


FROM	NAME & TITLE	CHRIS RYER, DIRECTOR	CITY of BALTIMORE  <b>MEMO</b>	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 8 <sup>TH</sup> FLOOR, 417 EAST FAYETTE STREET		
	SUBJECT	CITY COUNCIL BILL #23-0425 / IMPROVING SAFETY AND HABITABILITY IN SUPPORTIVE AND OTHER RESIDENTIAL HOUSING		

TO

The Honorable President and  
Members of the City Council  
City Hall, Room 400  
100 North Holliday Street

DATE: December 1, 2023

At its regular meeting of November 30, 2023, the Planning Commission considered City Council Bill #23-0425, for the purpose of defining the term “supportive housing facility” in the Baltimore City Building Code; requiring a permit before any person may transfer ownership or operation of certain property in certain circumstances; updating use and occupancy classifications; and categorizing congregate living facilities as rental dwellings and requiring their licensing.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report, which recommended amendment and approval of City Council Bill #23-0425 and adopted the following resolutions, with nine members being present (nine in favor):

RESOLVED, That the Planning Commission concurs with the recommendation of its departmental staff, adopts the findings and equity analysis outlined in the staff report, with consideration for testimony and facts presented in the meeting, and recommends that City Council Bill #23-0425 be **amended and approved** by the City Council.

If you have any questions, please contact Mr. Eric Tiso, Division Chief, Land Use and Urban Design Division at 410-396-8358.

CR/ewt

attachment

cc: Ms. Nina Themelis, Mayor’s Office  
The Honorable Eric Costello, Council Rep. to Planning Commission  
Mr. Colin Tarbert, BDC  
Ms. Rebecca Witt, BMZA  
Mr. Geoffrey Veale, Zoning Administration  
Ms. Stephanie Murdock, DHCD  
Ms. Elena DiPietro, Law Dept.  
Mr. Francis Burnszynski, PABC  
Mr. Liam Davis, DOT  
Ms. Natawna Austin, Council Services



Brandon M. Scott  
Mayor

## PLANNING COMMISSION

Sean D. Davis, Chair; Eric Stephenson, Vice Chair

### STAFF REPORT



Chris Ryer  
Director

November 30, 2023

**REQUEST:** City Council Bill #23-0425/ Improving Safety and Habitability in Supportive and Other Residential Housing:

For the purpose of defining the term “supportive housing facility” in the Baltimore City Building Code; requiring a permit before any person may transfer ownership or operation of certain property in certain circumstances; updating use and occupancy classifications; and categorizing congregate living facilities as rental dwellings and requiring their licensing.

**RECOMMENDATION:** Amendment and approval, with the following amendment:

- On Page 3, in Line 17, correct a typo in the existing code by striking “our” and replace with “or” to read: P. [n.] retail goods establishment – with [our] OR without alcoholic beverage sales (AS DEFINED IN BALTIMORE CITY ZONING CODE § 1-312(U) {“RETAIL GOODS ESTABLISHMENT.”}), [or]

**STAFF:** Eric Tiso

**INTRODUCED BY:** The Council President at the request of: The Administration (Department of Housing and Community Development)

**SITE/GENERAL AREA:** Citywide

### HISTORY

This bill amends the Building, Fire, and Related Codes of Baltimore City, 2020 Edition (based on the 2018 International Code Council set), and Article 13 – *Housing and Urban Renewal* as last amended by Ord. #22-124 and Ord. #22-125 (annual corrective bills).

### ANALYSIS

Background:

This bill amends the Building, Fire, and Related Codes (BFR) and Article 13 – *Housing and Urban Renewal* principally related to creating a definition for “supportive housing facility” on Page 4 of the bill, as well as conforming definitions and references.

Effects of the Bill:

In the Building, Fire, and Related Codes, under Part II of the International Building Code, definitions are coordinated by referencing their definitions in Article 32 – *Zoning*. Most of the definitions already exist in that location, but are being conformed to the Zoning Code Definition (including a couple of recent changes in Zoning), but also include two newly added definitions. Definitions include: banquet hall, body art establishment, carry-out food shop, day-care center:

adult or child, entertainment: indoor or live, fuel station, health-care clinic, lodge or social club, lounge, pawn shop, personal services establishment, residential-care facility, restaurant, retail goods establishment – with or without alcoholic beverage sales, rooming house, and tavern. Two new definitions for “congregate living facilities” (incorporated by reference from the International Building Code) and for “supportive housing facility” (newly created in the BFR as the new § 202.2.56). Since the bill is making changes to this section, the definition for “Transfer” that now appears at § 202.2.54 in the current code, is kept the same but relocated to a new § 202.2.57 below the newly created definition for “supportive housing facility.” These changes put the definitions in the correct alphabetical order, and renumber accordingly.

The bill amends Chapter 3, under Use and Occupancy Classification, by adding a new definition for Section 310.5 Residential Group R-4, which is nearly identical to the IBC text, except that it now adds “supportive housing facility” to the list of uses. Since the definition is being amended, the entire section has to be added to our Building Code. Two conditions are also created under new Sections 310.5.1 and 310.5.2 regarding residents and their ability to evacuate during an emergency without additional assistance, or only limited assistance.

In Article 13 – *Housing and Urban Renewal* under Subtitle 5. *Licensing of Rental Dwellings*, the definition of Rental Dwelling is amended to include any supportive housing facility. In turn, a reference to the definition of Supportive Housing under § 202.2.56 of the Building Code is added.

Equity: Staff does not believe that there will be any negative impacts to our communities as a result of these code amendments. We do not believe there was any significant outreach to the public prior to introduction of the bill, so it is difficult to estimate whether there are any undue impacts to any communities that may have been historically excluded from planning processes. In any case, we do not expect any impact on staff time or resources if the proposed amendments are adopted.

Notification: Notice of this item has been sent to over 18,500 subscribers via GovDelivery.



**Chris Ryer**  
**Director**