

FROM	NAME & TITLE	Eric W. Tiso,  Director of Development Oversight and Project Support	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	Department of Planning 8 th Floor, 417 East Fayette Street		
	SUBJECT	City Council Bill #25-0066 / Zoning – Housing Options and Opportunity		

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

DATE: November 4, 2025

At its regular meeting of October 30, 2025, the Planning Commission considered City Council Bill #25-0066, for the purpose of amending certain provisions of the Baltimore City Zoning Code to promote increased development of low-density multi-family dwellings in certain residential districts; striking residential conversion standards for single-family dwellings into multi-family dwellings; amending certain permitted and conditional uses; amending certain bulk and yard standards; and defining certain terms.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report, which recommended approval of City Council Bill #25-0066 and adopted the following resolution:

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 #25-0066 be **amended and approved** by the City Council, with the following amendment:

Within three years of the effective date of this Ordinance, and within every three years thereafter, the Director of Planning and Planning Commission shall conduct and present to the Mayor and City Council an evaluation of the effectiveness of this Ordinance and recommend its continuance, modification, or termination. The evaluation report shall include, but need not be limited to, the number of structures which have been constructed or converted under this Ordinance, the number of dwelling units each structure contains, the gross floor area of each dwelling unit, the zoning district and neighborhood in which each structure is located, and affordability of these units. The Department of Housing and Community Development and the Department of Planning shall ensure that such data is collected to permit production and delivery of the required report.

If you have any questions, please contact me at eric.tiso@baltimorecity.gov or by phone at 410-396-8358.

attachment

cc: Ms. Nina Themelis, Mayor's Office
The Honorable John Bullock, Council Rep. to Planning Commission
Mr. Justin Williams, BMZA
Mr. Geoffrey Veale, Zoning Administrator
Ms. Stephanie Murdock, DHCD
Ms. Hilary Ruley, Law Dept.
Mr. Francis Burnszynski, PABC
Mr. Luciano Diaz, DOT
Ms. Nancy Mead, Council Services



Brandon M. Scott
Mayor

PLANNING COMMISSION

Jon Laria, Chair; Eric Stephenson, Vice Chair

STAFF REPORT



Tim Keane
Director

October 30, 2025

LEGISLATION: City Council Bill #25-0066/ Zoning – Housing Options and Opportunity:
For the purpose of amending certain provisions of the Baltimore City Zoning Code to promote increased development of low-density multi-family dwellings in certain residential districts; striking residential conversion standards for single-family dwellings into multi-family dwellings; amending certain permitted and conditional uses; amending certain bulk and yard standards; and defining certain terms.

SUMMARY OF REQUEST: This bill is an amendment to Article 32 – *Zoning* that will create and defines “*Dwelling: Multi-Family (Low Density)*” as a new land use, adds that new use to Use Tables 8-301, 9-301, and 12-301, and adds the new use to Bulk and Yard Tables 8-401 and 9-401). Finally, the bill removes conversions of dwellings as a process.

RECOMMENDATION: Approval

STAFF: Eric Tiso

INTRODUCED BY: The Council President (on behalf of the Administration)

OWNER: Multiple

COUNCIL DISTRICT: Citywide

HISTORY

- Elements of this concept were included in CCB #22-0285 - Abundant Housing Act, which was not adopted in the last Council session.
- Companion bills include:
 - CCB #25-0062 – Building Code – Single Exit from Residential Occupancy
 - CCB #25-0063 – Zoning Administrator – Transfer to Department of Planning
 - CCB #25-0064 – Zoning – Bulk and Yard Requirements – Amendments
 - CCB #25-0065 – Zoning – Eliminating Off-Street Parking Requirements

CONFORMITY TO PLANS

The 2024 Comprehensive Master Plan for the City of Baltimore was enacted by Ordinance #24-426, dated December 2, 2024. This bill will support the Plan’s goals for Equitable Housing, by creating the option to create additional dwelling units that are not currently available, and have a higher likelihood of being affordable, relative to existing residential developments.

APPLICANT'S PROPOSAL AND CODE CONTEXT:

The Administration requested introduction of this bill to lower the cost of housing in Baltimore by expanding access to multi-family homes. By creating a new land use category of "*Dwelling: Multi-Family (Low Density)*," it will be possible to build multi-family housing that the zoning code has previously prohibited in certain districts, thereby expanding housing options in those existing lower-density neighborhoods. This bill has companion bills including CCB #25-0064, and CCB #25-0065 that will potentially impact development options as a result of this bill.

PROPOSED USE:

This bill creates a new land use of "*Dwelling: Multi-Family (Low Density)*" by inserting a new § 1-305(r), and then re-numbering the current § 1-305(r) through (cc), respectively. The new definition is proposed as:

§ 1-305. "Day-care home: Adult" to "Electric substation: Outdoor".

...

(R) DWELLING: MULTI-FAMILY (LOW DENSITY).

(1) IN GENERAL.

"DWELLING: MULTI-FAMILY (LOW DENSITY)" MEANS A DWELLING THAT CONTAINS AT LEAST 2 BUT NO MORE THAN 4 DWELLING UNITS, EXCEPT AS OTHERWISE PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION.

(2) INCLUSIONS.

"DWELLING: MULTI-FAMILY (LOW DENSITY)" INCLUDES COMMON FACILITIES FOR RESIDENTS, SUCH AS LAUNDRY ROOMS.

For convenience, the bill adds a new cross-reference to aid the reader in finding this newly created use. The new § 1-309(i) is proposed as:

§ 1-309. "Lot line" to "Motel".

(I) LOW-DENSITY MULTI-FAMILY DWELLING.

SEE "DWELLING: MULTI-FAMILY (LOW DENSITY)".

The District Descriptions in Title 8, Subtitle 2 are amended as shown below to describe the lowest-density residential districts (R-1A through R-4) as intended for either a single-family dwelling, or for one *Low-Density Multi-Family Dwelling*. This bill also strikes paragraph (b) that currently prohibits conversions of dwellings. Staff notes that multi-family dwellings (i.e. those with more than four dwelling units) are not allowed in these zones, as they're not included in Table 8-301, so only single-family dwellings or the new *Low-Density Multi-Family Dwellings* will be generally allowed.

§ 8-201. Common standards.

[(a) Residential development.]

In the districts described in this subtitle, residential development is limited to EITHER 1 single-family dwelling unit per lot OR 1 LOW-DENSITY MULTI-FAMILY DWELLING.

[(b) Residential conversions.]

[In any of the districts subject to this title, the conversion of a single-family dwelling to a multi-family dwelling is prohibited.]

AMENDMENTS TO TABLES:

This bill amends Table 8-301 by adding *Dwelling: Multi-Family (Low Density)* to the table as a permitted use (i.e. by-right) in each of the zones R-1A through R-4. Table 8-401 is amended to

add “, OR MULTI-FAMILY (LOW DENSITY)” to the Dwelling: Detached, or Semi-Detached line, which assigns the same lot area requirement for the new *Dwelling: Multi-Family (Low Density)* as for Dwelling: Detached, or Semi-Detached units. The table is further amended to add a new line entry for “Minimum Enclosed Gross Floor Area” that will set interior floor space requirements for two-, three-, and four-unit dwellings, as the case may be. A new footnote 3 to the table notes that gross floor area calculation for the proposed number of units may not include any basement area.

Similarly, Table 9-301 is amended to add a line for *Dwelling: Multi-Family (Low Density)*, as permitted (*i.e.* by-right) in the R-5 through R-8 zones, but not including the R-9 and R-10 zones. Table 9-401 is amended to add “OR MULTI-FAMILY (LOW DENSITY)” to the Dwelling: Rowhouse line, which assigns the same lot area requirement for the new Dwelling: Multi-Family (Low Density) as for Dwelling: Rowhouse. The table is further amended to add a new line entry for “Minimum Enclosed Gross Floor Area” that will set interior floor space requirements for two-, three-, and four-unit dwellings, for the R-5 through R-8 zones. A new footnote 8 is included that notes that gross floor area calculation for the proposed number of units may not include any basement area. The lines for Maximum building height, Maximum Lot Coverage, Maximum Impervious Surface, and each of the lines for required yards are amended to add “OR MULTI-FAMILY (LOW DENSITY)” to each line, treating them the same as for Dwelling: Multi-Family in the existing table.

Table 12-301 is amended to add a line for Dwelling: Multi-Family (Low Density), as permitted (*i.e.* by-right) in the Office-Residential Districts (OR). Staff notes that a matching amendment to Table 12-302 is not necessary, as the new use will be included with the existing lines for “All Other Uses”.

CONVERSIONS OF DWELLINGS:

A Brief History: The Zoning Code for the City was created in 1931 and has had relatively few major revisions since that time. There was a major reform in 1971 that converted the Zoning Code into a more modern Euclidean-style code. A 1999 reformatting of the Zoning Code was done to change the code’s format, but didn’t affect the contents of the code significantly. Then, most recently in 2017 (TransForm Baltimore), the Zoning Code was completely re-written to include tables, improve readability to the average citizen, included general land uses, and worked to “right size” the bulk and yard requirements to current needs.

- Ordinance #99-425, adopted May 24, 1999 changed the Zoning Code of the time to prohibit the conversion of dwellings in the R-6 and less dense zones, and to require a conditional use approval through the BMZA in the more dense residential zones. The recitals of the Ordinance provided the rationale of that time for why this change was being made:

“The City’s stated purpose in establishing its residential zoning districts is to “meet the housing needs of the city’s present and future population and to promote the stability and desirability of residential areas”.

The conversion of single- and two-family dwellings contributes to the destabilization of a neighborhood, however, by bringing in more people, increasing congestion and raising the demand for parking.

Because the City’s population has been declining, no demand for additional dwellings exists, and the creation of additional dwellings in one neighborhood will create vacancies in other neighborhoods.

Prohibiting the conversion of dwellings in the lower density residential districts will contribute to the stability of those districts and to the stability of all of the City's neighborhoods.”

Staff sees that the Council of that time took notice of the declining population in the City, but it is clear that the belief was that there would be no (or negligible) net in-migration to the City, and so any conversions approved could only have a parasitic effect on the housing market within the City – meaning that those choosing to move into a newly converted unit would not then be moving into a regular single-family dwelling elsewhere in the City, thereby leaving a vacant unit. With the benefit of hindsight, we don’t believe those assumptions were necessarily correct. That Ordinance appears to overlook the need for affordable housing, and it doesn’t recognize the cost difference between a single-family dwelling compared to a newly converted unit in a multi-family building.

- Ordinance #11-525, adopted November 22, 2011, changed the approval path for conversions in the R-8 zone from the BMZA to an Ordinance process, requiring a legislative authorization instead.
- Ordinance #12-040, adopted June 26, 2012, changed the approval path for conversions in the R-7 zone to an Ordinance process, to match what was done for R-8 zones the year before.
- Ordinance #14-219, adopted May 7, 2014, clarified the Council’s intent that conversions should only be permitted where additional dwelling or efficiency units in the R-7 or R-8 districts may be authorized only by a conditional-use ordinance and only as long as the number of dwelling and efficiency units to be allowed conforms with the applicable principal permitted-use bulk regulations for the district in which the building is located. As a practical matter, this did not prohibit conversions that required variances, and the Council continued approving them after this amendment was enacted.
- Upon adoption of a new Article 32 – *Zoning* in 2017, the need for conditional use conversions were included in § 9-701, and only approved by Ordinance in R-7 and R-8 zones, and by the BMZA in R-9 and R-10 zones. The new Zoning Code maintained the conversion practice without change, but simplified the language to remove the unnecessary Council’s self-limitation on only approving conversions that met the bulk requirements (*i.e.* without variances) that were not followed.

Bill Proposal: This bill seeks to repeal Sections 9-701 through 9-703, the subtitle designation, “Subtitle 7. Residential Conversions”, and Sections 10-609 and 12-303(i) of Article 32 – *Zoning* of the Baltimore City Code. This will remove the requirement for conditional use approval - either by the Board of Municipal and Zoning Appeals (BMZA), or by a legislative authorization for all conversions, making them permitted by-right provided the property can meet other relevant requirements in the code such as bulk and yard requirements. Staff notes that vehicle parking requirements will apply to the fourth dwelling unit unless CCB #25-0065 is adopted. The most recent amendment to Article 32 – *Zoning* exempted vehicle parking for up to three dwelling units earlier this year (*cf.* § 16-601 (b)(1)).

As residential conversions will be removed from Article 32 – *Zoning*, the bill removes a reference to conversions in § 4-405, which describes what applications require Design Review, that will no longer be needed.

§ 4-405. Applicability.

(a) In general.

Except as provided in subsection (b) of this section, design review is required for the following types of development:

- [(5) when exterior modifications are proposed for residential conversion in the R-7, R-8, R-9, and R-10 Districts;]

Staff notes that § 4-405(a)(1) requires Design Review for new construction of dwellings, so functionally nothing will change.

STATE POLICY FOR ACCESSORY DWELLING UNITS

A recent State law change to the Land Use Article was implemented via SB891 and took effect at the start of October. This bill entitled “Land Use and Real Property – Accessory Dwelling Units – Requirements and Prohibitions” and is intended to encourage Charter Counties (the City of Baltimore is one of those) to accept Accessory Dwelling Units (ADUs) where single-family detached homes are allowed. The relevant portions are as follows:

SUBTITLE 5. ACCESSORY DWELLING UNITS.

4-501.

(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) (1) “ACCESSORY DWELLING UNIT” MEANS A SECONDARY DWELLING UNIT THAT IS:

- (I) ON THE SAME LOT, PARCEL, OR TRACT AS A PRIMARY SINGLE-FAMILY DETACHED DWELLING UNIT ;
- AND

- (II) NOT GREATER THAN 75% OF THE SIZE OF AND SUBORDINATE IN USE TO THE PRIMARY SINGLE-FAMILY DETACHED DWELLING UNIT.

(2) “ACCESSORY DWELLING UNIT” INCLUDES A STRUCTURE THAT IS:

- (I) SEPARATE FROM THE PRIMARY SINGLE-FAMILY DETACHED DWELLING UNIT; OR
- (II) ATTACHED AS AN ADDITION TO THE PRIMARY SINGLE-FAMILY DETACHED DWELLING UNIT.

(C) (1) “DWELLING UNIT” MEANS A SINGLE UNIT PROVIDING COMPLETE LIVING FACILITIES FOR AT LEAST ONE INDIVIDUAL, INCLUDING, AT A MINIMUM, PROVISIONS FOR SANITATION, COOKING, EATING, AND SLEEPING.

(2) “DWELLING UNIT” DOES NOT INCLUDE A UNIT IN A MULTIFAMILY RESIDENTIAL BUILDING.

...

4-502.

THIS SUBTITLE APPLIES ONLY TO THE DEVELOPMENT OF ACCESSORY DWELLING UNITS ON LAND WITH A SINGLE-FAMILY DETACHED DWELLING UNIT AS THE PRIMARY DWELLING UNIT.

4-503.

(A) IT IS THE POLICY OF THE STATE TO PROMOTE AND ENCOURAGE THE CREATION OF ACCESSORY DWELLING UNITS ON LAND WITH A SINGLE-FAMILY DETACHED DWELLING UNIT AS THE PRIMARY DWELLING UNIT IN ORDER TO MEET THE HOUSING NEEDS OF THE CITIZENS OF MARYLAND.

(B) (1) EXCEPT AS PROVIDED IN THIS SUBTITLE AND SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THIS SUBTITLE DOES NOT ALTER OR ABROGATE ANY ZONING POWER OR RELATED AUTHORITY GRANTED TO A LOCAL JURISDICTION UNDER THIS TITLE.

(2) LOCAL JURISDICTIONS SHALL ESTABLISH POLICIES THAT FURTHER THE INTENT OF THIS SUBTITLE.

4-504.

(A) (1) ON OR BEFORE OCTOBER 1, 2026, EACH LEGISLATIVE BODY SHALL ADOPT A LOCAL LAW AUTHORIZING THE DEVELOPMENT OF ACCESSORY DWELLING UNITS IN ACCORDANCE WITH THIS SECTION.

(2) A LEGISLATIVE BODY MAY ADOPT A LOCAL LAW THAT:

- (I) ESTABLISHES STANDARDS FOR ACCESSORY DWELLING UNIT SAFETY; AND

- (II) PROHIBITS THE FULL OR PARTIAL CONVERSION OF AN ACCESSORY STRUCTURE AS AN ACCESSORY DWELLING UNIT IF THE ONLY VEHICULAR ACCESS TO THE ACCESSORY STRUCTURE IS FROM AN ALLEY.

...

ANALYSIS OF BILL:

As the purpose of this bill is to allow for greater variety of housing types and increased density options in the lower-density residential zones in the City, this bill will allow for up to four dwelling units to exist anywhere that a single-family dwelling can now exist, provided it meets the gross floor area, bulk, and parking requirements (unless CCB #25-0065 is adopted). As proposed, the bill will essentially out-perform the State's policy intent, where allowing 2-4 dwelling units on lots where only one unit is now allowed will increase density and options beyond what was expected by the State.

Attached at the end of this report is a GIS study of residential zones by percentage of the City's land area, as well as percentage share of residential zones for each individual zone.

EQUITY:

Staff understands the concerns expressed in the letters received, where some neighbors may be alarmed at the potential for overcrowding. We do not believe that there will be massive adoption of this potential, but recognize that many property owners may be concerned more about the property immediately adjacent to them rather than future citywide trends. The intent of the bill is to provide additional options for affordable housing in places that do not now allow it through increased density.

NOTIFICATION: This hearing was advertised to approximately 17,000 subscribers to the GovDelivery service.



Tim Keane
Director

Zoning District	Area (Acres)	% of City	% of Residential Land
R-1	1,837.79	3.53%	7.56%
R-1-A	88.83	0.17%	0.37%
R-1-C	1,233.29	2.37%	5.07%
R-1-D	723.28	1.39%	2.97%
R-1-E	1,123.10	2.16%	4.62%
R-2	66.56	0.13%	0.27%
R-3	3,986.17	7.66%	16.40%
R-3/HR	2.06	0.00%	0.01%
R-4	1,607.02	3.09%	6.61%
R-4/D-MU	20.19	0.04%	0.08%
R-4/HR	14.34	0.03%	0.06%
R-5	3,837.51	7.38%	15.79%
R-5/HR	1.21	0.00%	0.00%
R-6	6,155.98	11.84%	25.30%
R-6/HR	1.87	0.00%	0.01%
R-6/R-MU	1.08	0.00%	0.00%
R-7	1,261.04	2.43%	5.19%
R-7/HR	1.18	0.00%	0.00%
R-7/R-MU	1.6	0.00%	0.01%
R-8	2,600.51	5.00%	10.69%
R-9	1,038.13	2.00%	4.27%
R-10	1,232.10	2.37%	5.07%