

Introduced by: The Council President
At the request of: Department of Legislative Reference



Prepared by: Department of Legislative Reference

Date: February 22, 2017

Referred to: **LAND USE AND TRANSPORTATION** Committee

Also referred for recommendation and report to municipal agencies listed on reverse.

CITY COUNCIL 17-0021

A BILL ENTITLED

AN ORDINANCE concerning



Baltimore City Zoning Code – Legalization – Corrections

FOR the purpose of legalizing new City Code Article 32 {"Zoning"}, as enacted by Ordinance 16-581 {"TransForm Baltimore – Zoning"} and edited, codified, and published by the Baltimore City Department of Legislative Reference; further amending new Article 32 to correct various technical errors, omissions, and inconsistencies and to correct, clarify, and conform various references and language; providing for a special effective date; and generally relating to the zoning and development laws of the City of Baltimore.

BY repealing and reordaining, with amendments

Article 32 - Zoning

Sections 1-303(c)(1)(i), (f), and (t), 1-304(f) and (y), 1-305(p), (r) through (s), and (bb), 1-306(l), 1-307(a), (b), and (o)(2), 1-308(a)(3), (b)(3), (c)(2)(vi), and (q)(2), 1-310(c)(2), (m)(1), (n)(2), 1-312(q)(1) and (u), 1-311(c), (e), and (o)(4), 1-314(j), 2-201(a), 2-202(b), (h), (i), (j)(1), and (k)(1) and (2), 3-201(c)(intro), 3-202(a) and (l), 3-204(b)(intro) and (3)(iii), 3-205(intro), 4-203(3) through (8), 4-405(a)(13)(iii), 5-202(b)(1), 5-301(b), 5-302(b)(1)(v)(intro), 5-305(b)(3)(i), 5-308(b)(7), 5-406(a) and (b)(10), 5-409(d), 5-504(intro), 5-601(f), 5-602(e), 5-603(d), 5-604(e) and (f), 5-703, 5-705, 5-901, 7-204(c) and (e), 7-306(b), 8-603, 8-606, 9-703(c) and (d), 9-803, 9-806, 10-204(a), 10-207(c)(1), 10-502(b), 10-603, 10-606, 11-201(a), 11-202(a), 11-603, 11-606, 12-101(11), 12-201 through 12-211, Subtitle 3(caption), 12-301, 12-302(a), 12-303(a), (c), (f), and (i), 12-403(a), 12-405(a)(2) and (d), 12-406(c) and (f), Subtitle 5(caption), 12-502(a)(2), 12-503(b), 12-504(c) and (f), Subtitle 6(caption), 12-602(a)(2), 12-603(b)(1), 12-604(c) and (f), Subtitle 7(caption), 12-701(intro), Subtitle 9(caption), 12-901, 12-904(a)(1), 12-905(b)(4) and (c)(1), 12-906(a)(1), (3), and (6) and (b)(1), (3)(i)(intro), (5), and (12),

****The introduction of an Ordinance or Resolution by Councilmembers at the request of any person, firm or organization is a courtesy extended by the Councilmembers and not an indication of their position.**

Agencies

_____ Baltimore City Public School System

_____ Baltimore Development Corporation

✓ _____ City Solicitor

_____ Comptroller's Office

_____ Department of Audits

_____ Department of Finance

_____ Department of General Services

✓ _____ Department of Housing and Community Development

_____ Department of Human Resources

_____ Department of Planning

_____ Other: _____

_____ Other: _____

_____ Other: _____

_____ Department of Public Works

_____ Department of Real Estate

_____ Department of Recreation and Parks

✓ _____ Department of Transportation

_____ Fire Department

_____ Health Department

_____ Mayor's Office of Employment Development

_____ Mayor's Office of Human Services

_____ Mayor's Office of Information Technology

_____ Office of the Mayor

_____ Police Department

_____ Other: _____

_____ Other: _____

Boards and Commissions

_____ Board of Estimates

_____ Board of Ethics

✓ _____ Board of Municipal and Zoning Appeals

_____ Comm. for Historical and Architectural Preservation

_____ Commission on Sustainability

_____ Employees' Retirement System

_____ Other: _____

_____ Other: _____

_____ Other: _____

_____ Environmental Control Board

_____ Fire & Police Employees' Retirement System

_____ Labor Commissioner

_____ Parking Authority Board

✓ _____ Planning Commission

_____ Wage Commission

_____ Other: _____

_____ Other: _____

_____ Other: _____

CITY OF BALTIMORE
ORDINANCE **17-015**
Council Bill 17-0021

Introduced by: The Council President
At the request of: Department of Legislative Reference
Introduced and read first time: February 27, 2017
Assigned to: Land Use and Transportation Committee
Committee Report: Favorable with amendments
Council action: Adopted
Read second time: April 24, 2017

AN ORDINANCE CONCERNING

1 Baltimore City Zoning Code – Legalization – Corrections

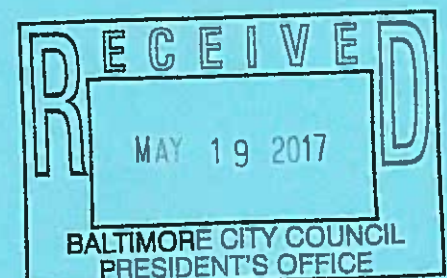
2 FOR the purpose of legalizing new City Code Article 32 {"Zoning"}, as enacted by Ordinance
3 16-581 {"TransForm Baltimore – Zoning"} and edited, codified, and published by the
4 Baltimore City Department of Legislative Reference; further amending new Article 32 to
5 correct various technical errors, omissions, and inconsistencies and to correct, clarify, and
6 conform various references and language; providing for a special effective date; and
7 generally relating to the zoning and development laws of the City of Baltimore.

8 BY repealing and reordaining, with amendments

9 Article 32 - Zoning

10 Sections 1-303(c)(1)(i), (f), and (t), 1-304(f) and (y), 1-305(p); and (r) through (s), and (bb);
11 1-306(l), 1-307(a), (b), and (o)(2), 1-308(a) (3), (b)(3), (c)(2)(vi), and (q)(2), 1-310(c)(2),
12 (m)(1), (n)(2), 1-312(q)(1) and (u), 1-311(c), (e), and (o)(4), 1-314(j), 2-201(a), 2-202(b),
13 (h), (i), (j)(1), and (k)(1) and (2), 3-201(c)(intro), 3-202(a) and (l), 3-204(b)(intro) and
14 (3)(iii), 3-205(intro), 4-203(3) through (8), 4-405(a)(13)(iii), 5-202(b)(1), 5-301(b),
15 5-302(b)(1)(v)(intro), 5-305(b)(3)(i), 5-308(b)(7), 5-406(a) and (b)(10), 5-409(d),
16 5-504(intro), 5-601(f), 5-602(e), 5-603(d), 5-604(e) and (f), 5-703, 5-705, 5-901, 7-202,
17 7-204(c) and (e), 7-306(b), 8-603, 8-606, 9-703(c) and (d), 9-803, 9-806, 10-204(a),
18 10-207(c)(1), 10-502(b), 10-603, 10-606, 11-201(a), 11-202(a), 11-301, 11-603, 11-606,
19 12-101(11), 12-201 through 12-211, Subtitle 3(caption), 12-301, 12-302(a), 12-303(a),
20 (c), (f), and (i), 12-402, 12-403(a), 12-405(a)(2) and (d), 12-406(c) and (f), Subtitle 5
21 (caption), 12-501, 12-502(a)(2), 12-503(b), 12-504(c) and (f), Subtitle 6(caption),
22 12-601, 12-602(a)(2), 12-603(b)(1), 12-604(c) and (f), Subtitle 7(caption), 12-701(intro),
23 Subtitle 9(caption), 12-901, 12-904(a)(1), 12-905(b)(4) and (c)(1), 12-906(a)(1), (3),
24 and (6) and (b)(1), (3)(i)(intro), (5), and (12), Subtitle 10(caption), 12-1001(a),
25 12-1002(intro), 12-1003(a)(intro) and (7) and (b)(intro), 12-1004(a), 12-1005(a) and
26 (b)(1), Subtitle 11(caption), 12-1101(a), 12-1102(intro), 12-1103(a)(intro) and (b)(intro),
27 12-1104, 12-1105(a), 12-1301, 12-1302, 12-1303(a), 12-1304(a), (c) and (e), 13-102(a),
28 13-201(a), 13-202(b), 13-501, 13-503(b), 14-307(b)(2), 14-309(a), 14-310(a), 14-311(g),
29 14-313(a)(2)(ii), 14-316(b), 14-318(e), 14-324(b)(1), 14-325(a), 13-326(a) and (d)(2),
30 14-327(c)(intro), 14-331(a)(2) and (b)(5), 14-333(b)(1), 14-334(a)(3) and (b)(2),

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.



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1 14-338(d)(2)(i) and (k)(3)(i), 14-339(b), 14-340, 14-401(a) through (d) and (e)(3), (4)(ii),
2 and (5), 15-201(a), 15-301(b)(5), 15-401(a), 15-403(c), 15-502(c), 15-503, 15-504(intro),
3 15-506, 15-508(b), 15-509(f) and (g), 15-510(b)(4), 15-511(b)(3)(intro), (4) through (6),
4 and (c)(3), 15-515(c) through (e), 15-516(c)(2)(iii) and (3)(iii), 15-517(d), 15-518(c)(2),
5 15-701, 15-702(a)(intro), 16-201(b), 16-203(b), 16-401(e), 16-402(b), 16-404(a) and (c),
6 16-405(a) and (b)(1), 16-601(b)(2)(i)(intro) and (f), 16-602(b) and (e), 16-701(h)(4)
7 and (8), (i), (j)(3), and (k), 16-705(a) through (d), 16-901(b)(2) and (g), 16-902(a)(1)
8 and (c), 18-201(b), (c), and (d), 18-202, 18-206(b)(1)(i), 18-311(a), 18-401(a), 18-406,
9 18-411(e)(2), 18-412(a)(2)(i), 18-413, 18-601(b), 18-701(a), (b)(2) and (3)(i)(intro),
10 and Title 19 in its entirety.

11 Baltimore City Code
12 (Edition 2000)

13 **BY repealing**

14 Article 32 - Zoning
15 Section(s) 1-302(p) and (s), 1-306(u), 1-309(j) and (u), 1-310(s), and (w), and (x), 1-311(w),
16 1-312(c) and (e), 1-314(e), 2-201(f), 3-202(b)(3), ~~12-601(a)(6)~~, 15-514(1), 16-411, and
17 18-301.

18 Baltimore City Code
19 (Edition 2000)

20 **BY adding**

21 Article 32 - Zoning
22 Section 1-302(k), 1-305(q-1), 1-306(z), 1-310(i), 1-311(q-1), 1-312(s), 1-315(f) and (g),
23 4-203(9), 12-102, 12-505, and 12-605

24 Baltimore City Code
25 (Edition 2000)

26 **BY repealing and reordaining, without amendments**

27 Article 32 - Zoning
28 Section 1-305(o), (q), (t), and (u)

29 Baltimore City Code
30 (Edition 2000)

31 **BY repealing**

32 Article 32 - Zoning
33 In Title 6, the subtitle designation "Subtitle 4. Exempt Essential Services"
34 Baltimore City Code
35 (Edition 2000)

36 **BY renumbering, with amendments**

37 Article 32 - Zoning
38 Section 6-401
39 to be
40 Section 2-202

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- 1 and
2 Section 2-202
3 to be
4 Section 2-203
5 Baltimore City Code
6 (Edition 2000)
- 7 BY repealing
8 Article 32 - Zoning
9 Tables 7-202 through 17-812
10 Baltimore City Code
11 (As enacted by Ordinance 16-581))
- 12 BY adding
13 Article 32 - Zoning
14 Tables 7-202 through 17-812
15 Baltimore City Code
16 (Edition 2000)
- 17 BY repealing
18 Article 1 - Mayor, City Council, and Municipal Agencies
19 Section 40-14(e)(8) and 41-14(7)
20 Baltimore City Code
21 (Edition 2000)
- 22 BY renumbering
23 Article 1 - Mayor, City Council, and Municipal Agencies
24 Section 40-14(e)(5) and (5a)
25 to be
26 Section 40-14(e)(5a) and 5(c), respectively
27 Baltimore City Code
28 (Edition 2000)
- 29 BY adding
30 Article 1 - Mayor, City Council, and Municipal Agencies
31 Section 40-14(e)(5b) and 41-14(4a)
32 Baltimore City Code
33 (Edition 2000)
- 34 BY repealing
35 Article 19 - Police Ordinances
36 Section 71-2(i)(3)
37 Baltimore City Code
38 (Edition 2000)

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1 BY renumbering
2 Article 19 - Police Ordinances
3 Section 71-2(i)(3a)
4 to be
5 Section 71-2(i)(3)
6 Baltimore City Code
7 (Edition 2000)

8 BY adding
9 Article 19 - Police Ordinances
10 Section 71-2(i)(5)
11 Baltimore City Code
12 (Edition 2000)

13 BY repealing and reordaining, with amendments
14 Ordinance 16-581 {"TransForm Baltimore – Zoning"}
15 Section 3

16 SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That
17 City Code Article 32 {"Zoning"}, as enacted by Ordinance 16-581 and as edited, codified, and,
18 on March 15, 2017, published by the Baltimore City Department of Legislative Reference, is
19 legalized. That Article, as further amended by this Ordinance, is and may be taken by all public
20 officials and others as evidence of all general zoning ordinances of the Mayor and City Council
21 in effect as of the effective date of this Ordinance.

22 SECTION 2. AND BE IT FURTHER ORDAINED, That the Laws of Baltimore City read as
23 follows:

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Baltimore City Code

Article 32. Zoning

Title 1. General Provisions

Subtitle 3. Definitions

§ 1-302. "Abut" to "Awning".

(k) *AGE-RESTRICTED RESIDENTIAL-CARE FACILITY.*

"AGE-RESTRICTED RESIDENTIAL-CARE FACILITY" MEANS A RESIDENTIAL-CARE FACILITY THAT RESTRICTS RESIDENTS TO INDIVIDUALS 62 YEARS OLD OR OLDER.

[(p) *Alternative energy system: Private.*

"Alternative energy system: Private" means an alternative energy system that:

(1) primarily produces energy for consumption on site by a property owner; and

(2) secondarily might supply excess energy to an electric grid.]

[(s) *Arbor.*]

["Arbor" means a freestanding structure used in a garden to support vines or climbing plants.]

§ 1-303. "Bail bond establishment" to "Child day-care home".

(c) *Banquet hall.*

(1) *In general.*

"Banquet hall" means an establishment:

(i) for which all events are directly managed by the owner of the facility or by a person [or persons] regularly employed by the owner and responsible to the owner for the [onsite] ON-SITE management of all events held in that facility and for event arrangements;

....

(f) *Bed and breakfast.*

"Bed and breakfast" means an owner-occupied, single-family dwelling that:

(1) is used primarily as a the owner's personal home; but

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1 (2) also, while the owner is in residence, [offers] PROVIDES lodging in 3 or fewer
2 guest rooms to members of the general public who have primary residences
3 elsewhere.

4 (t) *Carry-out food shop.*

5 "Carry-out food shop" means [a restaurant or other] AN establishment where prepared
6 food is served in disposable containers or wrappers from a serving counter, primarily for
7 off-premises consumption.

8 § 1-304. "Chimney" to "Day-care center: Child".

9 (f) *Commercial vehicle.*

10 "Commercial vehicle" [means:] HAS THE MEANING STATED IN CITY CODE ARTICLE 31
11 {"TRANSIT AND TRAFFIC"}, § 1-1(F) {"DEFINITIONS – A TO L: COMMERCIAL VEHICLE"}.

12 [(1) every vehicle designed, maintained, and used primarily for the
13 transportation or hauling of property, including equipment, merchandise,
14 parcels, earth, trash, refuse, scrap, or motor vehicles;

15 (2) every vehicle, except a passenger car (as defined in Maryland Vehicle
16 Law § 11-144.1), that has commercial advertising on the exterior of the
17 vehicle or on equipment attached to the vehicle;

18 (3) every vehicle that has a maximum gross vehicle weight of 7,000 pounds or
19 more or a manufacturer's rated capacity of ¾-ton or more; and

20 (4) every vehicle that is designed to carry more than 15 passengers and is
21 used to carry people.]

22 (y) *Day-care center: Child.*

23 (1) *In general.*

24 "Day-care center: Child" means an establishment that provides care for 3 or more
25 children on less than a 24-hour basis.

26 [(2) *Inclusions.*]

27 ["Day-care center: Child" includes nursery schools and Montessori schools.]

28 (2) [(3)] *Exclusions.*

29 "Day-care center: Child" does not include:

30 (i) a program that, as an accessory use to an educational facility or a place
31 of worship, provides care for children; or

32 (ii) a child day-care home.

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

2 (o) *Dwelling: Detached.*

3 "Dwelling: Detached" means a dwelling that contains a single dwelling unit and is not
4 attached to any other dwelling.

5 (p) *Dwelling: Live-Work.*

6 "Dwelling: Live-Work" means a structure that combines a SINGLE dwelling unit with a
7 non-residential use that:

8 (1) is permitted in the zoning district in which the structure is located and used
9 predominantly by 1 or more of the unit's residents; or

10 (2) is an arts-related activity, such as painting, photography, sculpture, music, and
11 film, and conducted predominantly by 1 or more of the unit's residents.

12 (q) *Dwelling: Multi-family.*

13 (1) *In general.*

14 "Dwelling: Multi-family" means a dwelling that contains 2 or more dwelling units.

15 (2) *Inclusions.*

16 "Dwelling: Multi-family" includes common facilities for residents, such as laundry
17 rooms.

18 (Q-1) *DWELLING: MULTI-FAMILY (AGE-RESTRICTED).*

19 *SEE "AGE-RESTRICTED MULTI-FAMILY DWELLING".*

20 (r) *Dwelling: Rowhouse.*

21 "Dwelling: Rowhouse" means 1 of 3 or more buildings [that are], EACH OF WHICH
22 CONTAINS A SINGLE DWELLING UNIT used for residential occupancy, with each building
23 having its own private entrance and being joined to the others by a party or shared wall.

24 (s) *Dwelling: Semi-detached.*

25 "Dwelling: Semi-detached" means 1 of 2 buildings [that are], EACH OF WHICH CONTAINS
26 A SINGLE DWELLING UNIT used for residential occupancy, with each building having its
27 own private entrance and being joined to the other by a party or shared wall[,] and not
28 otherwise attached to any other dwelling.

29 (t) *Dwelling: Single-family.*

30 "Dwelling: Single-family" means a dwelling that contains only 1 dwelling unit.

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1 (u) *Dwelling unit.*

2 "Dwelling unit" means 1 or more rooms in a dwelling that:

3 (1) are used as living facilities for no more than 1 family; and

4 (2) contain permanently installed bathroom and kitchen facilities reserved
5 for the occupants of those rooms.

6 ~~(bb) *Electric substation: Enclosed.*~~

7 ~~"Electric substation: Enclosed" means an electric substation that is WITHIN AN ENCLOSED
8 STRUCTURE OR OTHERWISE screened from [any] public [right-of-way by an architectural
9 perimeter wall with a minimum height of 10 feet and a maximum height of 20 feet] VIEW
10 IN ACCORDANCE WITH THE REQUIREMENTS OF THE BALTIMORE CITY LANDSCAPE
11 MANUAL.~~

12 § 1-306. "Encroachment" to "Golf course".

13 (l) *Food processing: Light.*

14 "Food processing: Light" means an establishment for preparing, processing, canning, or
15 packaging food AND BEVERAGE products, where all these activities are within an enclosed
16 structure and create no outside impacts.

17 [(u) *Gas and electric distribution equipment.*]

18 [(1) *General.*]

19 ["Gas and electric distribution equipment" means aboveground and
20 underground equipment used for electric, gas, communications, or
21 telecommunications systems.]

22 [(2) *Illustrations.*]

23 ["Gas and electric distribution equipment" includes poles, crossarms, anchors,
24 guys, wires, lines, cables, mains, pipes, valves, conduits, manholes, vaults,
25 aboveground and underground transformers, switchgear, regulators, meters,
26 capacitors, pads, street lights, other equipment, and enclosures.]

27 (z) *HOUSING COMMISSIONER; COMMISSIONER OF HOUSING.*

28 "HOUSING COMMISSIONER" OR "COMMISSIONER OF HOUSING" MEANS THE
29 COMMISSIONER OF HOUSING AND COMMUNITY DEVELOPMENT OR THE COMMISSIONER'S
30 DESIGNEE.

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1 § 1-307. "Government facility" to "Industrial boat repair".

2 (a) *Government facility[: Public works]*.

3 (1) *In general.*

4 "Government facility[: Public works]" means a structure or land that is operated by
5 a government agency.

6 (2) *Inclusions.*

7 "Government facility[: Public works]" includes [public works facilities,] AGENCY
8 OFFICES, storage yards, PUBLIC WORKS FACILITIES, and utility facilities.

9 (b) *Greenhouse.*

10 (1) *IN GENERAL.*

11 "Greenhouse" means a structure that is:

12 (i) [(1)] devoted to the protection or cultivation of flowers or other tender plants;
13 and

14 (ii) [(2)] constructed chiefly of glass, glass-like or translucent material, cloth, or
15 lath.

16 (2) *BY ANY OTHER NAME.*

17 "GREENHOUSE" INCLUDES A "HIGH TUNNEL", "HOOP-HOUSE", "COLD-FRAME", OR
18 SIMILAR STRUCTURE.

19 (c) *Hospital.*

20 (2) *Inclusions.*

21 "Hospital" includes related facilities integral to the hospital, such as laboratories,
22 outpatient centers, health-care clinics, helistops, training facilities, classrooms, staff
23 OFFICES, ON-SITE MEDICAL WASTE AND STORAGE FACILITIES, and central service
24 facilities.

25 § 1-308. "Industrial: General" to "Lot: Interior".

26 (a) *Industrial: General.*

27 (3) *Exclusions.*

28 "Industrial: General" does not include or authorize any[: (i) incinerator; (ii) junk or
29 scrap storage and yards; (iii) solid waste sanitary landfill; or (iv) vehicle dismantling
30 facility] USE PROHIBITED BY § 1-218 {"USES PROHIBITED CITYWIDE"} OF THIS TITLE.

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1 (b) *Industrial: Light.*

2 (3) *Exclusions.*

3 “Industrial: Light” does not include or authorize any[: (i) incinerator; (ii) junk or
4 scrap storage and yards; (iii) solid waste sanitary landfill; or (iv) vehicle dismantling
5 facility] USE PROHIBITED BY § 1-218 {“USES PROHIBITED CITYWIDE”} OF THIS TITLE.

6 (c) *Industrial: Maritime-dependent.*

7 (2) *Inclusions.*

8 “Industrial: Maritime-dependent” includes:

9 ...

10 (vi) facilities that:

11 (A) are educational in nature, including visitors centers, museums, and
12 interpretive areas, indoor or outdoor[.]; AND

13 (B) [provided those facilities have a connection] ARE SUBSTANTIALLY
14 RELATED to an existing industrial maritime-dependent use,
15 whether on the same parcel or an adjacent parcel to that use.

16 (q) *Lodge or social club.*

17 (2) *Inclusions.*

18 “Lodge or social club” includes:

19 (i) a union hall; and

20 (ii) a non-residential [post-graduate] POST-BACCALAUREATE fraternity and
21 sorority center.

22 § 1-309. “Lot line” to “Motel”.

23 [(j) *Main Street.*]

24 [“Main Street” means a traditional and historic commercial district that adopts the
25 trademarked designation “Main Street” in accordance with criteria set by The
26 National Trust for Historic Preservation.]

27 [(u) *Medical support facility.*]

28 [(1) *In general.*]

29 [“Medical support facility” means a facility commonly associated with the
30 operation of hospitals.]

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1 [(2) *Inclusions.*]

2 [“Medical support facility” includes:

3 (i) onsite medical waste storage and disposal; and

4 (ii) warehousing and storage of medical related equipment and supplies.]

5 § 1-310. “Motor vehicle” to “Owner”.

6 (c) *Motor vehicle operations facility.*

7 (2) *Exclusions.*

8 “Motor vehicle [dealership] OPERATIONS FACILITY” does not include a [public works
9 or public safety] facility[, where] IN WHICH vehicles for fire, police, or other
10 municipal [departments] AGENCIES are [dispatched,] stored[,] or maintained OR FROM
11 WHICH THESE VEHICLES ARE DISPATCHED.

12 (1) *MULTI-FAMILY DWELLING (AGE-RESTRICTED).*

13 SEE “AGE-RESTRICTED MULTI-FAMILY DWELLING”.

14 (m) *Nursery.*

15 (1) *In general.*

16 “Nursery” means a business whose principal activity is the [retail] sale of plants
17 grown on site.

18 (n) *Office.*

19 (2) *Exclusions.*

20 “Office” does not include[: (i)] fabricating, assembling, repairing, or warehousing
21 physical products for the retail or wholesale market[: or (ii) a government office].

22 [(s) *Outdoor fireplace.*]

23 [“Outdoor fireplace” means a self-contained, manufactured, noncombustible
24 cooking unit that is provided with a tight-fitting screen or lid and supported off
25 the ground by noncombustible legs.]

26 [(w) *Outdoor theater.*]

27 [(1) *In general.*]

28 [“Outdoor theater” means an outdoor venue that is open to the general public,
29 with or without an admission charge, for public speaking, concerts, or other
30 live entertainment.]

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1 [(2) *Illustration.*]

2 ["Outdoor theater" includes a band shell structure.]

3 [(x) *Overlay District.*]

4 ["Overlay District" means a district established by ordinance that
5 prescribes special regulations to be applied to a site in combination with the
6 underlying zoning district. The overlay district modifies or supplements the
7 regulations of the underlying zoning districts, in recognition of
8 unique circumstances in the area while maintaining the general character and
9 purpose of the underlying zoning districts over which it is located.]

10 § 1-311. "Parapet" to "Processed metal".

11 (c) *Parking garage (principal use).*

12 "Parking garage (principal use)" means a structure the principal use of which is to
13 provide [the public with] off-street parking for motor vehicles, whether for compensation
14 or not.

15 (e) *Parking lot.*

16 "Parking lot" means an open area the principal use of which is to provide [the public
17 with] off-street parking for operable motor vehicles, whether for compensation or not.

18 (o) *Person.*

19 "Person" means:

20 . . .

21 (4) except as used in Title 19, [Subtitle 1] SUBTITLE 2 {"Enforcement"} of this Code
22 for the imposition of civil or criminal penalties, a governmental entity or an
23 instrumentality or unit of a governmental entity.

24 (Q-1) *PLANNING DIRECTOR; DIRECTOR OF PLANNING.*

25 "PLANNING DIRECTOR" OR "DIRECTOR OF PLANNING" MEANS THE DIRECTOR OF THE
26 DEPARTMENT OF PLANNING, AS APPOINTED UNDER CITY CHARTER ARTICLE VII, § 73, OR
27 THE DIRECTOR'S DESIGNEE.

28 [(w) *Private alternative energy system.*]

29 [See "Alternative energy system: Private."]

30 § 1-312. "Property line" to "Roof deck".

31 [(c) *Public works.*]

32 [See "Government facility: Public works"]

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1 [(e) *Rain barrel.*]

2 [“Rain barrel” means a receptacle, reservoir, or tank for storing rainwater.]

3 (q) *Research and development facility.*

4 (1) *In general.*

5 “Research and development facility” means an establishment where research and
6 development activities are conducted in various [fields] DISCIPLINES, including
7 biotechnology, pharmaceuticals, medical instrumentation or supplies, communication
8 and information technology, electronics and instrumentation, and computer hardware
9 and software.

10 (s) *RESIDENTIAL-CARE FACILITY (AGE-RESTRICTED).*

11 SEE “AGE-RESTRICTED RESIDENTIAL-CARE FACILITY”.

12 (u) *Retail: Big Box Establishment.*

13 “Retail: Big Box Establishment” means any single-use commercial building, whether
14 stand-alone or within a multi-building development, which single-use [establishment]
15 BUILDING occupies at least 75,000 square feet of gross [leasable] FLOOR area.

16 **§ 1-314. “Tavern” to “Wholesale Goods”.**

17 [(e) *Trellis.*]

18 [“Trellis” means a frame that is:

19 (1) made of wood or metal bars crossed over each other;

20 (2) affixed to a wall; and

21 (3) used to support vines or other climbing plants.]

22 (j) *Urban agriculture.*

23 (1) *In general.*

24 “Urban agriculture” means the cultivation, processing, and marketing of food, with
25 a primary emphasis on operating as a business enterprise [for income-generation].

26 **§ 1-315. “Yard” to “Zoo”.**

27 (F) *ZONING ADMINISTRATOR; ADMINISTRATOR.*

28 “ZONING ADMINISTRATOR” OR “ADMINISTRATOR” MEANS THE EXECUTIVE HEAD OF THE
29 OFFICE OF ZONING ADMINISTRATOR, AS ESTABLISHED UNDER § 3-201 {“ZONING
30 ADMINISTRATOR”} OF THIS CODE, OR THE ADMINISTRATOR’S DESIGNEE.

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1 (G) *ZONING BOARD; BMZA.*

2 "ZONING BOARD" OR "BMZA" MEANS THE BOARD OF MUNICIPAL AND ZONING APPEALS,
3 AS ESTABLISHED IN CITY CHARTER ARTICLE VII, § 82.

4 **Title 2. Purpose, Applicability, Short Title**

5 ***Subtitle 2. Applicability***

6 **§ 2-201. Application of Code.**

7 (a) [*Territorial application*] *IN GENERAL.*

8 Except as provided in [§ 6-401] § 2-202 {"Exempt utility and governmental uses"} of
9 this [Code] SUBTITLE, this Code applies to all land, uses, and structures within the
10 corporate limits of Baltimore City.

11 [(f) *Conflicts.*]

12 [If any condition or requirement imposed by this Code contains an actual,
13 implied, or apparent conflict, the more restrictive condition or requirement
14 governs.]

15 **§ 2-202. [§ 6-401.] Exempt utility and governmental uses.**

16 [(a) *Uses allowed.*]

17 Notwithstanding § 2-201 {"Application of Code"} OF THIS SUBTITLE, this Code does not
18 apply to the following uses and structures, unless otherwise specifically provided in this
19 Code:

- 20 (1) overhead electric distribution [cable and] CABLES [equipment,] and telephone lines;
- 21 (2) underground utility [distribution] lines and equipment;
- 22 (3) conduits, vaults, pipeline laterals, and mains;
- 23 (4) traffic signals and government-owned signs;
- 24 (5) similar installations and equipment or accessories of a public utility or
25 governmental service;
- 26 (6) public transit shelters;
- 27 (7) car- and bike-sharing facilities;
- 28 (8) automobile charging stations, whether electric or solar;

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1 (9) any installation, structure, equipment, or accessory that is owned by a government
2 entity and located in a public right-of-way; and

3 (10) any installation, structure, equipment, or accessory that is located in a public
4 right-of-way and granted a franchise by Ordinance of the Mayor and City Council.

5 [(b) *Gas, electric equipment exempt from setback, screening requirements.*]

6 [The following gas and electric distribution equipment are exempt from the
7 setback and screening requirements of § 14-340(b) {"Aboveground utility
8 structures and electric substations"} of this Code:

9 (1) gas and electric distribution equipment that is located in a commercial
10 or industrial zone; and

11 (2) gas and electric distribution equipment that is:

12 (i) located in an open-space, residential, office-residential or TOD
13 zoning district; and

14 (ii) is no more than 10 feet wide, 10 feet long, or 8 feet high.]

15 § 2-203. [§ 2-202.] Transition rules.

16 (b) *Preexisting unlawful structures and uses.*

17 A structure or use that was unlawful at the time [of the adoption of] this Code BECAME
18 EFFECTIVE (JUNE 5, 2017):

19 (1) does not become lawful solely by the adoption of this Code or any amendment to
20 it; and

21 (2) even if made lawful by this Code or an amendment to it, remains unlawful to the
22 extent that the structure or use conflicts with any of the requirements of this Code
23 or of the Baltimore City [Building Code] BUILDING, FIRE, AND RELATED CODES
24 ARTICLE, including any failure to obtain the necessary use permit AND
25 OCCUPANCY PERMIT.
26

27 (h) *Previously established planned unit development.*

28 For planned unit developments established before [the effective date of this Code] JUNE
29 5, 2017, transition rules are set forth in § 13-102 {"Transition rules"} of this Code.

30 (i) *Previously issued building permits.*

31 If a building permit for a structure was [lawfully] issued before JUNE 5, 2017, OR BEFORE
32 the effective date of [this Code or of] any RELEVANT amendment to [it] THIS CODE and if
33 substantial construction has occurred within 180 days of the issuance of that permit, the
34 structure may be completed in accordance with the plans on the basis of which the
35 building permit was issued.

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1 (j) *Previously granted variances and conditional uses.*

2 (1) All variances and conditional uses granted before JUNE 5, 2017, OR BEFORE the
3 effective date of [this Code or] any RELEVANT amendment to [it] THIS CODE
4 remain effective, and the recipient of the variance and conditional use may proceed
5 to develop the property in accordance with the approved plans.

6 (k) *Pending applications.*

7 (1) An application that has been submitted and considered complete before JUNE 5, 2017,
8 OR BEFORE the effective date of [this Code or of] any relevant amendment to this
9 Code is governed by the Code provisions in effect when the application was
10 submitted.

11 (2) A new application submitted after JUNE 5, 2017, OR AFTER the effective date of [this
12 Code or of] any relevant amendment to this Code is governed by the Code provisions
13 in effect when the application was submitted.

14 **Title 3. Outline of Code Administration**

15 *Subtitle 2. Administrative Agencies and Officials*

16 **§ 3-201. Zoning Administrator.**

17 (c) *Powers and duties – Specific.*

18 The Zoning Administrator[, or his or her designee,] has the following powers and duties
19 under this Code:

20

21 **§ 3-202. Board of Municipal and Zoning Appeals.**

22 (a) *Board established.*

23 There is a Board of Municipal and Zoning Appeals, as established in City Charter Article
24 VII, [§§ 81 and] § 82.

25 (b) *Powers and duties.*

26 In addition to the powers and duties specified in City Charter Article VII, §§ 83 through
27 89 and in State law, the Board of Municipal and Zoning Appeals has the following
28 powers and duties under this Code:

29 . . .

30 [(3) to edit and certify zoning map amendments (Title 5, Subtitle 5);]

31

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1 (l) *Voting – Number of votes.*

2 The number of votes specified in the State Land Use Article is required for the Board to:

3 (1) reverse any order, requirement, decision, or determination MADE OR IMPOSED
4 UNDER THIS CODE [of] BY the Zoning Administrator OR BY SOME OTHER
5 AUTHORIZED ADMINISTRATIVE OFFICER OR ADMINISTRATIVE UNIT; or

6 (2) decide in favor of the applicant on any matter on which it is required to
7 pass under this Code.

8 **§ 3-204. Director of Planning.**

9 (b) *Powers and duties.*

10 In addition to the powers and duties specified in City Charter Article VII, §§ 74 through
11 80, the Director of Planning], or his or her designee,] has the following powers and
12 duties under this Code:

13 ...

14 (3) from time to time, to initiate a study of this Code, the Design Manual, and the
15 Landscape Manual and report his or her recommendations to:

16 ...

17 (iii) the HOUSING Commissioner [of Housing and Community Development];

18 ...

19

20 **§ 3-205. Commissioner of Housing and Community Development.**

21 In addition to the powers and duties specified elsewhere in the City Code, the Commissioner
22 of Housing and Community Development (who also serves as the Building Official)], or his
23 or her designee,] has the power and duty under this Code:

24

25 **Title 4. Development Reviews**

26 *Subtitle 2. Site Plan Review*

27 **§ 4-203. Applicability.**

28 Site plan review is required for the following types of development applications:

29 ...

30 (3) additions or [major] structural alterations to an existing structure, other than a single-
31 family detached or semi-detached dwelling, that results in a 50% increase in gross
32 floor area over the gross floor area of the existing structure prior to the addition or
33 alteration;

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- 1 (4) planned unit development;
- 2 (5) conditional use, unless the conditional use can and will be fully [accommodated by]
- 3 CONTAINED WITHIN an existing structure;
- 4 (6) parking lot or structures containing 5 or more MOTOR VEHICLE PARKING spaces;
- 5 (7) any development within an environmentally sensitive area, including projects
- 6 in a 100-Year Flood Plain and projects within the Buffer of the Critical Area
- 7 (see Subtitle 3 {"Environmentally Sensitive Areas Review"} of this title); [and]
- 8 (8) urban agriculture or community-managed open-space farm; AND
- 9 (9) ANY DEVELOPMENT WITHIN THE C-5-IH SUBDISTRICT.

Subtitle 4. Design Review

§ 4-405. Applicability.

(a) *In general.*

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

15 ...

16 (13) any new construction that involves:

17 ...

18 (iii) construction [on a] IN AN AREA designated A "Main Street" IN
19 ACCORDANCE WITH CRITERIA SET BY THE NATIONAL TRUST FOR HISTORIC
20 PRESERVATION; or

21

Title 5. Applications and Authorizations

Subtitle 2. Applications

§ 5-202. Completeness review.

(b) *Subsequent changes.*

26 (1) After an application is determined to be complete, any change made by the applicant
27 to the application must be submitted to the Zoning Administrator and the Board of
28 Municipal and Zoning Appeals no later than 15 days before the date scheduled for the
29 hearing to be held under this [subtitle] TITLE.

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Subtitle 3. Variances

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§ 5-301. Purpose.

(b) Application.

The variance procedure applies only to changes in bulk and yard [requirements] REGULATIONS. It does not apply to changes in the uses allowed within a zoning district.

§ 5-302. Minor and major variances.

(b) Minor variances.

(1) Minor variances comprise the following specified variances:

...

(v) a variance to bulk or yard [requirements] REGULATIONS if:

...

....

§ 5-305. Major variances.

(b) Procedures before the BMZA.

(3) Decision by Board.

(i) The Board of Municipal and Zoning Appeals must render its written decision, approving, approving with [qualifications] CONDITIONS, or denying the application, within 30 days of the close of the public hearing.

...

....

§ 5-308. Approval standards.

(b) Other required findings.

The Zoning Administrator, the Board of Municipal and Zoning Appeals, or the City Council, as the case may be, must also find that:

...

(7) the variance will not otherwise:

(i) be detrimental to or endanger the public health, safety, or welfare; or

(ii) be in any way [be] contrary to the public interest.

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Subtitle 4. Conditional Uses

§ 5-406. Approval standards.

(a) *Limited criteria for denying.*

Neither the Board of Municipal and Zoning Appeals nor the City Council, as the case may be, may approve a conditional use unless, AFTER PUBLIC NOTICE AND HEARING AND on consideration of the standards required by this subtitle, it finds that:

- (1) the establishment, location, construction, maintenance, or operation of the conditional use would not be detrimental to or endanger the public health, safety, or welfare;
- (2) the use would not be precluded by any other law, including an applicable Urban Renewal Plan;
- (3) the authorization would not be contrary to the public interest; [or] AND
- (4) the authorization would [not] be in harmony with the purpose and intent of this Code.

(b) *Required considerations.*

As a further guide to its decision on the facts of each case, the Board of Municipal and Zoning Appeals must consider the following, where appropriate:

...

- (10) the provisions of the [City] CITY'S Comprehensive Master Plan;

....

§ 5-409. Revocations, etc., of conditional use.

(d) *How notice served.*

All notices must be served by 1 of the [following] methods[: (1) first class mail; (2) personal service by an authorized representative of the City, which service must be certified on the records of the Zoning Administrator; or (3) if service by either of those methods fails, posting of the property] SPECIFIED IN ~~§ 9-207~~ § 19-207 {"VIOLATION NOTICE: SERVICE"} OF THIS CODE.

Subtitle 5. Legislative Authorizations

§ 5-504. Referrals.

Once a bill proposing a [legislation] LEGISLATIVE authorization has been introduced, the City Council must refer the bill to the following for their written reports and recommendations:

....

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Subtitle 6. Notices

§ 5-601. Map or text amendments; PUDs.

(f) Timing of notices – Posting for map amendment or PUDs.

For a zoning map amendment or the creation or modification of a planned unit development, the posted notice MUST BE:

- (1) [must be] posted [at least] at least 30 days before the public hearing; and
- (2) removed within 48 hours after conclusion of the public hearing.

§ 5-602. Major variances; Conditional uses.

(e) Timing of notice.

The posted notice MUST BE:

- (1) [must be] posted [at least] at least [30] 21 days before the public hearing; and
- (2) removed within 48 hours after conclusion of the public hearing.

§ 5-603. Minor variances.

(d) Timing of notice.

The posted notice MUST BE:

- (1) [must be] posted [at least] at least 10 days before the Zoning Administrator makes a decision on the application; and
- (2) removed within 48 hours after a written decision is issued.

§ 5-604. Planning Commission consideration of site-specific projects.

(e) Timing of notice.

THE POSTED NOTICE MUST BE:

- (1) [must be] posted [for] at least [the] 10 days before the public hearing; and
- (2) removed within 48 hours after conclusion of the hearing.

(f) Copy of agenda to Councilmembers.

[On or before the] AT LEAST 4 calendar days [preceding] BEFORE any meeting of the Planning Commission, the Commission must deliver to each member of the City Council, by email or in person, an agenda of all matters that the Planning Commission proposes to consider at that meeting.

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Subtitle 7. Use Permits

§ 5-703. Authorization and issuance.

A use permit for a structure or land is:

- (1) authorized by the Zoning Administrator; and
- (2) issued by the HOUSING Commissioner [of Housing and Community Development].

§ 5-705. Procedure.

The procedure for authorizing and obtaining a use permit is as determined by the HOUSING Commissioner [of Housing and Community Development].

Subtitle 9. Zoning Verifications

§ 5-901. Purpose.

A zoning verification is a document issued by the Zoning Administrator, at an applicant's request and for the applicant's own use, that states whether a property complies with the use REGULATIONS [and] OR bulk AND YARD regulations of the district in which it is located. It is not required by this Code.

Title 6. Zoning Districts; Maps and Profiles

[Subtitle 4. Exempt Essential Services]

Title 7. Open-Space and Environmental Districts

Subtitle 2. Open-Space Zoning District

§ 7-202. Use regulations.

Only those uses of land listed in Table 7-202: Open-Space Districts – Permitted and Conditional Uses are allowed within [the] AN Open-Space Zoning District.

§ 7-204. Other applicable standards.

(c) *Site development standards.*

On-site development standards[, such as permitted encroachments and exterior lighting regulations,] are [as] set forth in Title 15 {"Site Development Standards"} of this Code.

(e) *Landscaping and screening.*

All landscaping and screening must comply with the [regulations] REQUIREMENTS of the Baltimore City Landscape Manual.

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Subtitle 3. Floodplain Overlay Zoning District

§ 7-306. Variances and conditional uses.

(b) Warning letters.

If the Board of Municipal and Zoning Appeals grants a variance or conditional use under this section, the Board must attach to its decision a warning that:

- (1) construction [located] below the base flood level [will] MAY result in increased premium rates for flood insurance; and
- (2) construction below the base flood level increases risks to life and property.

Title 8. Detached and Semi-Detached Residential Districts

§ 8-603. Site development.

On-site development standards[, such as permitted encroachments and exterior lighting regulations,] are set forth in Title 15 {"Site Development Standards"} of this Code.

§ 8-606. Landscaping and screening.

All landscaping and screening must comply with the [regulations] REQUIREMENTS of the Baltimore City Landscape Manual.

Title 9. Rowhouse and Multi-Family Residential Districts

Subtitle 7. Residential Conversions

§ 9-703. Conversion standards.

(c) GFA per dwelling unit.

The converted dwelling must meet the following gross floor area per unit type:

[(1) efficiency unit: 500 square feet.]

(1) [(2)] 1-bedroom unit: 750 square feet.

(2) [(3)] 2-bedroom unit: 1,000 square feet.

(3) [(4)] 3- or more bedroom unit: 1,250 square feet.

(d) Bulk AND YARD regulations.

The dwelling must continue to conform to the applicable bulk AND YARD regulations, including lot area per dwelling unit, for the district in which the building is located.

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Subtitle 8. Other Applicable Standards

§ 9-803. Site development.

On-site development standards[, such as permitted encroachments and exterior lighting regulations,] are set forth in Title 15 {"Site Development Standards"} of this Code.

§ 9-806. Landscaping and screening.

All landscaping and screening must comply with the [regulations] REQUIREMENTS of the Baltimore City Landscape Manual.

Title 10. Commercial Districts

Subtitle 2. District Descriptions

§ 10-204. C-2 Community Commercial District.

(a) Areas for which intended.

The C-2 Community Commercial Zoning District is intended for areas of small to medium-scale commercial use, typically located along urban corridors, that are designed to accommodate pedestrians and, in some instances, [the automobile] AUTOMOBILES.

§ 10-207. C-5 Downtown District.

(c) Subdistricts.

(1) In general.

In order to address the different character areas that make up Downtown, the C-5 District is divided into the following subdistricts, for which varied [height and] bulk AND YARD [standards] REGULATIONS are provided to recognize the different physical characteristics of Downtown.

Subtitle 5. Design Standards for C-5 District

§ 10-502. Open-space plazas.

(b) Design requirements.

[(1)] Open-space plazas must comply with the following design requirements[.]:

(1) [(2) Plazas] A PLAZA must be designed to be accessible from adjoining buildings and for generally unobstructed pedestrian circulation throughout the plaza[.]; AND

(2) [(3) Visibility] VISIBILITY into the plaza may not be entirely blocked by structures.

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Subtitle 6. Other Applicable Standards

§ 10-603. Site development.

On-site development standards[, such as permitted encroachments and exterior lighting regulations,] are set forth in Title 15 {"Site Development Standards"} of this Code.

§ 10-606. Landscaping and screening.

All landscaping and screening must comply with the [regulations] REQUIREMENTS of the Baltimore City Landscape Manual.

Title 11. Industrial Districts

Subtitle 2. District Descriptions

§ 11-201. OIC Office-Industrial Campus District.

(a) *IN GENERAL.*

(1) *Intent.*

The OIC Office-Industrial Campus Zoning District is intended for developments of large office structures, research and development facilities, and light industrial uses.

(2) *MINIMUM SIZE OF DISTRICT.*

AN OIC DISTRICT MUST ENCOMPASS AT LEAST 1 ACRE OF LAND.

§ 11-202. BSC Bio-Science Campus District.

(a) *IN GENERAL.*

(1) *Intent.*

The BSC Bio-Science Campus Zoning District is intended to accommodate bio-science campuses, including supportive uses, and some residential uses.

(2) *MINIMUM SIZE OF DISTRICT.*

A BSC DISTRICT MUST ENCOMPASS AT LEAST 1 ACRE OF LAND.

Subtitle 3. Use Regulations

§ 11-301. As listed in Table 11-301.

Only those uses of land listed [under] IN Table 11-301: Industrial Districts – Permitted and Conditional Uses are allowed within these zoning districts.

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Subtitle 6. Other Applicable Standards

§ 11-603. Site development.

On-site development standards[, such as permitted encroachments and exterior lighting regulations,] are set forth in Title 15 {"Site Development Standards"} of this Code.

§ 11-606. Landscaping and screening.

All landscaping and screening must comply with the [regulations] REQUIREMENTS of the Baltimore City Landscape Manual.

Title 12. Special Purpose Districts

Subtitle 1. Purpose of Title

§ 12-101. In general.

The purpose of this title is to set out the use regulations, bulk and yard regulations, and other standards for:

...

(11) Port Covington Zoning [Districts] DISTRICT.

§ 12-102. PURPOSE OF OVERLAY DISTRICTS.

AN OVERLAY DISTRICT IS A DISTRICT, ESTABLISHED BY ORDINANCE, BY WHICH A LAYER OF REGULATIONS IS SUPERIMPOSED ON THE REGULATIONS OF AN UNDERLYING ZONING DISTRICT. THE OVERLAY DISTRICT IS INTENDED TO MODIFY OR SUPPLEMENT THE REGULATIONS OF ITS UNDERLYING ZONING DISTRICTS IN RECOGNITION OF UNIQUE CIRCUMSTANCES IN THE AREA, WHILE MAINTAINING THE GENERAL CHARACTER AND PURPOSE OF THE UNDERLYING ZONING DISTRICTS OVER WHICH IT IS LOCATED.

Subtitle 2. District Descriptions

§ 12-201. OR Office-Residential [District] DISTRICTS.

[The] OR Office-Residential Zoning [District is] DISTRICTS ARE intended for areas where there is a mix of office and residential uses. The regulations [of the OR District] FOR THESE DISTRICTS are designed to ensure that office uses remain compatible with residential uses, thereby permitting the area to maintain a more residential character.

§ 12-202. TOD Transit-Oriented Development Districts.

The purpose of [the] TOD Transit-Oriented Development Zoning [District] DISTRICTS is to encourage the location of uses and forms of development conducive to increased transit usage. [The TOD District is] THESE DISTRICTS ARE intended to promote new, well-integrated residential and commercial development around transit stations, TO ensure that new development occurs in the form of compatible, higher density, transit-friendly design in

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1 close proximity to transit systems, TO encourage a pedestrian-orientation in new
2 development, TO decrease reliance on motor vehicles by increasing transit uses, and TO
3 encourage a mix of buildings and activities that provides settings for social interaction and
4 active community life. In order to address the different characteristics of transit locations
5 within the City, 4 TOD Districts are established: the TOD-1 District, TOD-2 District, TOD-3
6 District and the TOD-4 District. The primary distinctions among these 4 TOD Districts are
7 height, residential density, and use mix.

8 **§ 12-203. EC Educational Campus [District] DISTRICTS.**

9 [The] EC Educational Campus Zoning [District is] DISTRICTS ARE intended for the campuses
10 of educational facilities to facilitate an orderly and efficient regulation process for these types
11 of users. There are 2 Educational Campus Zoning Districts: a campus district for colleges
12 and universities that allows for certain non-educational uses and dormitories for students and
13 a second campus for primary and secondary educational facilities that is restricted to
14 education-related uses. [The EC Zoning District provides] THESE DISTRICTS PROVIDE a set
15 of base district regulations that offers a certain intensity of development by right. [It] THEY
16 also [provides] PROVIDE an allowance for a Campus Master Plan, which must be approved by
17 ordinance, that allows for flexibility in the development and expansion of the campus above
18 the base district regulations.

19 **§ 12-204. H Hospital Campus [District] DISTRICTS.**

20 [The] H Hospital Campus Zoning [District is] DISTRICTS ARE intended to address the special
21 needs and impacts of large-scale, multi-functional hospitals and medical campuses, including
22 hospital-related and support service uses, such as offices and commercial uses. [The H
23 Zoning District provides] THESE DISTRICTS PROVIDE a set of base district regulations that
24 offers a certain intensity of development by right. [It] THEY also [provides] PROVIDE an
25 allowance for a General Development Plan, which must be approved by ordinance, that
26 allows for flexibility in the development and expansion of the hospital campus above the
27 base district regulations.

28 **§ 12-205. T Transportation [District] DISTRICTS.**

29 [The] T Transportation Zoning [District is] DISTRICTS ARE intended to preserve, protect and
30 enhance road, rail and other transportation corridors within the City.

31 **§ 12-206. {Reserved}**

32 **§ 12-207. W Waterfront Overlay Districts.**

33 [The] W Waterfront Overlay Zoning [District is] DISTRICTS ARE intended to preserve, create,
34 and enhance public views of and access to the waterfront and creatively encourage use of the
35 waterfront by providing a waterfront promenade, including connections to nearby public
36 rights-of-way, open spaces, and other public amenities. [It serves] THESE DISTRICTS SERVE
37 to establish a process to encourage new waterfront development to occur in a manner that
38 seeks to minimize substantial change to existing public views of the waterfront from adjacent
39 public streets and neighborhoods, and TO enhance the existing waterfront promenade by
40 creating a continuous public access via a promenade along non-industrial portions of the
41 City's waterfront.

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1 **§ 12-208. R-MU Rowhouse Mixed-Use Overlay [District] DISTRICTS.**

2 [The] R-MU Rowhouse Mixed-Use Overlay Zoning [District is] DISTRICTS ARE intended to
3 address those areas of rowhouse development where a mixed-use environment is desired,
4 where some rowhouse structures are used for residential uses and others for first-floor
5 commercial uses. [This overlay district is] THESE OVERLAY DISTRICTS ARE tied directly to
6 the underlying rowhouse district in order to maintain the existing character of the
7 development and the neighborhood. Commercial uses are restricted to only those uses that
8 are compatible with residential uses.

9 **§ 12-209. D-MU Detached Dwelling Mixed-Use Overlay [District] DISTRICTS.**

10 [The] D-MU Detached Dwelling Mixed-Use Overlay Zoning [District addresses] DISTRICTS
11 ADDRESS those areas of detached dwelling development where a mixed-use environment is
12 desired, where some detached dwellings are used for residential uses and others for first-floor
13 non-residential uses. [This overlay district is] THESE OVERLAY DISTRICTS ARE tied directly
14 to the underlying detached residential district in order to maintain the existing character of
15 the development and the neighborhood. Non-residential uses are restricted to only those uses
16 that are compatible with residential uses.

17 **§ 12-210. AU Adult Use Overlay [District] DISTRICTS.**

18 [The] AU Adult Use Overlay Zoning [District is] DISTRICTS ARE intended to provide [an
19 area] AREAS in which to operate an adult use. [The AU Overlay District is a floating zone,
20 which will not be designated on the zoning map until an application is made and a
21 recommendation is made by action of the Planning Commission and approved by the City
22 Council.]

23 **§ 12-211. PC Port Covington Zoning District.**

24 [(a) *In general.*]

25 [(1)] The Port Covington Zoning District is intended to establish the standards to
26 accommodate the transition of the Port Covington area, located along the north shore of the
27 Middle Branch of the Patapsco River, from a heavy industrial area to a high intensity, mixed-
28 use, waterfront-oriented area over time. [(2)] The standards recognize that this area is unique
29 because of both its waterfront access and separation from established neighborhoods to the
30 north by the elevated portion of I-95 and a heavy rail line. [(3)] The [PC] PORT COVINGTON
31 Zoning District is designed to accommodate an office-industrial headquarters campus and
32 adjacent high-intensity mixed-use with recreational and entertainment amenities to promote a
33 live-work-play community within an ecologically sustainable environment.

34 [(b) *Subdistricts.*]

35 [(1) In order to address different characteristics within this District, the
36 following 4 subdistricts are established:

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1 (i) the PC-1, PC-2, and PC-3 Districts, to accommodate the mixed-use
2 development, with the primary distinctions among them being uses
3 and height; and

4 (ii) the PC-4 District, to accommodate an office-industrial
5 headquarters campus.]

6 [(2) The standards provide for synergy among the subdistricts to promote
7 pedestrian connectivity in and among those subdistricts.]

8 ***Subtitle 3. Office-Residential Zoning {District} DISTRICTS***

9 **§ 12-301. Use regulations.**

10 Only those uses of land listed under ~~IN~~ *Table 12-301: Office-Residential Districts –*
11 *Permitted and Conditional Uses* are allowed within [the] ~~AN~~ OR Zoning District.

12 **§ 12-302. Bulk and yard regulations.**

13 (a) *In general.*

14 *Table 12-302: Office-Residential Districts – Bulk and Yard Regulations* sets forth the
15 applicable bulk and yard regulations for [the] ~~AN~~ OR District[, which is divided into 2
16 subdistricts for the purpose of bulk and yard regulations].

17 **§ 12-303. Other applicable standards.**

18 (a) *In general.*

19 [The] OR Zoning [District is] DISTRICTS ARE also subject to the standards listed in this
20 section.

21 (c) *Site development.*

22 On-site development standards[, such as permitted encroachments and exterior lighting
23 regulations,] are set forth in Title 15 {"Site Development Standards"} of this Code

24 (f) *Landscaping and screening.*

25 All landscaping and screening must comply with the [regulations] REQUIREMENTS of the
26 Baltimore City Landscape Manual.

27 (i) *Residential conversions.*

28 The conversion of a single-family dwelling to a multi-family dwelling is allowed in [the]
29 ~~AN~~ OR Zoning District, subject to the requirements of § 9-702 {"Residential
30 Conversions: Design review"} and § 9-703 {"Residential Conversions: Conversion
31 standards"} of this Code.

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1 *Subtitle 4. Transit-Oriented Development Districts*

2 **§ 12-402. Use regulations.**

3 Only those uses of land listed [under] IN Table 12-402: Transit-Oriented Development
4 Districts – Permitted and Conditional Uses are allowed within [the] A TOD Zoning
5 [Districts] DISTRICT.

6 **§ 12-403. Bulk and yard regulations.**

7 (a) *In general.*

8 *Table 12-403: Transit-Oriented Development Districts – Bulk and Yard Regulations sets*
9 *forth the applicable bulk and yard regulations for [the OR] A TOD District[, which is*
10 *divided into 2 subdistricts for the purpose of bulk and yard regulations].*

11 **§ 12-405. Parking requirements.**

12 (a) *In general.*

13 (2) For all commercial and mixed-use structures, OFF-STREET parking is prohibited in
14 front of the CORNER-SIDE OR front building line.

15 (d) *Lots.*

16 [(1)] Parking lots [must be located to the rear of buildings and] may not exceed 1 acre in
17 size.

18 [(2) Parking lots are prohibited in front of structures.]

19 **§ 12-406. Other applicable standards.**

20 (c) *Site development.*

21 On-site development standards[, such as permitted encroachments and exterior lighting
22 regulations,] are set forth in Title 15 {"Site Development Standards"} of this Code.

23 (f) *Landscaping and screening.*

24 All landscaping and screening must comply with the [regulations] REQUIREMENTS of the
25 Baltimore City Landscape Manual.

26 *Subtitle 5. Educational Campus [District] DISTRICTS*

27 **§ 12-501. Use Regulations.**

28 [(a) EC-1 Educational Campus: Primary or Secondary.]

29 [(1) Permitted uses.]

30 [In an EC-1 Educational Campus District, the following uses are permitted:

31 (i) Community-managed open-space gardens (See § 14-307 for use standards).

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- (ii) Day-care centers: Child (See § 14-309 for use standards).
- (iii) Educational facilities: Primary or secondary, including ancillary dormitory and residential uses.
- (iv) Parking garages (principal use) (See § 14-331 for use standards).
- (v) Parking lots (See § 14-331 for use standards).
- (vi) Places of worship (See § 14-332 for use standards).
- (vii) Telecommunications base stations – Stealth design (See § 14-338 for use standards).
- (viii) Urban agriculture (See § 14-339 for use standards).
- (ix) Utilities (See § 14-340 for use standards).
- (x) Wireless communications services – as modification to, but without substantial change in physical dimensions of, an existing telecommunications facility (See § 14-338 for use standards).]

[(2) Conditional uses.]

[In an EC-1 Educational Campus District, the following uses are conditional uses, requiring approval by the Board of Municipal and Zoning Appeals:

- (i) Community-managed open-space farms (See § 14-307 for use standards).
- (ii) Telecommunications facilities not otherwise permitted (See § 14-338 for use standards).]

[(b) EC-2 Educational Campus: Post-Secondary.]

[(1) Permitted uses.]

[In an EC-2 Educational Campus District, the following uses are permitted:

- (i) Community-managed open-space gardens (See §14-307 for use standards).
- (ii) Day-care centers: Adult or Child (See §14-309 for use standards).
- (iii) Educational facilities: Post-secondary, including ancillary dormitory and residential uses.
- (iv) Educational facilities: Primary or secondary, including ancillary dormitory and residential uses.
- (v) Fraternity or sorority houses (See § 14-313 for use standards).
- (vi) Parking garages (principal use) (See §14-331 for use standards)
- (vii) Parking lots (See §14-331 for use standards).
- (viii) Personal services establishments.
- (ix) Places of worship (See §14-332 for use standards).
- (x) Retail goods establishments – no alcoholic beverage sales.
- (xi) Restaurants.
- (xii) Telecommunications base stations – Stealth design (See § 14-338 for use standards).
- (xiii) Urban Agriculture (See § 14-339 for use standards).
- (xiv) Utilities (See § 14-340 for use standards).
- (xv) Wireless communications services – as modification to, but without substantial change in physical dimensions of, an existing telecommunications facility (See § 14-338 for use standards).]

[(2) Conditional uses.]

[In an EC-2 Educational Campus District, the following uses are conditional uses, requiring approval by the Board of Municipal and Zoning Appeals:

- (i) Community-managed open-space farms (See § 14-307 for use standards).
- (ii) Telecommunications facilities not otherwise permitted (See § 14-338 for use standards).]

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1 ONLY THOSE USES OF LAND LISTED IN TABLE 12-501: EDUCATIONAL CAMPUS DISTRICTS -
2 PERMITTED AND CONDITIONAL USES ARE ALLOWED WITHIN AN EDUCATIONAL CAMPUS
3 ZONING DISTRICT.

4 **§ 12-502. Bulk and Yard Regulations.**

5 (a) In general.

6 (2) Educational buildings existing as of [the effective date of this Code] JUNE 5, 2017,
7 regardless of height and yards, are deemed conforming.

8 **§ 12-503. Educational Campus Master Plan.**

9 (b) *Applicability; Effect.*

10 A Campus Master Plan may be applied only to those properties owned by [the] AN
11 educational facility.

12 **§ 12-504. Other applicable standards.**

13 (c) *Site development.*

14 On-site development standards[, such as permitted encroachments and exterior lighting
15 regulations,] are set forth in Title 15 {"Site Development Standards"} of this Code.

16 (f) *Landscaping and screening.*

17 All landscaping and screening must comply with the [regulations] REQUIREMENTS of the
18 Baltimore City Landscape Manual.

19 **§ 12-505. MINIMUM SIZE OF DISTRICT.**

20 AN EDUCATIONAL CAMPUS DISTRICT MUST ENCOMPASS AT LEAST THE SMALLER OF THE
21 FOLLOWING:

22 (1) 2 ACRES OF LAND; OR

23 (2) THE ENTIRE CITY BLOCK ON WHICH IT IS SITUATED.

24 ***Subtitle 6. Hospital Campus [District] DISTRICTS***

25 **§ 12-601. Use regulations.**

26 ~~— (a) *Permitted uses.*~~

27 ~~— In a Hospital Campus District, the following uses are permitted:~~

28 ~~— . . .~~

29 ~~— *[(6) Medical support facilities.]*~~

30 ~~—~~

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1 [(a) Permitted uses.]

2 [In a Hospital Campus District, the following uses are permitted:

- 3 (1) Day-care centers: Adult or Child (See § 14-309 for use standards).
4 (2) Educational facilities: Post-secondary, including ancillary dormitory and
5 residential uses.
6 (3) Health-care clinics.
7 (4) Hospitals, including ancillary dormitory and residential uses.
8 (5) ~~Reserved~~
9 (6) Medical support facilities.
10 (7) Offices.
11 (8) Parking garages (Principal use) (See §14-331 for use standards).
12 (9) Parking lots (See § 14-331 for use standards).
13 (10) Personal services establishments.
14 (11) Places of Worship (See §14-332 for use standards).
15 (12) Recreation - Indoor and outdoor.
16 (13) Research and development.
17 (14) Residential-care facilities (See § 14-334 for use standards).
18 (15) Restaurants.
19 (16) Retail goods establishments – no alcoholic beverage sales.
20 (17) Telecommunications base stations – Stealth design (See § 14-338 for use
21 standards).
22 (18) Utilities (See § 14-340 for use standards).
23 (19) Wireless communications services – as modification to, but without substantial
24 change in physical dimensions of, an existing telecommunications facility (See
25 § 14-338 for use standards).]

26 [(b) Conditional uses.]

27 [In a Hospital Campus District, the following uses are conditional uses, requiring
28 approval by the Board of Municipal and Zoning Appeals:

- 29 (1) Helistop.
30 (2) Hotels, motels, and rooming houses.
31 (3) Telecommunications facilities not otherwise permitted (See § 14-338 for use
32 standards).]

33 ONLY THOSE USES OF LAND LISTED IN TABLE 12-601: HOSPITAL CAMPUS DISTRICTS –
34 PERMITTED AND CONDITIONAL USES ARE ALLOWED WITHIN A HOSPITAL CAMPUS ZONING
35 DISTRICT.

36 **§ 12-602. Bulk and yard regulations.**

37 (a) *In general.*

- 38 (2) Hospital buildings existing as of [the effective date of this Code] JUNE 5, 2017,
39 regardless of height and yards, are deemed conforming.

40 **§ 12-603. Hospital General Development Plan.**

41 (b) *Applicability; Effect.*

- 42 (1) A General Development Plan may be applied only to those properties owned by [the]
43 A hospital facility at the time of the plan's approval.

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1 **§ 12-604. Other applicable standards.**

2 (c) *Site development.*

3 On-site development standards[, such as permitted encroachments and exterior lighting
4 regulations,] are set forth in Title 15 {"Site Development Standards"} of this Code.

5 (f) *Landscaping and screening.*

6 All landscaping and screening must comply with the [regulations] REQUIREMENTS of the
7 Baltimore City Landscape Manual.

8 **§ 12-605. MINIMUM SIZE OF DISTRICT.**

9 A HOSPITAL CAMPUS DISTRICT MUST ENCOMPASS AT LEAST 1 THE SMALLER OF THE
10 FOLLOWING:

11 (1) 2 ACRES OF LAND; OR

12 (2) THE ENTIRE CITY BLOCK ON WHICH IT IS SITUATED.

13 ***Subtitle 7. Transportation [District] DISTRICTS***

14 **§ 12-701. Use regulations.**

15 In [the] A Transportation District, the following uses are permitted:

16 ...

17 ***Subtitle 9. Waterfront Overlay Zoning [District] DISTRICTS***

18 **§ 12-901. Applicability.**

19 (a) *In general.*

20 The [W-1 and W-2] Waterfront Overlay Districts apply to all waterfront lots as shown on
21 the zoning map. Unless modified by this section, the underlying zoning district and
22 critical area regulations apply (*see* Title 7, Subtitle 4).

23 (b) *Subdistricts.*

24 (1) [The] 2 subdistricts of [the] A Waterfront Overlay Zoning District apply, as provided
25 in this subsection.

26 (2) The W-1 [Overlay Zoning District] SUBDISTRICT applies to land along the waterfront
27 areas characterized by a hardscape boundary with the water, such as bulkheads, port
28 facilities, or a hard-surface promenade.

29 (2) The W-2 [Overlay Zoning District] SUBDISTRICT applies to areas with a soft
30 shoreline, such as wetlands, vegetation, or habitat areas that directly abut the water,
31 most notably along the Middle Branch. To ensure a compatible development pattern

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1 along the shoreline, property owners are encouraged to cooperate as development
2 proceeds in [the] A W-2 [Overlay Zoning District] SUBDISTRICT.

3 (c) *Industrial properties excluded.*

4 The [W-1 and W-2] Waterfront Overlay Districts do not apply to industrially zoned
5 properties.

6 **§ 12-904. Protection of public right-of-way view corridors.**

7 (a) *W-1 Overlay Subdistrict.*

8 (1) No development may block the view of the waterfront from any public street that
9 extends to the waterfront or that terminates before reaching the waterfront but adjoins
10 the boundaries of this [district] SUBDISTRICT. These view corridors must be of the
11 same width as the adjoining public street, and continue to the waterfront as a straight
12 line extension of the adjoining street. This extension may be modified with approval
13 of a view corridor modification by the Director of Planning.

14 **§ 12-905. Building requirements.**

15 (b) *W-1 Overlay Subdistrict.*

16 (4) Retail uses along the promenade are encouraged. Outdoor extension of these uses are
17 restricted to a maximum of 8 feet into the required promenade easement and must be
18 separated from the paved portion with planting beds, raised planters, or a minimum
19 [a] 2-foot vertical separation. Where planting beds or raised planters are used to
20 provide separation, landscape should be provided in accordance with the Baltimore
21 City Landscape Manual. No extensions of residential structures are permitted.

22 (c) *W-2 Overlay Subdistrict.*

23 (1) The floor area ratio within this [district] SUBDISTRICT may not exceed a maximum of
24 2.0. However, mixed-use developments with residential units that constitute 80% or
25 more of the overall development plan are permitted a floor area ratio of 2.5 for the
26 entire development area.

27 **§ 12-906. Waterfront public access promenade, open space, and required easements.**

28 (a) *W-1 Overlay Zoning District.*

29 (1) In addition to the uses allowed by the underlying zoning districts, on waterfront lots
30 within the W-1 Overlay [Zoning District] SUBDISTRICT, a continuous public access
31 waterfront promenade, accessible to the public but built and maintained by the
32 owners of the underlying land, must be provided on lots, or development parcels
33 consisting of lots, that adjoin the waterline of the Inner Harbor of the Chesapeake
34 Bay and, where applicable, the Middle Branch of the Patapsco.

35 (3) These required easement improvements must be built and maintained by the property
36 owner. Public access must be available 24 hours a day, 7 days a week unless

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1 OTHERWISE agreed to by the Director of Planning and stated in the easement. The
2 completion of the promenade easement area must coincide with the completion of the
3 adjacent development on the property.

4 (6) No mechanical or service equipment may be located adjacent to the promenade
5 easement [without benefit of full permanent screening] UNLESS IT IS WITHIN AN
6 ENCLOSED STRUCTURE OR OTHERWISE SCREENED FROM PUBLIC VIEW IN
7 ACCORDANCE WITH THE REQUIREMENTS OF THE BALTIMORE CITY LANDSCAPE
8 MANUAL.

9 (b) *W-2 Overlay Subdistrict.*

10 (1) In addition to the uses allowed by the underlying zoning districts, on waterfront lots
11 within the W-2 Overlay [Zoning District] SUBDISTRICT, a conservation easement,
12 accessible to the public but built and maintained by the owners of the underlying
13 land, must be provided on lots, or development parcels consisting of lots, that adjoin
14 the waterline of Middle Branch of the Patapsco.

15 (3) (i) To allow flexibility for development while preserving and creating habitat, the
16 Director of Planning may approve a reduction of the 100-foot wide buffer to NOT
17 LESS THAN 50 feet (from the mean high water line) if:
18

19 (5) The hiking and biking trail, TOGETHER WITH A 12-FOOT HARD SURFACE AND A
20 MEADOW OR MOWN STRIP A MAXIMUM OF 3 FEET WIDE ON EITHER SIDE, must be at
21 least 50 feet from the mean high tide line[, with a 12-foot hard surface and a meadow
22 or mown strip a maximum of 3 feet wide on either side]. Public access corridors to
23 the trail must be provided and included in the easements for the property where they
24 are located. The trail on any given property must connect to the trail on adjoining
25 properties. The trail takes the place of the promenade and these hard surfaces are
26 exempt from the Critical Area buffer requirement, but are not exempt from
27 stormwater requirements.

28 (12) [Mechanical] NO MECHANICAL or service equipment may be located adjacent to the
29 conservation easement [only when full permanent screening is installed] UNLESS IT IS
30 WITHIN AN ENCLOSED STRUCTURE OR OTHERWISE SCREENED FROM PUBLIC VIEW IN
31 ACCORDANCE WITH THE REQUIREMENTS OF THE BALTIMORE CITY LANDSCAPE
32 MANUAL.

33 *Subtitle 10. Rowhouse Mixed-Use Overlay [District] DISTRICTS*

34 **§ 12-1001. Applicability.**

35 (a) *In general.*

36 [The] A Rowhouse Mixed-Use Overlay District may be applied to rowhouse dwellings in
37 the R-5, R-6, R-7, R-8, R-9, R-10, and OR Districts. This Overlay District allows the
38 rowhouse dwelling to be used for 1 of the non-residential uses listed in § 12-1003 {"Use
39 regulations"} of this subtitle.

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1 **§ 12-1002. Minimum size of district.**

2 [The] AN R-MU Overlay District may only be applied to a minimum of:

3

4 **§ 12-1003. Use regulations.**

5 (a) *Permitted non-residential uses.*

6 In [the] AN R-MU Overlay District, 1 (but no more than 1) of the following non-
7 residential uses is permitted on the ground floor of a rowhouse structure:

8

9 (7) Retail goods establishment – no [alcohol Sales] ALCOHOLIC BEVERAGE SALES.

10 (b) *Conditional uses.*

11 In [the] AN R-MU Overlay District, the following uses are conditional uses requiring
12 approval by the Board of Municipal and Zoning Appeals:

13 **§ 12-1004. Bulk and yard regulations.**

14 (a) *In general.*

15 The bulk and yard regulations for rowhouses in the underlying zoning district apply to
16 [the] A Rowhouse Mixed-Use Overlay District, except as provided in subsection (b) of
17 this section.

18 **§ 12-1005. Design and performance standards.**

19 (a) *In general.*

20 The design standards for rowhouse dwellings in the underlying zoning district apply to
21 [the] A Rowhouse Mixed-Use Overlay District.

22 (b) *Additional standards.*

23 (1) Conversion of [the Rowhouse] A ROWHOUSE to a use allowed by § 12-1003 {"Use
24 regulations"} of this subtitle requires design review. This conversion is subject to the
25 following design and performance standards.

26 ***Subtitle 11. Detached Dwelling Mixed-Use Overlay [District] DISTRICTS***

27 **§ 12-1101. Applicability.**

28 (a) *In general.*

29 [The] A Detached Dwelling Mixed-Use Overlay District may be applied to detached
30 dwellings. This Overlay District allows the detached dwelling to be used for 1 of the
31 non-residential uses listed in § 12-1103 {"Use regulations"}.

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1 **§ 12-1102. Minimum Size of District.**

2 [The] A D-MU Overlay District may only be applied to a minimum of:
3

4 **§ 12-1103. Use regulations.**

5 (a) *Permitted non-residential uses.*

6 In [the] A D-MU Overlay District, 1 (but no more than 1) of the following non-residential
7 uses is permitted on the ground floor of a detached dwelling:
8

9 (b) *Conditional uses.*

10 In [the] A D-MU Overlay District, the following uses are conditional uses requiring
11 approval by the Board of Municipal and Zoning Appeals:
12

13 **§ 12-1104. Bulk and yard regulations.**

14 The bulk and yard regulations for detached dwellings in the underlying zoning district apply
15 to [the Detached Dwelling Mixed-Use] A D-MU Overlay District.

16 **§ 12-1105. Design and performance standards.**

17 (a) *In general.*

18 The design standards for detached dwellings in the underlying zoning district apply to
19 [the] A Detached Dwelling Mixed-Use Overlay District.

20 ***Subtitle 13. Port Covington Zoning District***

21 **§ 12-1301. Subdistricts.**

22 4 Subdistricts are established to accommodate and encourage redevelopment of the Port
23 Covington area, along the north shore of the Middle Branch of the Patapsco River, as
24 follows:

25 (1) The PC-1 [Port Covington District] SUBDISTRICT is characterized by commercial use,
26 entertainment, attractions, open-space, waterfront, and recreation amenities that
27 create a focal point within the [PC] PORT COVINGTON Zoning District. The standards
28 recognize that development within this subdistrict is to be ecologically sustainable,
29 oriented to both the street edges and the Middle Branch Waterfront, and
30 predominantly pedestrian-oriented. Development is generally mid-scale to promote
31 connectivity between the waterfront and adjoining subdistricts.

32 (2) The PC-2 [Port Covington District] SUBDISTRICT is characterized by a wide mix of
33 uses, including residential, commercial, office, open-space, recreation, and
34 entertainment amenities, waterfront, and light industrial in a dense urban setting. The

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1 standards recognize that the development in this subdistrict is to accommodate a
2 high-density, walkable, mixed-use environment.

3 (3) The PC-3 [Port Covington District] SUBDISTRICT is characterized by a wide mix of
4 uses, including residential, commercial, office, open-space, recreation, and
5 entertainment amenities, as well as industrial uses as part of a live-work-play
6 community. The standards recognize that this subdistrict is designed to accommodate
7 the transition from an historically industrial area to a medium-density, walkable,
8 mixed-use environment.

9 (4) The PC-4 [Port Covington District] SUBDISTRICT is characterized as an office-
10 industrial campus on the waterfront that can accommodate the international
11 headquarters of a major corporation. The standards are intended for architecturally
12 coordinated office and industrial structures built in a campus-like atmosphere, which
13 includes a focus on recreation amenities. This subdistrict provides standards to
14 promote ecologically sustainable design and accommodate a high-density, walkable
15 environment for this waterfront campus.

16 **§ 12-1302. Use regulations.**

17 Only those uses listed in *Table 12-1302: Port Covington [Districts] DISTRICT – Permitted*
18 *and Conditional Uses* are allowed within the PC [Zoning Districts] SUBDISTRICTS.

19 **§ 12-1303. Bulk and yard regulations.**

20 (a) *In general.*

21 *Table 12-1303: Port Covington [Districts] DISTRICT – Bulk and Yard Regulations* sets
22 forth the applicable bulk and yard regulations for the PC [Zoning Districts]
23 SUBDISTRICTS[, which is divided into 4 subdistricts for the purpose of bulk and yard
24 regulations].

25 **§ 12-1304. Other applicable standards.**

26 (a) *In general.*

27 The PC [Zoning Districts] SUBDISTRICTS are also subject to the standards listed in this
28 section.

29 (c) *Site development.*

30 On-site development standards[, such as permitted encroachments and exterior lighting
31 regulations,] are set forth in Title 15 {"Site Development Standards"} of this Code.

32 (e) *Landscaping and screening.*

33 All landscaping and screening must comply with the [regulations] REQUIREMENTS of the
34 Baltimore City Landscape Manual.

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Title 13. Planned Unit Developments

Subtitle 1. Purpose; Transition Rules

§ 13-102. Transition rules.

(a) *In general.*

[Previously approved residential] RESIDENTIAL, office-residential, business, and industrial planned unit developments APPROVED BEFORE THE EFFECTIVE DATE OF THIS CODE (JUNE 5, 2017) remain valid [and must] AS LONG AS THEY continue to comply with all requirements and conditions of their [initial approval,] APPROVALS [including all] AND OF THE ZONING Code regulations in effect immediately preceding [the] THAT effective date [of this Code].

Subtitle 2. Requirements; Approval Standards; Exceptions

§ 13-201. Authorization.

(a) *In general.*

Planned unit developments must be [introduced and enacted] ESTABLISHED by ordinance of the Mayor and City Council in accordance with [a development and public hearing process in which the Planning Commission and other City agencies must report their recommendations to City Council within 60 days of introduction as part of that legislative process. Once a Planned Unit Development is enacted, any major changes can be enacted only by Ordinance of the Mayor and City Council] THE PROVISIONS OF THIS TITLE.

§ 13-202. General requirements.

(b) *Minimum areas.*

Planned unit developments must meet the following minimum areas:

(1) at least 5 acres in the R-1A, R-1B, R-1C, R-1D, R-1E, R-1, R-2, R-3, R-4, [and] R-5, OIC, AND BSC Districts;

(2) at least 2 acres in the R-6, R-7, R-8, R-9, R-10, C-1, C-2, C-3, C-4, I-MU, TOD, OR, and PC Districts; AND

(3) at least 1½ acres in the C-5 District[; and].

[(4) at least 5 acres in the OIC and BSC Districts.]

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Subtitle 5. Enforcement

§ 13-501. Ordinance and development plan as binding agreement.

The ordinance and approved final development plan constitute a binding agreement by the [applicant] PROPERTY OWNER AND THE DEVELOPER to proceed with the development in strict accordance with the approved final development plan, including the detailed time schedule.

§ 13-503. Noncompliance.

(b) Notice.

The Zoning Administrator must provide the [applicant] PROPERTY OWNER AND THE DEVELOPER at least 15 days notice to appear before the Zoning Administrator and answer to any charge of noncompliance.

Title 14. Use Standards

Subtitle 3. Use Standards

§ 14-307. Community-managed open-space gardens and farms.

(b) Open-space gardens and farms – Structures.

(2) Temporary greenhouses[, including high tunnels, hoop-houses, cold-frames, and similar structures] are permitted to extend the growing season.

§ 14-309. Day-care centers: Adult or Child.

(a) In general.

[Day] ADULT AND CHILD DAY-care centers must meet all federal, state, and local requirements, including licensing, health, safety, and building code requirements.

§ 14-310. Day-care homes: Adult or Child.

(a) In general.

[Day] ADULT AND CHILD DAY-care homes must meet all federal, state, and local requirements, including licensing, health, safety, and building code requirements.

§ 14-311. Drive-through facilities.

(g) Screening.

[(1)] All drive-through facilities must be [properly] screened FROM PUBLIC VIEW IN ACCORDANCE WITH THE REQUIREMENTS OF THE BALTIMORE CITY LANDSCAPE MANUAL.

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1 [(2) Drive aisles of drive-through facilities must be effectively screened from
2 view along the public right-of-way and at the edges of sites adjoining
3 residential properties, in order to minimize the impact of exterior site
4 lighting, headlight glare, and any menu intercom displays.]

5 [(3) Screening may be approved during the site plan review process and must
6 consist of:

7 (i) an opaque masonry wall (stone, stucco, or brick);

8 (ii) a solid wood or simulated wood screen fence; or

9 (iii) landscaping in accordance with the Baltimore City Landscape
10 Manual.]

11 **§ 14-313. Fraternity or sorority houses.**

12 (a) *Location.*

13 (2) (ii) [Within 2 years of the effective date of this Code] ON OR BEFORE JUNE 5, 2019,
14 all fraternity or sorority houses must either secure a use permit or terminate the
15 fraternity or sorority use.

16 **§ 14-316. Junk or scrap storage and yards.**

17 (b) *Screening.*

18 A junk or scrap storage and yard must be screened FROM PUBLIC VIEW in accordance with
19 the requirements of the Baltimore City Landscape Manual.

20 **§ 14-318. Landfill: Industrial.**

21 (e) *Screening.*

22 An industrial landfill must be screened FROM PUBLIC VIEW in accordance with the
23 requirements of the Baltimore City Landscape Manual.

24 **§ 14-324. Materials recovery facilities.**

25 (b) *Operations to be enclosed OR SCREENED.*

26 (1) All loading and unloading must be performed either within an enclosed [building]
27 STRUCTURE or [within a screened area] OTHERWISE SCREENED FROM PUBLIC VIEW IN
28 ACCORDANCE WITH THE REQUIREMENTS OF THE BALTIMORE CITY LANDSCAPE
29 MANUAL.