORMANCE OF SPECIFIC ACTIONS THAT THE DIRECTOR DETERMINES WILL REDUCE THE NUMBER OF TRIPS ACTUALLY GENERATED BY THE PROJECT;

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- 1 2. THE MITIGATION AGREEMENT REQUIRES THE DEVELOPER TO REQUIRE ALL
2 SUBSEQUENT PURCHASERS OR OCCUPANTS OF THE PROPERTY TO ABIDE BY THE
3 ONGOING REQUIREMENTS OF THE MITIGATION AGREEMENT;

- 4 3. THE MITIGATION AGREEMENT INCLUDES A MECHANISM MAKING IT BINDING ON
5 ALL FUTURE SUCCESSORS AND ASSIGNS WHO MAY ACQUIRE ANY INTEREST IN
6 THE PROPERTY IN THE FUTURE; ~~AND~~

- 7 4. THE MITIGATION AGREEMENT REQUIRES THE DIRECTOR TO ISSUE A NUMBER OF
8 CREDITS EQUIVALENT TO THE NUMBER OF TRIPS THAT THE DIRECTOR
9 CALCULATES WILL BE AVOIDED THROUGH THE ACTIONS AGREED TO BY THE
10 DEVELOPER; AND

- 11 5. THE MITIGATION AGREEMENT, TOGETHER WITH ANY ADJUSTMENT FACTORS
12 CALCULATED USING THE PROCEDURE ESTABLISHED UNDER § 3806.3.1(2), DOES
13 NOT REDUCE THE TOTAL NUMBER OF TRIPS THAT WOULD OTHERWISE BE USED
14 TO CALCULATE THE TRAFFIC-MITIGATION FEE BY MORE THAN 50%.

15 ~~**3806.4.2.2 AFFORDABLE HOUSING.** THE DIRECTOR MUST ISSUE TRIP-GENERATION~~
16 ~~CREDITS FOR A PROPOSED PROJECT EQUIVALENT TO THE NUMBER OF TRIPS~~
17 ~~ATTRIBUTABLE TO RESIDENTIAL UNITS WITH A COST AT OR BELOW A “LOW HOUSING~~
18 ~~COST” (AS THAT TERM IS DEFINED IN CITY CODE ARTICLE 13, § 2B-3).~~

19 ~~**3806.4.2.3 SUBSTANTIAL REHABILITATION CHANGE IN OCCUPANCY WITHIN 1**~~
20 ~~**YEAR.** FOR THE SUBSTANTIAL REHABILITATION CHANGE IN OCCUPANCY OF A~~
21 ~~STRUCTURE THAT HAS BEEN VACANT FOR LESS THAN 1 YEAR BEFORE THE DATE OF~~
22 ~~APPLICATION FOR A PERMIT, THE DIRECTOR MUST ISSUE TRIP-GENERATION CREDITS~~
23 ~~EQUIVALENT TO THE NUMBER OF TRIPS ATTRIBUTABLE TO THE PREVIOUS USE, AS~~
24 ~~CALCULATED USING THE PROCEDURE ESTABLISHED UNDER § 3806.3.1.~~

25 **3806.4.3 BUY-OUT OF CREDITS.** AN OWNER OR OCCUPIER OF PROPERTY THAT HAS
26 BENEFITTED FROM THE ISSUANCE OF TRIP-GENERATION CREDITS MAY NOT CHANGE THE
27 USE OF THE PROPERTY IN ANY WAY THAT WOULD NO LONGER QUALIFY THE PROPERTY FOR
28 1 OR MORE TRIP-GENERATION CREDITS PREVIOUSLY ISSUED UNLESS THE OWNER OR
29 OCCUPIER FIRST CANCELS THE PREVIOUSLY ISSUED CREDITS.

30 **3806.4.3.1 FORMULA.** TO CANCEL THOSE CREDITS, THE OWNER OR OCCUPIER MUST
31 PAY TO THE DIRECTOR OF FINANCE AN AMOUNT EQUAL TO THE GREATER OF:

- 32 1. THE NUMBER OF TRIP-GENERATION CREDITS BEING CANCELED, MULTIPLIED BY
33 THE TRAFFIC-MITIGATION FEE RATE THAT WAS IN FORCE FOR THE ZONE WHEN
34 THE CREDITS WERE ISSUED; OR

- 35 2. THE NUMBER OF TRIP-GENERATION CREDITS BEING CANCELED, MULTIPLIED BY
36 THE TRAFFIC-MITIGATION FEE RATE THAT IS IN FORCE IN THE ZONE WHEN THE
37 CREDITS ARE CANCELLED.

38 **3806.4.4 OBLIGATION CREATED BY ACCEPTANCE OF CREDITS.** THE ACCEPTANCE OF
39 TRIP-GENERATION CREDITS UNDER THIS § 3806.4 CREATES A BINDING OBLIGATION ON THE
40 PERSONS ACCEPTING THE CREDITS TO FULFILL THE REPRESENTATIONS AND AGREEMENTS

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1 THAT ALLOWED THE CREDITS TO BE ISSUED. IN ADDITION TO ANY OTHER REMEDY OR
2 ENFORCEMENT ACTION, THE DIRECTOR MAY ENFORCE THESE OBLIGATIONS BY SEEKING
3 BOTH LEGAL AND EQUITABLE REMEDIES.

4 **3806.5 RIGHT-OF-WAY DEDICATION SET-OFF.** IF AN APPLICANT CONTROLS PROPERTY THAT
5 THE DIRECTOR DETERMINES TO BE NECESSARY FOR THE CONSTRUCTION OF A TRAFFIC
6 MITIGATION PROJECT, THE DIRECTOR MAY ACCEPT THE DEDICATION OF THE NEEDED
7 PROPERTY TO THE CITY'S USE AND ISSUE A SET-OFF CREDIT TOWARD THE
8 TRAFFIC-MITIGATION FEE ASSESSED ON A PROJECT IN EXCHANGE. THE TOTAL AMOUNT OF
9 THE TRAFFIC-MITIGATION FEE TO BE PAID WOULD THEN BE REDUCED BY THE APPRAISED
10 VALUE OF THE PROPERTY DEDICATED TO CITY USE.

11 **3806.6 3806.5 PAYMENT OF FEES.**

12 **3806.6.1 3806.5.1 LESS THAN \$50,000 OR LESS.** IF THE TRAFFIC-MITIGATION FEE
13 ASSESSED FOR A PROPOSED PROJECT IS ~~LESS THAN \$50,000~~ OR LESS, THE FEE MUST BE
14 PAID TO THE ~~DEPARTMENT~~ DIRECTOR OF FINANCE IN FULL BEFORE ANY PERMITS FOR THE
15 WORK ARE ISSUED.

16 **3806.6.2 3806.5.2 MORE THAN \$50,000 OR MORE.** IF THE TRAFFIC-MITIGATION FEE
17 ASSESSED FOR A PROPOSED PROJECT IS ~~MORE THAN \$50,000~~ OR MORE, THE DIRECTOR OF
18 TRANSPORTATION MAY NEGOTIATE INSTALLMENT PAYMENTS ~~FOR~~ TO BE MADE OVER A
19 PERIOD OF UP TO 5 YEARS FROM THE ISSUANCE OF A BUILDING PERMIT FOR ALL AMOUNTS
20 IN EXCESS OF \$50,000. THE INITIAL PAYMENT OF AT LEAST \$50,000 MUST BE PAID TO THE
21 DIRECTOR OF FINANCE IN FULL BEFORE ANY PERMITS FOR THE WORK ARE ISSUED. ANY
22 INSTALLMENT PLAN UNDER THIS § ~~3806.5.2~~ 3806.6.2 REQUIRES THE APPROVAL OF THE
23 BOARD OF ESTIMATES TO BECOME EFFECTIVE.

24 **3806.6.2.1 INTEREST TO BE CHARGED ON INSTALLMENT PAYMENTS.** IF A
25 TRAFFIC-MITIGATION FEE IS TO BE PAID IN INSTALLMENTS UNDER AN AGREEMENT
26 AUTHORIZED BY § 3806.6.2, INSTALLMENT PAYMENTS MUST INCLUDE AN ADDITIONAL
27 INTEREST CHARGE AT THE CURRENT CITY BORROWING RATE AS DETERMINED BY THE
28 DIRECTOR OF FINANCE.

29 **3807 USE OF FEES.**

30 **3807.1 SEPARATE REVENUE ACCOUNTS.** TRAFFIC-MITIGATION FEES COLLECTED UNDER
31 THIS CHAPTER ARE TO BE DEPOSITED TO THE GENERAL FUND AND ACCOUNTED FOR IN
32 SEPARATE REVENUE ACCOUNTS DESIGNATED TO INDICATE PRECISELY HOW MUCH REVENUE IS
33 DERIVED FROM EACH TRAFFIC-MITIGATION ZONE.

34 **3807.2 FEES TO BENEFIT ZONE OF ORIGIN.** SUBJECT TO APPROPRIATION, REVENUE DERIVED
35 FROM TRAFFIC-MITIGATION FEES IN EACH TRAFFIC-MITIGATION ZONE MUST BE USED ONLY
36 FOR THE PURPOSES DESCRIBED IN § 3807.3 OR FOR:

- 37 1. DESIGNING AND CONSTRUCTING PROJECTS TO BENEFIT THE TRANSPORTATION
38 INFRASTRUCTURE OF THE ZONE FROM WHICH THE FEES DERIVE, AS APPROVED BY THE
39 PLANNING COMMISSION IN THE TRAFFIC MANAGEMENT PLAN ADOPTED UNDER
40 § 3805.2; ~~AND~~

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- 1 2. DESIGNING AND CONSTRUCTING PROJECTS TO BENEFIT THE TRANSPORTATION
2 INFRASTRUCTURE OF THE ZONE FROM WHICH THE FEES DERIVE, AS CERTIFIED BY THE
3 DIRECTOR, IF THE PLANNING COMMISSION HAS NOT ADOPTED A TRAFFIC
4 MANAGEMENT PLAN UNDER § 3805.2; OR
- 5 3. DEFRAYING THE PLANNING AND ADMINISTRATIVE COSTS, OF NO MORE THAN 10% OF
6 ALL REVENUE COLLECTED, OF IMPLEMENTING THIS CHAPTER.

3807.3 FEES MAY DEFRAY COST OF SITE ACCESS IMPROVEMENTS.

3807.3.1 SITE ACCESS IMPROVEMENTS. SUBJECT TO THE APPROVAL OF THE BOARD OF ESTIMATES, THE DIRECTOR MAY PERMIT UP TO 33% OF THE TRAFFIC MITIGATION FEE, AFTER DEDUCTION OF CREDITS, PAID BY AN APPLICANT TO BE USED FOR MINOR SITE ACCESS IMPROVEMENTS INCLUDING TURNING LANES, ACCELERATION/DECELERATION LANES, TRAFFIC SIGNALS, OR SIMILAR IMPROVEMENTS.

3807.3.2 USE OF FEES. FEES APPROPRIATED UNDER THIS § 3807.3 MAY BE EITHER:

- 14 1. REBATED TO THE APPLICANT PURSUANT TO AN AGREEMENT REQUIRING THE
15 APPLICANT TO CONSTRUCT THESE IMPROVEMENTS; OR
- 16 2. RETAINED BY THE ~~DEPARTMENT OF TRANSPORTATION~~ CITY FOR THE PURPOSE OF
17 CONSTRUCTING THESE IMPROVEMENTS.

3807.3.2.1 NO REBATES UNTIL REMAINDER OF FEES PAID. A DEVELOPER MAY NOT RECEIVE A REBATE OF ANY FEES UNDER THIS § 3807.3.2 UNTIL THE REMAINING TRAFFIC MITIGATION FEES HAVE BEEN PAID TO THE CITY.

3807.4 ANNUAL ACCOUNTING. WITH THE ASSISTANCE OF THE DEPARTMENT OF FINANCE, THE DIRECTOR MUST ANNUALLY PRODUCE AND PROVIDE TO THE BOARD OF ESTIMATES AN ACCOUNTING THAT SHOWS:

- 24 1. THE CUMULATIVE REVENUE DERIVED FROM TRAFFIC-MITIGATION FEES IN EACH
25 TRAFFIC-MITIGATION ZONE; AND
- 26 2. THE CUMULATIVE EXPENDITURES OR APPROPRIATIONS FOR PROJECTS THAT BENEFIT
27 THE TRANSPORTATION INFRASTRUCTURE OF EACH ZONE.

3807.5 RETURN OF UNOBLIGATED FEES.

3807.5.1 REVIEW OF FEE USE. IF AN APPLICANT WHO HAS PAID A TRAFFIC-MITIGATION FEE FOR A PROJECT BELIEVES THAT THE FEE HAS NOT BEEN OBLIGATED TO A SPECIFIC PROJECT WITHIN 6 YEARS OF FINAL PAYMENT, THE APPLICANT MAY REQUEST A REVIEW OF THE FEE’S USE BY THE DIRECTOR. THE DIRECTOR MUST THEN DETERMINE IF THE FEE IN QUESTION, OR ANY PORTION OF IT, HAS, WITHIN 6 YEARS OF PAYMENT, BEEN OBLIGATED TO A SPECIFIC PROJECT.

3807.5.2 REFUND OF UNOBLIGATED FEES. IF THE DIRECTOR’S REVIEW UNDER § 3807.5.1 DETERMINES THAT A FEE HAS NOT BEEN ENTIRELY OBLIGATED TO A SPECIFIC PROJECT WITHIN 6 YEARS OF PAYMENT, ANY UNOBLIGATED PORTION OF THE FEE MUST BE

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1 REFUNDED TO THE APPLICANT UPON THE BOARD OF ESTIMATE’S APPROPRIATION OF THE
2 NECESSARY FUNDS.

3 **3807.5.3 ACCOUNTING METHOD TO BE PUBLISHED.** THE DIRECTOR, IN CONSULTATION
4 WITH THE DEPARTMENT OF FINANCE, MUST ESTABLISH A STANDARDIZED METHOD FOR
5 DETERMINING HOW SPECIFIC FEES ARE ALLOCATED TO PARTICULAR PROJECTS FOR
6 PURPOSES OF A REVIEW UNDER § 3807.5.1. THIS ACCOUNTING METHOD MUST BE
7 INCLUDED IN THE RULES AND REGULATIONS ADOPTED UNDER THIS CHAPTER.

8 **3808 ENFORCEMENT.**

9 **3808.1 GENERAL.** A VIOLATION OF ANY PROVISION OF THIS CHAPTER, OF A RULE OR
10 REGULATION ADOPTED UNDER THIS CHAPTER, OR OF AN AGREEMENT ENTERED INTO UNDER
11 THIS CHAPTER CONSTITUTES A VIOLATION OF THIS CODE, SUBJECT TO THE ENFORCEMENT,
12 PENALTY, AND OTHER PROVISIONS OF § ~~113~~ 114 {“VIOLATIONS”} AND RELATED SECTIONS OF
13 THIS CODE.
14

15 **Article – Zoning**

16 **Title 2. Administration; Authorizations**

17 *Subtitle 3. Zoning Authorizations*

18 **§ 2-305. [Traffic-impact study] TRAFFIC MITIGATION.**

19 (a) *Referral to DoT.*

20 Within 15 business days of receiving a completed application, the Zoning Administrator
21 must refer the application and all accompanying documents to the Director of
22 Transportation, if:

23 (1) TRAFFIC MITIGATION REQUIREMENTS FOR THE PROPOSED STRUCTURE OR USE HAVE
24 NOT ALREADY BEEN COMPLIED WITH IN ACCORDANCE WITH THIS ARTICLE OR THE
25 BALTIMORE CITY BUILDING, FIRE, AND RELATED CODES; AND

26 (2) the proposed structure or use:

27 (I) IS IN A TRAFFIC-MITIGATION ZONE DESIGNATED IN BUILDING CODE § 3805
28 AND INVOLVES 10 OR MORE DWELLING UNITS,

29 (II) involves 15,000 sq. ft. or more of gross floor area, [and] OR

30 (III) INVOLVES 50 OR MORE DWELLING UNITS [(2) a traffic-impact study for the
31 proposed structure or use has not already been undertaken in accordance with
32 this article or the Baltimore City Building, Fire, and Related Codes].

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1 (b) [Study criteria] *MITIGATION REQUIRED.*

2 A traffic-impact study OR THE PAYMENT OF A TRAFFIC-MITIGATION FEE is required if any
3 1 of the criteria specified in Building Code [§ 105.3.2.3] § 3802 apply.

4 (c) *Procedures and conduct.*

5 The Director of Transportation must review the application [and undertake or contract
6 for any required traffic-impact study] as provided in Building Code [§ 105.3.2]
7 § 3802.

8 [(d) *Expenses.*

9 All reasonable expenses incurred in undertaking or contracting for the study must be paid
10 by the applicant as provided in Building Code § 105.3.2.6.]

11 [(e) *Mitigation.*

12 The applicant is responsible for mitigating adverse traffic impacts as provided in Building
13 Code § 105.3.2.8.]

14 (D) *MITIGATION PROCEDURE.*

15 IF THE DIRECTOR OF TRANSPORTATION INFORMS THE APPLICANT THAT TRAFFIC
16 MITIGATION IS REQUIRED UNDER BUILDING CODE CHAPTER 38, THE APPLICANT MUST
17 COMPLY WITH THE APPLICABLE PROCEDURES AND REQUIREMENTS OF THAT CHAPTER.

18 ***Subtitle 4. Use Permits***

19 **§ 2-403. Application for permit.**

20 (c) *Traffic-impact study.*

21 Within 15 business days of receiving a completed application, the Zoning Administrator
22 must refer the application and all accompanying documents to the Director of
23 Transportation for review and, if required, [a traffic-impact study] TRAFFIC MITIGATION,
24 as provided in § 2-305 {[Traffic-impact study] TRAFFIC MITIGATION"} of this title, if:

25 (1) TRAFFIC MITIGATION REQUIREMENTS FOR THE PROPOSED OCCUPANCY OR USE
26 HAVE NOT ALREADY BEEN COMPLIED WITH IN ACCORDANCE WITH THIS ARTICLE OR
27 THE BALTIMORE CITY BUILDING, FIRE, AND RELATED CODES; AND

28 (2) the proposed occupancy or use:

29 (I) IS IN A TRAFFIC-MITIGATION ZONE DESIGNATED IN BUILDING CODE § 3805
30 AND INVOLVES 10 OR MORE DWELLING UNITS,

31 (II) involves 15,000 sq. ft. or more of gross floor area, [and] OR

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1 (III) INVOLVES 50 OR MORE DWELLING UNITS [(2) a traffic-impact study for the
2 proposed occupancy or use has not already been undertaken in accordance
3 with this article or the Baltimore City Building, Fire, and Related Codes].

4 **Title 13. Nonconformance**

5 ***Subtitle 7. Modifications and Continuances by Board***

6 **§ 13-704. Applications.**

7 (b) *Traffic-impact study.*

8 Within 15 business days of receiving a completed application, the Zoning Administrator
9 must refer the application and all accompanying documents to the Director of
10 Transportation for review and, if required, [a traffic-impact study] TRAFFIC MITIGATION,
11 as provided in § 2-305 {[Traffic-impact study] TRAFFIC MITIGATION} of this article, if:

12 (1) TRAFFIC MITIGATION REQUIREMENTS FOR THE PROPOSED MODIFICATION OR
13 CONTINUANCE HAVE NOT ALREADY BEEN COMPLIED WITH IN ACCORDANCE WITH
14 THIS ARTICLE OR THE BALTIMORE CITY BUILDING, FIRE, AND RELATED CODES;
15 AND

16 (2) the proposed modification or continuance:

17 (I) IS IN A TRAFFIC-MITIGATION ZONE DESIGNATED IN BUILDING CODE § 3805
18 AND INVOLVES 10 OR MORE DWELLING UNITS,

19 (II) involves 15,000 sq. ft. or more of gross floor area, [and] OR

20 (III) INVOLVES 50 OR MORE DWELLING UNITS [(2) a traffic-impact study for the
21 proposed modification or continuance has not already been undertaken in
22 accordance with this article or the Baltimore City Building, Fire, and
23 Related Codes].

24 **Title 14. Conditional Uses**

25 ***Subtitle 2. Procedures and General Considerations***

26 **§ 14-201. Applications.**

27 (d) *Traffic-impact study.*

28 Within 15 business days of receiving a completed application, the Zoning Administrator
29 must refer the application and all accompanying documents to the Director of
30 Transportation for review and, if required, [a traffic-impact study] TRAFFIC MITIGATION,
31 as provided in § 2-305 {[Traffic-impact study] TRAFFIC MITIGATION} of this article, if:

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1 (1) TRAFFIC MITIGATION REQUIREMENTS FOR THE PROPOSED CONDITIONAL USE HAVE
2 NOT ALREADY BEEN COMPLIED WITH IN ACCORDANCE WITH THIS ARTICLE OR THE
3 BALTIMORE CITY BUILDING, FIRE, AND RELATED CODES; AND

4 (2) the proposed conditional use:

5 (I) IS IN A TRAFFIC-MITIGATION ZONE DESIGNATED IN BUILDING CODE § 3805
6 AND INVOLVES 10 OR MORE DWELLING UNITS,

7 (II) involves 15,000 sq. ft. or more of gross floor area, [and] OR

8 (III) INVOLVES 50 OR MORE DWELLING UNITS [(2) a traffic-impact study for the
9 proposed conditional use has not already been undertaken in accordance
10 with this article or the Baltimore City Building, Fire, and Related Codes].

11 (e) *Transmittal to Board.*

12 (1) The Zoning Administrator must forward the application and all relevant information
13 to the Board.

14 (2) The Director of Transportation must forward TO THE BOARD the results of [its] ANY
15 traffic-impact study [to the Board] THAT IS CONDUCTED.

16 **Title 16. Legislative Authorizations and Amendments**

17 ***Subtitle 3. Referrals and Required Findings***

18 **§ 16-301. Referral to agencies.**

19 (b) *Traffic-impact study.*

20 Within 15 business days of receiving a completed application, the City Council must also
21 refer the bill and all accompanying documents to the Director of Transportation for
22 review and, if required, [a traffic-impact study] TRAFFIC MITIGATION, as provided in
23 § 2-305 {“[Traffic-impact study] TRAFFIC MITIGATION”} of this article, if:

24 (1) TRAFFIC MITIGATION REQUIREMENTS FOR THE PROPOSED ZONING AUTHORIZATION
25 HAVE NOT ALREADY BEEN COMPLIED WITH IN ACCORDANCE WITH THIS ARTICLE OR
26 THE BALTIMORE CITY BUILDING, FIRE, AND RELATED CODES; AND

27 (2) the proposed zoning authorization:

28 (I) IS FOR PROPERTY IN A TRAFFIC-MITIGATION ZONE DESIGNATED IN
29 BUILDING CODE § 3805 AND INVOLVES 10 OR MORE DWELLING UNITS,

30 (II) involves 15,000 sq. ft. or more of gross floor area, [and] OR

31 (III) INVOLVES 50 OR MORE DWELLING UNITS [(2) a traffic-impact study for the
32 proposed zoning authorization has not already been undertaken in

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1 accordance with this article or the Baltimore City Building, Fire, and
2 Related Codes].

3 Article 1. Mayor, City Council, and Municipal Agencies

4 **Subtitle 40. Environmental Control Board**

5 **§ 40-14. Violations to which subtitle applies.**

6 (e) *Provisions and penalties enumerated.*

7 (5a) ***Building, Fire, and Related Codes –***
8 ***Building Code***

| | | |
|----|---|----------------|
| 9 | § 113.14. Work without permit | \$500 |
| 10 | § 114.3. Stop-work order: Unlawful continuance | \$500 |
| 11 | § 123.8. Failure to comply with notice | |
| 12 | Condemnation proceedings {§ 120} | \$500 |
| 13 | Unsafe structures {§ 115} | \$500 |
| 14 | All other notices (excluding citations) | \$250 |
| 15 | § 3302.3. Construction Safeguards: Waste and debris | \$250 |
| 16 | § 3808. TRAFFIC-MITIGATION: ENFORCEMENT | \$500 |
| 17 | | <u>\$1,000</u> |

18 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the requirements of this Ordinance apply
19 to all applications made after the effective date of this Ordinance, notwithstanding any traffic
20 study that might previously have been undertaken.

21 **SECTION 3. AND BE IT FURTHER ORDAINED,** That the requirements of this Ordinance do not
22 apply to applications that the Director of Transportation, in consultation with the Director of
23 Planning, determines that prior to the effective date fo this Ordinance:

- 24 a. there is a documented decision by the Department of Transportation that no traffic
25 mitigation is required;
- 26 b. traffic mitigation requirements have been satisfied by the adoption of relevant
27 provisions within a Planned Unit Development; or
- 28 c. traffic mitigation requirements have been satisfied pursuant to an agreement approved
29 by the Board of Estimates.

30 **SECTION 3 4. AND BE IT FURTHER ORDAINED,** That the catchlines contained in this
31 Ordinance are not law and may not be considered to have been enacted as a part of this or any
32 prior Ordinance.

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1 **SECTION 4 5. AND BE IT FURTHER ORDAINED,** That until the Board of Estimates adopts a fee
2 schedule for each Zone designated in Section 3805.3, proposed work in any Zone without a fee
3 schedule will be treated as if it were not in a Zone.

4 **SECTION 6. AND BE IT FURTHER ORDAINED,** That nothing in this Ordinance may be
5 construed to prevent the Department of Transportation from conducting its own traffic-impact
6 study on any project at its own cost at any time.

7 **SECTION 5 7. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 90th
8 30th day after the date it is enacted.

Certified as duly passed this _____ day of _____, 20__

President, Baltimore City Council

Certified as duly delivered to Her Honor, the Mayor,
this _____ day of _____, 20__

Chief Clerk

Approved this _____ day of _____, 20__

Mayor, Baltimore City