

**CITY OF BALTIMORE  
COUNCIL BILL 08-0043  
(First Reader)**

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Introduced by: Councilmembers Kraft, Holton, Welch, Reisinger, Cole

Introduced and read first time: February 4, 2008

Assigned to: Land Use and Transportation Committee

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

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A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Zoning – Conversion of 1- or 2-Family Dwellings –**  
3 **R-8 Zoning District**

4 FOR the purpose of removing the R-8 District from among those districts in which an exception  
5 may be sought from the general prohibition against converting 1- or 2-family dwellings to  
6 larger occupancies.

7 BY repealing and reordaining, without amendments

8 Article - Zoning

9 Section(s) 3-305(a)

10 Baltimore City Revised Code

11 (Edition 2000)

12 BY repealing and reordaining, with amendments

13 Article - Zoning

14 Section(s) 3-305(b)

15 Baltimore City Revised Code

16 (Edition 2000)

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

19 **Baltimore City Revised Code**

20 **Article – Zoning**

21 **Title 3. General Rules for Use, Bulk, and Other Regulations**

22 ***Subtitle 3. Other Regulations***

23 **§ 3-305. Conversion of single- or two-family dwellings.**

24 (a) *Prohibited conversions.*

25 (1) Except as otherwise specified in this section, in all districts:

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

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1 (i) no building used as a single-family dwelling may be altered or changed to be  
2 used for occupancy by more than 1 family; and

3 (ii) no building used as a two-family dwelling may be altered or changed to be  
4 used for occupancy by more than 2 families.

5 (2) For purposes of this subsection, an empty building is considered to be a single-family  
6 dwelling unless it was last lawfully used, in compliance with the normal bulk  
7 requirements of the district in which it is located, as a dwelling for 2 or more families.

8 (b) *Conditional use conversion — authorized.*

9 (1) In all districts except the R-2, R-4, R-5, [and] R-6, AND R-8 Districts, the Board may  
10 authorize, as a conditional use, the conversion of a building for use by more than 1  
11 family, as long as the number of families permitted conforms with the applicable bulk  
12 regulations for the district in which the building is located.

13 (2) When authorizing a conversion, the Board may impose conditions and restrictions  
14 under § 14-103 that include a limit on the number of occupants.

15 (3) (i) In the R-7 [and R-8 Districts] DISTRICT, the Board may approve the conversion of  
16 a single-family dwelling to a 2-family dwelling only if the property meets the  
17 minimum lot size requirements.

18 (ii) The Board may waive the requirements of item (i) of this paragraph (3) for  
19 carriage houses, nonconforming uses, and vacant buildings.

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

23 **SECTION 3. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30<sup>th</sup> day  
24 after the date it is enacted.