

**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.

**Council Bill 11-0658**

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

**Council Bill 11-0658**

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

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

- 1. TRAFFIC MITIGATION REQUIREMENTS FOR THE PROPOSED WORK HAVE NOT ALREADY BEEN COMPLIED WITH IN ACCORDANCE WITH THIS CODE OR THE BALTIMORE CITY ZONING CODE; AND
- 2. the proposed work:
  - A. IS IN A TRAFFIC-MITIGATION ZONE DESIGNATED UNDER CHAPTER 38 {“TRAFFIC IMPACT AND MITIGATION”} OF THIS CODE AND INVOLVES 10 OR MORE DWELLING UNITS,
  - B. [1.] involves 15,000 sq. ft. or more of gross floor area (AS DEFINED IN ZONING CODE § 1-304), [and] OR
  - C. INVOLVES 50 OR MORE DWELLING UNITS [2. a traffic-impact study for the proposed work has not already been undertaken in accordance with the Baltimore City Zoning Code].

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

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

**CHAPTER 38. TRAFFIC IMPACT AND MITIGATION**

**SECTION 3801 DEFINITIONS**

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

**3801.1.1 DIRECTOR.** “DIRECTOR” MEANS THE DIRECTOR OF THE DEPARTMENT OF TRANSPORTATION OR THE DIRECTOR’S DESIGNEE.

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

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

**Council Bill 11-0658**

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.

**Council Bill 11-0658**

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

**Council Bill 11-0658**

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.

**Council Bill 11-0658**

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

**Council Bill 11-0658**

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

**Council Bill 11-0658**

- 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

**Council Bill 11-0658**

- 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

**Council Bill 11-0658**

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46

- (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 29<sup>TH</sup> DIVISION STREET, 66 FEET WIDE (FORMERLY WEST HOFFMAN STREET); THENCE RUNNING WITH THE CENTERLINE OF SAID 29<sup>TH</sup> DIVISION STREET.
  
- (28) NORTHEASTERLY TO A POINT FORMED BY THE INTERSECTION OF SAID 29<sup>TH</sup> 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.

**Council Bill 11-0658**

**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

**Council Bill 11-0658**

1  
2  
3  
4  
  
5  
6  
7  
8  
  
9  
10  
11  
12  
13  
14  
  
15  
16  
17  
18  
19  
  
20  
21  
22  
23  
24  
25  
26  
27  
28  
  
29  
30  
31  
  
32  
33  
34  
35  
  
36  
37  
38  
39  
40  
41  
42  
43  
  
44  
45  
46  
47  
  
48  
49  
50

- (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-ABOUT; THENCE DEPARTING LASTLY MENTIONED POINT AND RUNNING WITH THE CENTERLINE OF FELICIA STREET CORRIDOR

**Council Bill 11-0658**

- 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

**Council Bill 11-0658**

- 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

**Council Bill 11-0658**

- 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

**Council Bill 11-0658**

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

**Council Bill 11-0658**

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

**Council Bill 11-0658**

1  
2  
3  
4  
5  
6  
  
7  
8  
9  
10  
11  
  
12  
13  
14  
15  
16  
17  
18  
19  
20  
  
21  
22  
23  
24  
25  
  
26  
27  
28  
29  
30  
  
31

- (7) SOUTH 44° 31' 29" EAST TO INTERSECT THE LAST LINE OF THE SECOND PARCEL OF LAND CONVEYED BY CARROLL PARK, LLC, TO WASHINGTON-MONROE, LLC, BY DEED DATED SEPTEMBER 7, 2001 AND RECORDED AMONG SAID THE LAND RECORDS IN LIBER F.M.C. 1719, FOLIO 30, IF PROJECTED IN A SOUTHERLY DIRECTION; THENCE BINDING ON AND RUNNING WITH SAID LAST LINE OF SECOND PARCEL SO PROJECTED
  
- (8) NORTH 44° 42' 07" EAST, PASSING OVER THE NORTH SIDE OF SAID CSX TRANSPORTATION, INC. PROPERTY AND THE SOUTH WEST SIDE OF SOUTH MONROE STREET, 66 FEET WIDE, TO THE CENTERLINE OF SAID SOUTH MONROE STREET; THENCE RUNNING WITH THE CENTERLINE OF SAID SOUTH MONROE STREET
  
- (9) NORTHWESTERLY AND NORTHERLY TO A POINT FORMED BY THE INTERSECTION OF THE CENTERLINE OF SAID SOUTH MONROE STREET AND THE "SOUTHERN PROPERTY LINE" OF THE B&O RAILROAD MUSEUM, INCORPORATED PROPERTY AS DESCRIBED IN A DEED DATED AUGUST 14<sup>TH</sup>, 1991, BY AND BETWEEN CSX TRANSPORTATION, INC. ET AL TO B&O RAILROAD MUSEUM, INCORPORATED AS RECORDED AMONG SAID LAND RECORDS IN LIBER S.E.B. 3638, FOLIO 208; THENCE BINDING AND RUNNING WITH THE SAID "SOUTHERN PROPERTY LINE" OF THE B&O RAILROAD MUSEUM, INCORPORATED PROPERTY
  
- (10) NORTHEASTERLY TO A POINT FORMED BY THE INTERSECTION OF SAID "SOUTHERN PROPERTY LINE" OF THE B&O RAILROAD MUSEUM, INCORPORATED PROPERTY AND THE CENTERLINE OF SOUTH CAREY STREET, 80 FEET WIDE; THENCE BINDING ON THE CENTERLINE OF SAID SOUTH CAREY STREET
  
- (11) NORTHERLY, PASSING OVER WEST BALTIMORE STREET WHEREAS SAID SOUTH CAREY STREET BECOMES NORTH CAREY STREET, 80 FEET WIDE, TO A POINT FORMED BY THE INTERSECTION OF SAID NORTH CAREY STREET AND AFORESAID WEST MULBERRY STREET; THENCE RUNNING WITH THE CENTERLINE OF SAID WEST MULBERRY STREET
  
- (12) EASTERLY, TO THE POINT OF BEGINNING.

**3806 TRAFFIC-MITIGATION FEE**

33  
34  
  
35  
36  
37

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

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

38  
39

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

40  
41  
  
42  
43

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

**Council Bill 11-0658**

**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;

**Council Bill 11-0658**

- 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

**Council Bill 11-0658**

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~~

## Council Bill 11-0658

- 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.

### 7           **3807.3 FEES MAY DEFRAY COST OF SITE ACCESS IMPROVEMENTS.**

8           **3807.3.1 SITE ACCESS IMPROVEMENTS.** SUBJECT TO THE APPROVAL OF THE BOARD OF  
9           ESTIMATES, THE DIRECTOR MAY PERMIT UP TO 33% OF THE TRAFFIC MITIGATION FEE,  
10          AFTER DEDUCTION OF CREDITS, PAID BY AN APPLICANT TO BE USED FOR MINOR SITE  
11          ACCESS IMPROVEMENTS INCLUDING TURNING LANES, ACCELERATION/DECELERATION  
12          LANES, TRAFFIC SIGNALS, OR SIMILAR IMPROVEMENTS.

13          **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.

18          **3807.3.2.1 NO REBATES UNTIL REMAINDER OF FEES PAID.** A DEVELOPER MAY NOT  
19          RECEIVE A REBATE OF ANY FEES UNDER THIS § 3807.3.2 UNTIL THE REMAINING  
20          TRAFFIC MITIGATION FEES HAVE BEEN PAID TO THE CITY.

21          **3807.4 ANNUAL ACCOUNTING.** WITH THE ASSISTANCE OF THE DEPARTMENT OF FINANCE,  
22          THE DIRECTOR MUST ANNUALLY PRODUCE AND PROVIDE TO THE BOARD OF ESTIMATES AN  
23          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.

### 28          **3807.5 RETURN OF UNOBLIGATED FEES.**

29          **3807.5.1 REVIEW OF FEE USE.** IF AN APPLICANT WHO HAS PAID A TRAFFIC-MITIGATION  
30          FEE FOR A PROJECT BELIEVES THAT THE FEE HAS NOT BEEN OBLIGATED TO A SPECIFIC  
31          PROJECT WITHIN 6 YEARS OF FINAL PAYMENT, THE APPLICANT MAY REQUEST A REVIEW OF  
32          THE FEE'S USE BY THE DIRECTOR. THE DIRECTOR MUST THEN DETERMINE IF THE FEE IN  
33          QUESTION, OR ANY PORTION OF IT, HAS, WITHIN 6 YEARS OF PAYMENT, BEEN OBLIGATED  
34          TO A SPECIFIC PROJECT.

35          **3807.5.2 REFUND OF UNOBLIGATED FEES.** IF THE DIRECTOR'S REVIEW UNDER § 3807.5.1  
36          DETERMINES THAT A FEE HAS NOT BEEN ENTIRELY OBLIGATED TO A SPECIFIC PROJECT  
37          WITHIN 6 YEARS OF PAYMENT, ANY UNOBLIGATED PORTION OF THE FEE MUST BE

**Council Bill 11-0658**

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].

**Council Bill 11-0658**

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

**Council Bill 11-0658**

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:

**Council Bill 11-0658**

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

**Council Bill 11-0658**

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.

**Council Bill 11-0658**

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 90<sup>th</sup>  
8 30<sup>th</sup> 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