

Council Bill 12-0055

1 BY repealing and reordaining, with amendments
2 Article - Zoning
3 Section(s) 2-105(b)(13) and (14), 4-1004(3), 5-204(6), 6-309(7),
4 and 6-509(3)
5 Baltimore City Revised Code
6 (Edition 2000)

7 BY repealing
8 Article - Health
9 Section(s) 3-101 through 3-107, inclusive, together with the
10 subtitle designation, "Subtitle 1. Ordinance Required to Establish"
11 Baltimore City Revised Code
12 (Edition 2000)

13 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That
14 Zoning Article §§ 1-182.1 and 182.2 are renumbered to be Zoning Article §§ 1-182.2 and 182.3.

15 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the Laws of Baltimore City read as
16 follows:

17 **Baltimore City Revised Code**

18 **Article – Zoning**

19 **Title 1. Definitions; General Provisions**

20 *Subtitle 1. Definitions*

21 **§ 1-182.1. RESIDENTIAL SUBSTANCE-ABUSE TREATMENT FACILITY.**

22 "RESIDENTIAL SUBSTANCE-ABUSE TREATMENT FACILITY" MEANS A GROUP-CARE OR SIMILAR
23 FACILITY FOR THE 24-HOUR MEDICAL OR NON-MEDICAL CARE OF PERSONS WHO ARE
24 RECOVERING FROM SUBSTANCE ABUSE AND ARE IN NEED OF PERSONAL SERVICES,
25 SUPERVISION, OR ASSISTANCE.

26 **Title 2. Administration; Authorizations**

27 *Subtitle 1. General Administration*

28 *Part II. Zoning Administrator*

29 **§ 2-105. Duties.**

30 (b) *Specific duties.*

31 In addition to and in furtherance of that responsibility, the Zoning Administrator has the
32 duty to:

33

34 (13) periodically provide for publication of this article; [and]

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(14) WHERE REASONABLE, NECESSARY, AND NOT A FUNDAMENTAL ALTERATION OF THIS ARTICLE, PROVIDE REASONABLE ACCOMMODATION IN THE APPLICATION OF THIS ARTICLE TO THE SITING, DEVELOPMENT, AND USE OF HOUSING OR SERVICES FOR INDIVIDUALS PROTECTED UNDER THE FEDERAL AMERICANS WITH DISABILITIES ACT OR THE FEDERAL FAIR HOUSING AMENDMENTS ACT; AND

(15) [(14)] perform all other duties imposed on the Zoning Administrator by this article.

Title 4. Residence Districts

Subtitle 2. R-1 Single-Family Residence District

§ 4-201. Permitted uses.

In an R-1 District, permitted uses are as follows:

....
(6A) RESIDENTIAL SUBSTANCE-ABUSE TREATMENT FACILITIES, IF THE FACILITY (I) IS LOCATED IN A SINGLE-FAMILY DWELLING (WHETHER DETACHED, SEMI-DETACHED, OR ATTACHED), (II) COMPLIES WITH § 1-136(C)(5) {"DWELLING: SINGLE-FAMILY DWELLING"}, § 1-137 {"DWELLING UNIT"}, AND § 1-142 {"FAMILY"} OF THIS ARTICLE, AND (III) MEETS THE GENERAL REQUIREMENTS, THE BULK REGULATIONS, AND ALL OTHER REQUIREMENTS OF THIS ARTICLE APPLICABLE TO DWELLINGS IN THE ZONING DISTRICT WITHIN WHICH THE FACILITY IS LOCATED.

§ 4-204. Conditional uses – Ordinance required.

In an R-1 District, conditional uses that require approval by ordinance are as follows:

....
(6) RESIDENTIAL SUBSTANCE-ABUSE TREATMENT FACILITIES HOUSING 17 OR MORE PATIENTS.

Subtitle 9. R-6 General Residence District

§ 4-901. Permitted uses.

In an R-6 District, permitted uses are as follows:

....
(4) RESIDENTIAL SUBSTANCE-ABUSE TREATMENT FACILITIES ~~HOUSING 16 OR FEWER PATIENTS,~~ IF THE FACILITY (I) COMPLIES WITH § 1-136(C)(3) {"DWELLING: MULTIPLE-FAMILY DWELLING"}, § 1-137 {"DWELLING UNIT"}, AND § 1-142 {"FAMILY"} OF THIS ARTICLE AND (II) MEETS THE GENERAL REQUIREMENTS, THE BULK REGULATIONS, AND ALL OTHER REQUIREMENTS OF THIS ARTICLE APPLICABLE TO DWELLINGS IN THE ZONING DISTRICT WITHIN WHICH THE FACILITY IS LOCATED.

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Subtitle 10. R-7 General Residence District

§ 4-1001. Permitted uses.

In an R-7 District, permitted uses are as follows:

....

(6) RESIDENTIAL SUBSTANCE-ABUSE TREATMENT FACILITIES HOUSING 16 OR FEWER PATIENTS, IF THE FACILITY (I) COMPLIES WITH § 1-136(C)(3) {"DWELLING: MULTIPLE-FAMILY DWELLING"}, § 1-137 {"DWELLING UNIT"}, AND § 1-142 {"FAMILY"} OF THIS ARTICLE AND (II) MEETS THE GENERAL REQUIREMENTS, THE BULK REGULATIONS, AND ALL OTHER REQUIREMENTS OF THIS ARTICLE APPLICABLE TO DWELLINGS IN THE ZONING DISTRICT WITHIN WHICH THE FACILITY IS LOCATED.

§ 4-1004. Conditional uses – Ordinance required.

In an R-7 District, conditional uses that require approval by ordinance are as follows:

....

(3) Nonprofit homes [for the rehabilitation of non-bedridden alcoholics and] for the care and custody of homeless persons.

....

Subtitle 11. R-8 General Residence District

§ 4-1101. Permitted uses.

In an R-8 District, permitted uses are as follows:

....

(7) RESIDENTIAL SUBSTANCE-ABUSE TREATMENT FACILITIES HOUSING 16 OR FEWER PATIENTS, IF THE FACILITY (I) COMPLIES WITH § 1-136(C)(3) {"DWELLING: MULTIPLE-FAMILY DWELLING"}, § 1-137 {"DWELLING UNIT"}, AND § 1-142 {"FAMILY"} OF THIS ARTICLE AND (II) MEETS THE GENERAL REQUIREMENTS, THE BULK REGULATIONS, AND ALL OTHER REQUIREMENTS OF THIS ARTICLE APPLICABLE TO DWELLINGS IN THE ZONING DISTRICT WITHIN WHICH THE FACILITY IS LOCATED.

Subtitle 12. R-9 General Residence District

§ 4-1201. Permitted uses.

In an R-9 District, permitted uses are as follows:

....

(2B) RESIDENTIAL SUBSTANCE-ABUSE TREATMENT FACILITIES HOUSING 16 OR FEWER PATIENTS, IF THE FACILITY (I) COMPLIES WITH § 1-136(C)(3) {"DWELLING: MULTIPLE-FAMILY DWELLING"}, § 1-137 {"DWELLING UNIT"}, AND § 1-142 {"FAMILY"} OF THIS ARTICLE AND (II) MEETS THE GENERAL REQUIREMENTS, THE BULK REGULATIONS, AND ALL OTHER REQUIREMENTS OF THIS ARTICLE APPLICABLE TO DWELLINGS IN THE ZONING DISTRICT WITHIN WHICH THE FACILITY IS LOCATED.

....

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Title 5. Office-Residence Districts

Subtitle 2. O-R District

§ 5-201. Permitted uses.

In an O-R District, permitted uses are as follows:

....

(7A) RESIDENTIAL SUBSTANCE-ABUSE TREATMENT FACILITIES HOUSING 16 OR FEWER PATIENTS, IF THE FACILITY (I) COMPLIES WITH § 1-136(C)(3) {"DWELLING: MULTIPLE-FAMILY DWELLING"}, § 1-137 {"DWELLING UNIT"}, AND § 1-142 {"FAMILY"} OF THIS ARTICLE AND (II) MEETS THE GENERAL REQUIREMENTS, THE BULK REGULATIONS, AND ALL OTHER REQUIREMENTS OF THIS ARTICLE APPLICABLE TO DWELLINGS IN THE ZONING DISTRICT WITHIN WHICH THE FACILITY IS LOCATED.

....

§ 5-204. Conditional uses – Ordinance required.

In an O-R District, conditional uses that require approval by ordinance are as follows:

....

(6) Nonprofit homes [for the rehabilitation of non-bedridden alcoholics and] for the care and custody of homeless persons.

....

(10) RESIDENTIAL SUBSTANCE-ABUSE TREATMENT FACILITIES HOUSING 17 OR MORE PATIENTS.

Title 6. Business Districts

Subtitle 2. B-1 Neighborhood Business District

§ 6-206. Permitted uses.

In a B-1 District, permitted uses are as follows:

....

(31A) RESIDENTIAL SUBSTANCE-ABUSE TREATMENT FACILITIES HOUSING 16 OR FEWER PATIENTS, IF THE FACILITY (I) COMPLIES WITH § 1-136(C)(3) {"DWELLING: MULTIPLE-FAMILY DWELLING"}, § 1-137 {"DWELLING UNIT"}, AND § 1-142 {"FAMILY"} OF THIS ARTICLE AND (II) MEETS THE GENERAL REQUIREMENTS, THE BULK REGULATIONS, AND ALL OTHER REQUIREMENTS OF THIS ARTICLE APPLICABLE TO DWELLINGS IN THE ZONING DISTRICT WITHIN WHICH THE FACILITY IS LOCATED.

....

§ 6-209. Conditional uses – Ordinance required.

In a B-1 District, conditional uses that require approval by ordinance are as follows:

....

(6) RESIDENTIAL SUBSTANCE-ABUSE TREATMENT FACILITIES HOUSING 17 OR MORE PATIENTS.

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Subtitle 3. B-2 Community Business District

§ 6-309. Conditional uses – Ordinance required.

In a B-2 District, conditional uses that require approval by ordinance are as follows:

....

(7) Homes for [the rehabilitation of non-bedridden alcoholics and for] the care and custody of homeless persons.

....

Subtitle 5. B-4 Central Business District

§ 6-509. Conditional uses – Ordinance required.

In a B-4 District, conditional uses that require approval by ordinance are as follows:

....

(3) Homes for [the rehabilitation of non-bedridden alcoholics and for] the care and custody of homeless persons.

....

Title 10. Off-Street Parking Regulations

Subtitle 4. Required Number of Off-Street Spaces

§ 10-405. Required number of vehicle parking spaces.

Off-street vehicle parking spaces must be provided as follows:

....

(11) *Health care services.*

....

(V) RESIDENTIAL SUBSTANCE-ABUSE
TREATMENT FACILITIES –
HOUSING 17 OR MORE PATIENTS

ALL DISTRICTS

1 PER 4 FULL-TIME EQUIVALENT
STAFF MEMBERS, PLUS 1 PER 6
RESIDENTS. HOWEVER, IF THE
FACILITY DOES NOT PERMIT
RESIDENTS TO HAVE VEHICLES AT
THE FACILITY, THE FACILITY NEED
NOT PROVIDE OFF-STREET PARKING
SPACES FOR RESIDENTS.

(VI) RESIDENTIAL SUBSTANCE-ABUSE
TREATMENT FACILITIES –
HOUSING 16 OR FEWER PATIENTS

ALL DISTRICTS

SAME AS REQUIRED FOR SIMILARLY
CONFIGURED DWELLINGS IN THE
SAME DISTRICT .

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1 **SECTION 3. AND BE IT FURTHER ORDAINED**, That Health Article Title 3, Subtitle 1
2 {"Ordinance Required to Establish"} is repealed, in its entirety.

3 **SECTION 4. AND BE IT FURTHER ORDAINED**, That the catchlines contained in this Ordinance
4 are not law and may not be considered to have been enacted as a part of this or any prior
5 Ordinance.

6 **SECTION 5. AND BE IT FURTHER ORDAINED**, That this Ordinance takes effect on the date it is
7 enacted.

Certified as duly passed this _____ day of _____, 20__

President, Baltimore City Council

Certified as duly delivered to Her Honor, the Mayor,
this _____ day of _____, 20__

Chief Clerk

Approved this _____ day of _____, 20__

Mayor, Baltimore City