

TEXT AMENDMENTS TO COUNCIL BILL 12-152

TITLE 15. SITE DEVELOPMENT STANDARDS

(1st Reader Copy)

Proposed by: Various

{To be offered to the Land Use and Transportation Committee}

Amendment No. 1 (T-914) {Purpose of Title}

On page 245, in lines 4 and 5, strike “OTHER THAN THE” and substitute “INCLUDING THOSE”.

Amendment No. 2 (T-797) {Street and Open-Space Dedications – Scope}

On page 247, in line 19, strike “**MAJOR HIGHWAY AND OPEN SPACE**”, and substitute “**STREET, PUBLIC TRANSIT, AND OPEN-SPACE**”; and strike beginning with “ANY LAND” in line 21 through “ANY LAND” in line 22, and substitute “ANY LAND ON OR ADJACENT TO THE LOT FOR THE PURPOSE OF ESTABLISHING OR IMPROVING A PUBLIC STREET, FOR THE PURPOSE OF ESTABLISHING OR IMPROVING PUBLIC TRANSIT, OR”; and, in line 26, strike “FOR A STREET OR OPEN SPACE”.

Amendment No. 3 (T-522) {Street and Open-Space Dedications - Permitted Density}

On page 247, in line 33, strike “THE” and substitute “IN LIEU OF ANY COMPENSATION TO THE OWNER FOR A LOT CONTRIBUTED UNDER THIS SECTION, THE”; and, in the same line before “LOT”, insert “REMAINING PRIVATE DEVELOPMENT”; and, in lines 33 and 34, strike “MAY NOT EXCEED 120%” and substitute “MAY EXCEED BY UP TO, BUT NO MORE THAN, 110%”.

Amendment No. 4 (DLR) {Bldg. Heights Near Washington Monument}

On page 248, in line 11, strike “**HEIGHT LIMITATION IN VICINITY OF**” and substitute “**BUILDING HEIGHTS NEAR**”; and, after line 19, insert:

“(Now codified as § 14-1 of the Code of Public Local Laws of Baltimore City.)”.

Amendment No. 5 (T-799, T-800, and T-802) {Site Development - Exceptions in Mt. Vernon}

On page 248, in line 20, strike “**HEIGHT LIMITATIONS**” and substitute “**LIMITATIONS**”; and, after line 21, insert the subsection designator and caption “**(A) GENERAL HEIGHT LIMITATIONS.**”; and, at the end of line 22, strike “**IN TABLE 15-405 WITHIN**” and substitute “**IN THAT TABLE FOR**”; and, in line 24, before “**ZONING**”, insert “**UNDERLYING**”; and, after line 24, insert:

“**(B) OTHER LIMITATIONS.**

WITHIN THE BOUNDARIES INDICATED IN TABLE 15-405 FOR THE MOUNT VERNON NEIGHBORHOOD :

- (1) WHEN CALCULATING THE HEIGHT OF A BUILDING FOR COMPLIANCE WITH HEIGHT LIMITATIONS, MECHANICAL EQUIPMENT, INCLUDING HEATING, VENTILATION, AND AIR-CONDITIONING UNITS, ON TOP OF THE BUILDING ARE INCLUDED IN THAT CALCULATION;**
- (2) NEW PRIMARY-USE SURFACE PARKING LOTS ARE PROHIBITED; AND**
- (4) FOR NEW CONSTRUCTION, THE MINIMUM LOT AREA PER DWELLING UNIT IS 200 SQUARE FEET.”;**

and, among the Tables accompanying this Bill 12-0152, in the name and text of Table 15-405, strike “**Mt Vernon**” and “**Mt. Vernon**”, respectively, and, in each instance, substitute “**MOUNT VERNON NEIGHBORHOOD**”; and, in the same Table, in the line for “**Historic Zone**”, strike “**70**” and substitute “**PER § 15-404**”.

{DLR NOTES TO PLANNING: (1) Note the change in the Table’s name (needed to conform to the names given in this section for the Table and the area).

(2) Also, in the Table’s list of area heights, the “70” is not quite accurate: the limit is 70’ “above the surface of the street at the base line of the Washington Monument”. }

Amendment No. 6 (T-632) {Exterior Lighting – Recreational Facilities}

On page 250, in line 38, and on page 251, in line 2, in each instance, before “**FEET**”, strike “**60**” and substitute “**35**”; and, on page 250, in line 39, after “**LIGHTING FOR**” strike “**THE**”.

Amendment No. 7 (T-529) {Mechanical Equipment}

On page 252, in line 8 and in line 9, in each instance, after “**RESIDENTIAL**”, insert “**, OFFICE-RESIDENTIAL, OR INDUSTRIAL MIXED-USE**”.

Amendment No. 8 (T-950) {Outdoor Sales and Display}

On page 252, in line 20, strike “DISPLAY” and substitute “**DISPLAYS BY RETAIL GOODS ESTABLISHMENTS**”; and, on the same page, strike line 21 through 24 {*subsection (a)*}, in their entireties, and substitute:

“(A) SUBJECT TO THE CONDITIONS OF THIS SECTION, A RETAIL GOODS ESTABLISHMENT IS ALLOWED, AS AN ACCESSORY USE, TO DISPLAY AND SELL ITS MERCHANDISE OUTDOORS.”;

and, in line 26 {*in subsection (b)*}, strike “NO SALES OR DISPLAY AREA IS PERMITTED IN A REQUIRED YARD.”; and, in line 27 {*in subsection (c)*}, after “PROHIBITED”, insert “. AS PROVIDED IN § 15-510 OF THIS SUBTITLE”; and, in line 28 {*in subsection (d)*}, strike “A PORTION OF THE PARKING AREA” and substitute “A PORTION OF THE ESTABLISHMENT’S PARKING AREA THAT IS IN EXCESS OF AND NOT NEEDED TO MEET THE ESTABLISHMENT’S OFF-STREET PARKING REQUIREMENTS”; and, strike beginning with “NO” in line 30 through “USE” in line 31, and substitute “HOWEVER, NO MORE THAN 10% OF THE PORTION THAT EXCEEDS AND IS NOT NEEDED TO MEET PARKING REQUIREMENTS”.

{DLR NOTE: As confusing as the preceding may be, the balance of T-590 is so beyond the Pale – so poorly organized, excessively repetitive and verbose, and obtusely worded – that DLR cannot even begin, on its own, to suggest a workable fix. That part of the proposal, therefore, is necessarily omitted pending the submission of a coherent revision for consideration by the City Council.}

Amendment No. 9 (T-803 and T-950(part)) {Outdoor Sales and Display}

On page 252, after line 24, insert:

“(B) THE OUTDOOR SALES OR DISPLAY OF THE FOLLOWING MERCHANDISE IS PROHIBITED: TIRES, MATTRESSES, FURNITURE, APPLIANCES, AND DIRT BIKES.”;

and, on the same page, reletter the succeeding subsections as appropriate to accommodate the changes made by this amendment and by any preceding amendment.

Amendment No. 10 (T-801) {Refuse Disposal Containers}

On page 256, strike lines 32 and 33, in their entireties.

Amendment No. 11 (T-535) {Satellite Dishes}

On page 257, in line 23, strike beginning with “EVERY EFFORT” through the period.

Amendment No. 12 (T-796) {Radioactive and Hazardous Waste}

On pages 261 and 262, strike beginning with “NO OPERATION” on page 261, in line 41, through the period on page 262, in line 1.

OMITTED PROPOSALS

{T-523 (Measurement of Density - Lot w/ 3 or More Dwelling Units): T-523 is inordinately problematic. It confuses language on existing density measurements that allow for an additional dwelling unit [*comparing apples ...*] with language purporting to condition that allowance on whether BMZA authorizes a “25% variance” (without even, as it happens, specifying what the variance is for or of) [*... to rocket ships*]. BY ANY MEASURE, THE SENTENCE IN QUESTION, AS THUS “AMENDED”, IS TOTALLY INCOMPREHENSIBLE.}

