

**CITY OF BALTIMORE
COUNCIL BILL 21-0113
(First Reader)**

Introduced by: The Council President
At the request of: The Administration (Department of Planning)
Introduced and read first time: August 16, 2021
Assigned to: Economic and Community Development Committee

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

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Zoning Code – Modifications**

3 FOR the purpose of making needed changes to certain provisions that, during the course of
4 actively operating under the new Zoning Code, were discovered to be functionally
5 impractical or otherwise in need of modification to abate previously unanticipated
6 consequences; specifying that certain applications under the Zoning Code be filed either with
7 the Board of Municipal and Zoning Appeals or the Zoning Administrator; extending certain
8 time limits for the Board to act; authorizing the Zoning Administrator or the Board of
9 Municipal and Zoning Appeals to deny an application under certain circumstances;
10 modifying the outdoor seating specifications; authorizing certain reviews by the Site Plan
11 Review Committee; authorizing that certain matters reviewed by the Site Plan Review
12 Committee be approved by the Director of Planning; modifying certain off-street parking
13 requirements; clarifying and establishing certain exceptions to bicycle parking design
14 standards; establishing certain standards for long-term bicycle standards; establishing certain
15 rules for certain circumstances involving signs; providing for measurement methodologies
16 for building frontages; allowing electronic signs and painted/mural signs in residential
17 districts, subject to conditional approval by the Board of Municipal and Zoning Appeals;
18 specifying a time period after which the authorization for a conditional sign expires;
19 specifying certain zoning district requirements; defining certain terms; correcting, clarifying,
20 and conforming certain provisions; and generally relating to the zoning and land-use laws of
21 the City of Baltimore.

22 BY renumbering
23 Article 32 - Zoning
24 Sections 17-412, 17-413, 17-414, 17-415, and 17-416, respectively, to be
25 Sections 17-413, 17-414, 17-415, 17-416, and 17-417, respectively
26 Baltimore City Code
27 (Edition 2000)

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

Council Bill 21-0113

1 BY repealing and re-ordaining, with amendments

2 Article 32 - Zoning

3 Sections 1-212(b)(2), 1-303(h), 1-306, 1-307(a), 1-308(g), 1-311(o), 2-202, 2-203(c), (d),
4 and (j), 3-202(b), 4-405, 5-201(c)(1), 5-201(d)(1), 5-202, 5-303, 5-304(a), 5-305(b) and
5 (c), 5-403, 5-404, 5-405(a)(1), 5-406, 5-407(a), 5-408, 5-409(c) and (f)(1), 10-503(b),
6 11-203, 14-328(j), 14-329, 14-331(a)(1), 15-301(a)(2)(i)(A) and (B), 15-405(b), 15-504,
7 16-205, 16-301, 16-402, 16-403(d), 16-601, 16-602, 16-701(a) and (i), 16-704, 16-705(e),
8 17-102, 17-202, 17-302, 17-401(a), 17-404, 17-405, 17-407(a) and (g), 17-408(a) and (c),
9 17-414(a), 17-415(a), 17-416(a) and (c), 17-417(a), 18-403, Table 7-202, Table 8-301,
10 Table 9-301, Table 10-301, Table 10-401, Table 11-301, Table 12-301, Table 12-402,
11 Table 12-501, Table 12-601, Table 15-601, Table 16-406, Table 16-705, and Table
12 17-201

13 Baltimore City Code
14 (Edition 2000)

15 BY adding

16 Article 32 - Zoning

17 Sections 5-310, 5-401(c), 5-410, 14-312.1, 14-328(j), 16-701(m), 17-206, 17-308, 17-309,
18 17-401(f), 17-412, 17-506, 18-206(c), and 18-207

19 Baltimore City Code
20 (Edition 2000)

21 BY repealing

22 Article 32 - Zoning

23 Section(s) 14-408

24 Baltimore City Code
25 (Edition 2000)

26 BY relettering current

27 Article 32 - Zoning

28 Section 16-701(m) to be 16-701(n)

29 Baltimore City Code
30 (Edition 2000)

31 BY renaming

32 Article 32 - Zoning

33 Title 5. Subtitle 4. "Conditional Uses" to be renamed,
34 "Subtitle 4. Conditional Uses and Signs"

35 Baltimore City Code
36 (Edition 2000)

37 BY renaming

38 Article 32 - Zoning

39 Title 17. Subtitle 3. "Sign Dimension Measurement Methodology" to be renamed,
40 "Subtitle 3. Sign Dimension and Quantity Measurement Methodology"

41 Baltimore City Code
42 (Edition 2000)

Council Bill 21-0113

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

3 **Baltimore City Code**

4 **Article 32. Zoning**

5 **Title 1. General Provisions**

6 *Subtitle 2. Rules of Interpretation*

7 **§ 1-212. Tables.**

8 (b) *Use symbology.*

9 (2) In Signage Tables:

10 (i) an “A” indicates that a sign type is allowed in that Zoning District; [and]

11 (ii) an “ASSC Only” indicates that a sign type is only allowed in an approved
12 Area of Special Signage Control[.]; AND

13 (III) A “CB” INDICATES THAT A SIGN TYPE REQUIRES CONDITIONAL APPROVAL
14 BY THE BOARD OF MUNICIPAL AND ZONING APPEALS.

15 **COMMENT:** Indicates that a sign type requires approval by the Board of Municipal and
16 Zoning Appeals. This has been heavily requested by institutions in residential zones.
17 Signage that is conditional to the Board will require review by the Board in the way that a
18 Conditional Use to BMZA does. Those sections are being updated to reflect the inclusion
19 of “CB” signage.

20 *Subtitle 3. Definitions*

21 **§ 1-303. “Bail bond establishment” to “Child day-care home”.**

22 (h) *Blockface.*

23 “Blockface” means all of 1 side of a given street between 2 consecutive intersecting
24 streets, EXCLUDING ALLEYS, FOOTWAYS, AND SIDEWALKS.

25 **COMMENT:** Clarifies, with the additional language, what was intended as the definition of
26 “Blockface”.

27 **§ 1-306. “Encroachment” to “Golf course”.**

28 . . .

29 (G-1) *FARMERS MARKET.*

30 “FARMERS MARKET” MEANS A PUBLIC MARKET WHERE PRODUCERS OF RAW
31 AGRICULTURAL PRODUCTS SELL THE PRODUCTS DIRECTLY TO THE PUBLIC. AT LEAST
32 50% OF VENDORS MUST SELL AGRICULTURAL OR FOOD PRODUCTS.

Council Bill 21-0113

1 **COMMENT:** Corrects an omission from the Zoning Code by creating a definition for an existing use that
2 is currently operating in many zoning districts.

3 . . .

4 (S) *FRONTAGE.*

5 “FRONTAGE” MEANS THE PORTION OF A LOT’S PERIMETER THAT:

6 (1) COINCIDES WITH THE RIGHT OF WAY LINE OF AN EXISTING OR DEDICATED PUBLIC
7 OR PRIVATE STREET OR PEDESTRIAN WAY;

8 (2) COMPLIES WITH THE DESIGN REQUIREMENTS FOR STREETS AND PEDESTRIAN WAYS;
9 AND

10 (3) DOES NOT INCLUDE ANY POINT OR PORTION OF PERIMETER COINCIDING WITH AN
11 ALLEY, LANE, OR UNIMPROVED STREET.

12 **COMMENT:** This term is used throughout the Code and is not defined. This would codify an existing
13 definition from the subdivision regulations and will also be used to better align the Zoning Code with
14 those regulations.

15 (T) *FUEL STATION.*

16 (1) *IN GENERAL.*

17 “FUEL STATION” MEANS ANY PREMISES OR STRUCTURE USED FOR THE RETAIL SALE OF
18 FUEL, DISPENSED FROM FIXED EQUIPMENT INTO THE FUEL TANKS OF MOTOR VEHICLES.

19 (2) *INCLUSIONS.*

20 “FUEL STATION” INCLUDES:

21 (I) THE ACCESSORY SALE OF CONVENIENCE ITEMS;

22 (II) AN ACCESSORY FREESTANDING SELF-SERVICE CAR WASH; AND

23 (III) ELECTRIC CHARGING STATIONS.

24 **COMMENT:** Replaces the definition of “Gas station” with that of “Fuel station” to reflect
25 that electric charging stations also are fueling stations.

26 (U) [(s)] *Funeral home.*

27 (1) *In general.*

28 “Funeral home” means an establishment for preparing deceased individuals for burial
29 or cremation and for conducting rituals before burial or cremation.

30 (2) *Inclusions.*

31 “Funeral home” includes:

Council Bill 21-0113

1 (i) chapels for viewing a deceased and for conducting rituals; and

2 (ii) a crematorium.

3 (v) [(t)] *Garage*.

4 *See* “Parking garage (principal use)”.

5 “Parking garage (residential, detached)”.

6 [(u) *Gas station*.]

7 [(1) *In general*.]

8 [“Gas station” means any premises or structure used for the retail sale of fuel,
9 dispensed from fixed equipment into the fuel tanks of motor vehicles.]

10 [(2) *Inclusions*.]

11 [“Gas station” includes:]

12 [(i) the accessory sale of convenience items; and]

13 [(ii) an accessory freestanding self-service car wash.]

14 (w) [(v)] *Gazebo*.

15 “Gazebo” means a freestanding outdoor structure that is open-sided in design and not
16 used for habitation.

17 (x) [(w)] *General industrial*.

18 *See* “Industrial: General”.

19 (Y) [(x)] *Golf course*.

20 (1) *In general*.

21 “Golf course” means a tract of land that has holes for playing a game of golf.

22 (2) *Inclusions*.

23 “Golf course” includes the following as accessory uses:

24 (i) a clubhouse;

25 (ii) a driving range;

26 (iii) restrooms; and

27 (iv) shelters.

Council Bill 21-0113

1 **§ 1-307. “Government facility” to “Industrial boat repair”.**

2 (a) *Government facility.*

3 (1) *In general.*

4 “Government facility” means a structure or land that is operated by a government
5 agency.

6 (2) *Inclusions.*

7 “Government facility” includes agency offices, storage yards, public works facilities,
8 RECREATION: INDOOR, and utility facilities.

9 **COMMENT:** Clarifies that the definition of “government facility” includes recreation
10 centers owned by Baltimore City’s Department of Recreation and Parks.

11 **§ 1-308. “Industrial: General” to “Lot: Interior”.**

12 (g) *Kennel.*

13 (1) *In general.*

14 “Kennel” means a business OR OTHER ENTITY where 3 or more dogs or cats over 6
15 months old are boarded or maintained by a person other than their owner, AND
16 BOARDING IS THE PRIMARY OR PRINCIPAL FUNCTION OF THE USE.

17 **COMMENT:** Clarifies that the definition of “kennel” includes a non-profit animal shelter.

18 **§ 1-311. “Parapet” to “Processed metal”.**

19 (o) *Personal services establishment.*

20 (1) *In general.*

21 “Personal services establishment” means an establishment that provides recurrent
22 needed services of a personal nature.

Council Bill 21-0113

1 (2) *Illustrations.*

2 Typical examples of a “personal services establishment” include:

- 3 (i) beauty shops, INCLUDING MICRO-BLADING SERVICES, and barbershops;
- 4 (ii) tanning salons;
- 5 (iii) animal grooming establishments;
- 6 (iv) electronics repair shops;
- 7 (v) laundromats, dry cleaners, and tailors; and
- 8 (vi) certified massage therapists or similar licensed professionals.

9 **COMMENT:** Clarifies that micro-blading is a service that is cometic in nature, typically
10 the shaping of eyebrows, and that it is not a service of a body art establishment.

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

12 ***Subtitle 2. Applicability***

13 **§ 2-202. Exempt utility and governmental uses.**

14 Notwithstanding § 2-201 {“Application of Code”} of this subtitle, this Code does not apply
15 to the following uses and structures, unless otherwise specifically provided in this Code:

- 16 (1) overhead electric distribution cables and telephone lines;
- 17 (2) underground utility lines and equipment;
- 18 (3) conduits, vaults, pipeline laterals, and mains;
- 19 (4) traffic signals and government-owned signs;
- 20 (5) similar installations and equipment or accessories of a public utility
21 or governmental service;
- 22 (6) public transit shelters;
- 23 (7) car- and bike-sharing facilities;
- 24 (8) automobile charging stations, whether electric or solar;
- 25 (9) any installation, structure, equipment, or accessory that is owned by a government
26 entity and located in a public right-of-way OR ON PUBLIC PROPERTY; and
- 27 (10) any installation, structure, equipment, or accessory that is located in a public right-
28 of-way and granted a franchise by Ordinance of the Mayor and City Council.

Council Bill 21-0113

1 **§ 2-203. Transition rules.**

2 (c) *Preexisting permitted use reclassified as conditional.*

3 (1) If a preexisting permitted use is reclassified by this Code or an amendment to it as a
4 conditional use for the Zoning District in which it is located, that use may be
5 continued as a lawful conditional use, subject to the conditions and restrictions
6 previously imposed on it by law or regulation.

7 (2) Any subsequent change to that use[, including any addition, expansion, relocation, or
8 structural alteration,] **MUST BE APPROVED BY THE BOARD OF MUNICIPAL AND ZONING**
9 **APPEALS AND** is subject to the procedural and substantive requirements imposed
10 by this Code on conditional uses.

11 (d) *Preexisting nonconforming use reclassified as permitted or conditional.*

12 (1) If a preexisting nonconforming use is reclassified by this Code or an amendment to it
13 as a permitted or conditional use for the zoning district in which it is located, that use
14 may be continued as a lawful permitted or conditional use, as the case may be.

15 (2) Any subsequent change to that use[, including any addition, expansion, relocation, or
16 structural alteration, is] **MUST BE APPROVED BY THE BOARD OF MUNICIPAL AND**
17 **ZONING APPEALS,** subject to this Code and, if a conditional use, to the procedural
18 and substantive requirements imposed by this Code on conditional uses.

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

20 (1) All variances and conditional uses granted before June 5, 2017, or before the effective
21 date of any relevant amendment to this Code remain effective, and the recipient of the
22 variance and conditional use may proceed to develop the property in accordance with
23 the approved plans.

24 (2) However, if the recipient fails to act timely on the variance or conditional use, as
25 required by § 5-309 {"Expiration of approval"} or § 5-407 {"Expiration of
26 approval"} of this Code, the provisions of this Code govern and the approval is
27 invalid.

28 (3) Any subsequent change to a conditional use[, including any addition, expansion,
29 relocation, or structural alteration,] **MUST BE APPROVED BY THE BOARD OF MUNICIPAL**
30 **AND ZONING APPEALS AND** is subject to the procedures and requirements
31 imposed by this Code on conditional uses.

32 **COMMENT:** Clarifies the procedures to change or alter conditional uses.

Council Bill 21-0113

Title 3. Outline of Code Administration

Subtitle 2. Administrative Agencies and Officials

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

(b) Powers and duties.

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

- (1) to grant major variances (Title 5, Subtitle 3);
- (2) to grant conditional use authorizations (Title 5, Subtitle 4);
- (3) to hear appeals from decisions of the Zoning Administrator;
- (4) with the approval of the Board of Estimates, to set fees for filing and hearing appeals, granting variances, and for the various other functions required or authorized by this Code; [and]
- (5) to perform all other functions assigned to the Board by this Code[.];
- (6) TO AUTHORIZE ACCESSORY USES AS LONG AS THEY MEET THE STANDARDS FOR “ACCESSORY USE”, AS DEFINED IN § 1-302(C) OF THIS ARTICLE; AND
- (7) TO AUTHORIZE USES NOT OTHERWISE LISTED IN THIS CODE, SUBJECT TO § 1-217 OF THIS ARTICLE.

COMMENT: Grants some flexibility to the Board of Municipal and Zoning Appeals, as new uses get invented. Under the prior Zoning Code, the Board of Municipal and Zoning Appeals routinely heard appeals for accessory uses not expressly listed as “accessory.” This provides flexibility as uses change over time and trends allow for certain accessory uses to complement principal uses (for example: micro-blading as an accessory use to a personal services establishment).

Title 4. Development Reviews

Subtitle 4. Design Review

§ 4-405. Applicability.

(a) In general.

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

- (1) new construction of dwellings, excluding additions;
- (2) new construction of rowhouses;

Council Bill 21-0113

- 1 (3) upper floor additions and roof decks on existing rowhouses;
- 2 (4) deck, porch, and balcony additions on street-front facades;
- 3 (5) [(4)] when exterior modifications are proposed for residential conversions in the
- 4 R-7, R-8, R-9, and R-10 Districts;
- 5 (6) [(5)] the establishment of a non-residential use within the R-MU Overlay District;
- 6 (7) [(6)] all new construction and additions in the C-5 District;
- 7 (8) [(7)] all substantial modifications of the facade of a structure in the C-5 District;
- 8 (9) [(8)] planned unit development;
- 9 (10) ANY SIGN THAT IS CONDITIONAL ON BOARD OF MUNICIPAL AND ZONING APPEALS
- 10 APPROVAL, BUT WITHOUT REGARD TO ITS COPY OR MESSAGE;
- 11 (11) ANY PAINTED/MURAL SIGN, BUT WITHOUT REGARD TO ITS COPY OR MESSAGE;
- 12 (12) [(9)] any sign over 100 square feet in area;
- 13 (13) [(10)] any electronic sign, freestanding sign, or roof sign, but without regard to
- 14 its copy or message;
- 15 (14) [(11)] any freestanding sign in the C-5 or PC District, and any banner sign,
- 16 projecting sign, or wall sign above the ground floor in the C-5 OR PC District, but
- 17 without regard to its copy or message;
- 18 (15) [(12)] any Signage Plan and any sign, but without regard to its copy or message,
- 19 within an Area of Special Sign Control; and
- 20 (16) [(13)] any new construction that involves:
 - 21 (i) a proposed development over 15,000 square feet;
 - 22 (ii) a multi-tenant commercial development, including mixed-use
 - 23 development;
 - 24 (iii) alteration to a street-front facade in a C-1 District; or
 - 25 (iv) construction in a TOD District or in the W Overlay District.

26 (b) *Exception.*

27 Design review is not required for development projects that are subject to review by the
28 Commission for Historical and Architectural Preservation.

Council Bill 21-0113

Title 5. Applications and Authorizations

Subtitle 2. Applications

§ 5-201. Introduction of proposed authorization.

(c) Filing.

- (1) AN APPLICATION FOR A CONDITIONAL USE, CONDITIONAL SIGN, OR APPEAL FROM THE ZONING ADMINISTRATOR [All applications] must be filed with the [Zoning Administrator] BMZA. ALL OTHER APPLICATIONS MUST BE FILED WITH THE ZONING ADMINISTRATOR.

COMMENT: The intent is to streamline the process by requiring applications that must be reviewed by the BMZA be filed directly with the BMZA, alleviating the unnecessary step to file those applications with the Zoning Administrator.

(d) Traffic mitigation.

(1) Referral to DoT.

Within 15 business days of receiving a completed application, the Zoning Administrator OR THE BMZA, AS THE CASE MIGHT BE, must refer the application and all accompanying documents to the Director of Transportation, if:

- (i) traffic-mitigation requirements for the proposed structure or use have not already been complied with in accordance with this Code or the City Building, Fire, and Related Codes Article; and

- (ii) the proposed structure or use:

(A) is in a Traffic-Mitigation Zone designated in Building Code § 3805 {“Traffic-Mitigation Zone”} and involves 10 or more dwelling units;

(B) involves 15,000 sq. ft. or more of gross floor area; or

(C) involves 50 or more dwelling units.

COMMENT: The intent is to provide flexibility between the Zoning Administrator and the BMZA.

§ 5-202. Completeness review.

(a) Administrator OR BOARD to examine.

- (1) The Zoning Administrator OR THE EXECUTIVE DIRECTOR OF THE BMZA, AS THE CASE MIGHT BE, must examine all applications within 10 days after filing.

- (2) An application is not considered complete unless, among all other requirements, all fees are paid when due.

Council Bill 21-0113

1 (b) *Subsequent changes.*

2 (1) After an application is determined to be complete, any change made by the applicant
3 to the application must be submitted to the Zoning Administrator and the Board of
4 Municipal and Zoning Appeals no later than [15] 30 days before the date scheduled
5 for the hearing to be held under this title.

6 (2) AT THE BOARD’S DISCRETION, MINOR [Any later] changes to the application [must]
7 MAY be made on the record at the hearing.

8 COMMENT: The intent is to provide flexibility between the Zoning Administrator and the BMZA.

9 ***Subtitle 3. Variances***

10 **§ 5-303. Review of applications.**

11 (a) *Determinations by Zoning Administrator.*

12 The Zoning Administrator OR THE ADMINISTRATOR’S DESIGNEE must determine:

13 (1) whether the application is for a minor variance or a major variance; and

14 (2) which City agencies and officials, if any, should be asked to review
15 the application and submit written reports and recommendations on it.

16 (b) *Notice of findings.*

17 (1) The Zoning Administrator OR DESIGNEE must inform the applicant of the
18 determination made under subsection (a)(1) of this section.

19 (2) If the Zoning Administrator OR DESIGNEE determines the application is for a major
20 variance, the Zoning Administrator OR DESIGNEE must inform the applicant that:

21 (i) a major variance can be granted by ordinance or by the Board of Municipal
22 and Zoning Appeals;

23 (ii) the applicant may request the City Council to introduce an ordinance to
24 grant the major variance;

25 (iii) in the absence of legislation to approve a major variance by ordinance,
26 the Board of Municipal and Zoning Appeals may grant or deny the major
27 variance; and

28 (iv) the applicant may appeal the decision of the Zoning Administrator, and
29 [that] the appeal must be filed within 30 days of the Zoning Administrator’s
30 decision.

31 (3) The Zoning Administrator OR DESIGNEE must forward an application determined to be
32 a major variance to the Board of Municipal and Zoning Appeals.

Council Bill 21-0113

1 **COMMENT:** These amendments allow the Zoning Administrator to designate someone on staff to accept
2 and process a minor variance application, but they don't go so far as to allow the designee to sign the
3 Administrator's final decision. This will provide checks and balances and allow for easier day-to-day
4 work flow.

5 **§ 5-304. Minor variances.**

6 (a) *Review standards; Notice.*

7 The Zoning Administrator OR THE ADMINISTRATOR'S DESIGNEE must review and evaluate
8 the application pursuant to the standards in § 5-308 {"Approval standards"} of this
9 subtitle. Public notice of the application must be posted in accordance with Title 5,
10 Subtitle 6 {"Notices"} of this Code.

11 **COMMENT:** See Comment to previous section.

12 **§ 5-305. Major variances.**

13 (b) *Procedures before the BMZA.*

14 (1) *Public hearing required.*

15 (i) The Board of Municipal and Zoning Appeals must consider a proposed major
16 variance in a public hearing.
17

18 (ii) Notice of the public hearing must be given in accordance with Title 5, Subtitle 6
19 {"Notices"} of this Code.

20 (iii) Except as provided in subsection (b) of this section, the hearing must be
21 concluded no more than [60] 90 days from the Board's receipt of the completed
22 application.

23 **COMMENT:** The BMZA only meets twice per month and schedules approximately 15-20 cases on each
24 docket. Given this caseload, 90 days is a more realistic and practical timeframe in which to hold a
25 hearing.

26 (2) *Waiver of time limit.*

27 (i) If, in the judgment of the Board of Municipal and Zoning Appeals, the application
28 does not contain sufficient information to enable the Board to properly discharge
29 its responsibilities, the Board may request additional information from the
30 applicant or from City agencies or officials.

31 (ii) In that event, the [60-day] 90-DAY period will be suspended or the public hearing
32 continued pending receipt of all requested information.

33 (iii) The applicant may also waive this time limit by requesting a postponement from
34 the Board of Municipal and Zoning Appeals.

Council Bill 21-0113

1 (3) *Decision by Board.*

2 (i) The Board of Municipal and Zoning Appeals must render its written decision,
3 approving, approving with conditions, or denying the application, within 30
4 days of the close of the public hearing.

5 (ii) The Board may extend this period for up to an additional [30] 60 days FOR GOOD
6 CAUSE on a majority vote of the Board at a publicly scheduled meeting.

7 **COMMENT:** The intent is to provide additional flexibility for the BMZA.

8 (4) *Cessation of BMZA procedures.*

9 (i) All actions and other procedures taken under this subsection must immediately
10 cease
11 if:

12 (A) the Board of Municipal and Zoning Appeals has not rendered a written
13 decision under this subsection; and

14 (B) the City Council has referred to the Board a bill to approve the variance
15 by ordinance.

16 (ii) On this cessation of procedures, the application is deemed to be voluntarily
17 withdrawn by the applicant.

18 (c) [*legislative*] *LEGISLATIVE limitation.*

19 No legislation may be introduced to approve a major variance after the Board of Zoning
20 Appeals has rendered a written decision on an application involving the same subject
21 matter.

22 **§ 5-310. DISCRETION TO DENY.**

23 THE ZONING ADMINISTRATOR OR THE BOARD OF MUNICIPAL AND ZONING APPEALS MAY
24 DENY ANY APPLICATION FOR A VARIANCE IF THE SUBJECT PROPERTY HAS ANY OUTSTANDING
25 NOTICE OF VIOLATION, CODE VIOLATION, OR ANY OTHER UNRESOLVED OR UNPAID FEE, FINE,
26 OR CITATION.

27 **COMMENT:** Provides the Board of Municipal and Zoning Appeals the discretion to
28 dismiss or deny relief under an application for outstanding Code or other violations.

Council Bill 21-0113

Subtitle 4. Conditional Uses AND SIGNS

§ 5-401. Purpose.

(C) *SIGNS.*

IN CERTAIN DISTRICTS SOME SIGN TYPES ARE ALLOWED BY CONDITIONAL APPROVAL. THE CONDITIONAL APPROVAL IN THIS SITUATION IS INTERPRETED AS ALLOWING THE SIGN TYPE WITHIN A LOT TO BE MORE INTENSE THAT WOULD OTHERWISE BE ALLOWED IN THAT DISTRICT BECAUSE OF POSSIBLE BROADER IMPACT TO THE SURROUNDING AREA.

COMMENT: Clarifies provisions to allow signs by conditional approval.

§ 5-403. Referrals.

(a) *Section applicable to CB approvals.*

This section applies to applications for conditional uses AND SIGNS that require approval by the Board of Municipal and Zoning Appeals.

[(b) *Referral to BMZA for action.*]

[Once the Zoning Administrator determines that an application for conditional-use approval by the Board of Municipal and Zoning Appeals is complete, the Zoning Administrator must forward the application to the Board for its consideration and action on the application.]

(B) [(c)] *Referral to Planning Director, others for recommendation.*

The [Zoning Administrator] EXECUTIVE DIRECTOR OF THE BOARD OF MUNICIPAL AND ZONING APPEALS must also refer the completed application to the following, for their submission within 15 days of the referral, of written reports and recommendations to the Board [of Municipal and Zoning Appeals]:

(1) the Department of Planning; and

(2) any other City agencies and officials that the [Zoning Administrator] EXECUTIVE DIRECTOR OF THE BOARD OF MUNICIPAL AND ZONING APPEALS determines should be asked to review the application and submit written reports and recommendations on it.

COMMENT: The intent is to provide flexibility between the Zoning Administrator and the BMZA.

§ 5-404. Actions taken.

(a) *Review standards.*

The Board of Municipal and Zoning Appeals or the City Council, as the case may be, must evaluate the request for a conditional use AND SIGN, based on the evidence presented at the public hearing, in accordance with the standards in § 5-406 {"Approval standards"} of this subtitle.

Council Bill 21-0113

1 (b) *Procedures before the BMZA.*

2 (1) *Public hearing required.*

- 3 (i) The Board of Municipal and Zoning Appeals must consider a proposed
4 conditional use AND CONDITIONAL SIGN in a public hearing.

5 **COMMENT:** Clarifies provisions to allow signs by conditional approval.

- 6 (ii) Notice of the public hearing must be given in accordance with Title 5, Subtitle 6
7 {"Notices"} of this Code.

- 8 (iii) Except as provided in subsection (b) of this section, the hearing must be
9 concluded no more than [60] 90 days from the Board's receipt of the completed
10 application.

- 11 (iv) If the Department of Planning or other City agency or official fails to timely
12 submit its written report and recommendations, the Board of Municipal and
13 Zoning Appeals may proceed without that report and recommendations.

14 (2) *Waiver of time limit.*

- 15 (i) If, in the judgment of the Board of Municipal and Zoning Appeals, the application
16 does not contain sufficient information to enable the Board to properly discharge
17 its responsibilities, the Board may request additional information from the
18 applicant or from City agencies or officials.

- 19 (ii) In that event, the [60-day] 90-DAY period will be suspended or the public hearing
20 continued pending receipt of all requested information.

- 21 (iii) The applicant may also waive this time limit by requesting a postponement from
22 the Board of Municipal and Zoning Appeals.

23 (3) *Decision of Board.*

- 24 (I) The Board of Municipal and Zoning Appeals must render its written decision,
25 approving, approving with conditions, or denying the application within 30 days
26 of the close of the public hearing.

- 27 (II) THE BOARD MAY EXTEND THIS PERIOD FOR UP TO AN ADDITIONAL 60 DAYS FOR
28 GOOD CAUSE ON A MAJORITY VOTE OF THE BOARD AT A PUBLICLY SCHEDULED
29 MEETING.

Council Bill 21-0113

1 **§ 5-405. Conditions.**

2 (a) *In general.*

3 (1) *Imposition authorized.*

4 Before approving any conditional use OR SIGN, the Board of Municipal and Zoning
5 Appeals or the City Council, as the case may be, may impose on the establishment,
6 location, construction, maintenance, or operation of the conditional use OR SIGN any
7 condition, restriction, or limitation that it considers necessary for the protection of the
8 public interest.

9 **COMMENT:** Clarifies provisions to allow signs by conditional approval.

10 **§ 5-406. Approval standards.**

11 (a) *Limited criteria for denying.*

12 Neither the Board of Municipal and Zoning Appeals nor the City Council, as the case
13 may be, may approve a conditional use OR SIGN unless, after public notice and hearing
14 and on consideration of the standards required by this subtitle, it finds that:

15 (1) the establishment, location, construction, maintenance, or operation of the
16 conditional use OR SIGN would not be detrimental to or endanger the public health,
17 safety, or welfare;

18 (2) the use OR SIGN would not be precluded by any other law, including an applicable
19 Urban Renewal Plan;

20 (3) the authorization would not be contrary to the public interest; and

21 (4) the authorization would be in harmony with the purpose and intent of
22 this Code.

23 (b) *Required considerations.*

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

26 (1) the nature of the proposed site, including its size and shape and the proposed size,
27 shape, and arrangement of structures;

28 (2) the resulting traffic patterns and adequacy of proposed off-street parking and
29 loading;

30 (3) the nature of the surrounding area and the extent to which the proposed use OR
31 SIGN might impair its present and future development;

32 (4) the proximity of dwellings, churches, schools, public structures, and other places
33 of public gathering;

Council Bill 21-0113

- 1 (5) accessibility of the premises for emergency vehicles;
- 2 (6) accessibility of light and air to the premises and to the property in the vicinity;
- 3 (7) the type and location of adequate utilities, access roads, drainage, and other
- 4 necessary facilities that have been or will be provided;
- 5 (8) the preservation of cultural and historic landmarks and structures;
- 6 (9) the character of the neighborhood;
- 7 (10) the provisions of the City's Comprehensive Master Plan;
- 8 (11) the provisions of any applicable Urban Renewal Plan;
- 9 (12) all applicable standards and requirements of this Code;
- 10 (13) the intent and purpose of this Code; and
- 11 (14) any other matters considered to be in the interest of the general welfare.

12 **COMMENT:** Clarifies provisions to allow signs by conditional approval.

13 **§ 5-407. Expiration of approval.**

14 (a) *Exercise within year required.*

15 A conditional use AND A CONDITIONAL SIGN APPROVAL lapses and becomes void 1 year
16 from the date of its final approval unless, within that year:

- 17 (1) a use permit under this Code and an occupancy permit under the Baltimore City
- 18 Building Code have been obtained for that use;
- 19 (2) the erection or alteration of a structure for that use OR SIGN has lawfully begun;
- 20 [or]
- 21 (3) the use has lawfully begun[.]; OR
- 22 (4) A BUILDING PERMIT UNDER THIS CODE AND ANY OTHER APPLICABLE CODES HAS
- 23 BEEN OBTAINED FOR THE SIGN.

24 **COMMENT:** Clarifies provisions for signs by conditional approval.

Council Bill 21-0113

§ 5-408. Discontinued conditional use OR CONDITIONAL SIGN.

(A) *DISCONTINUED CONDITIONAL USE.*

If any conditional use is discontinued for a continuous period of 2 years or more, the conditional use approval automatically lapses and is void. A new application and authorization is required before the conditional use may be re-established.

(B) *DISCONTINUED CONDITIONAL SIGN.*

IF A CONDITIONAL SIGN IS REMOVED IN ITS ENTIRETY FROM THE BUILDING OR STRUCTURE FOR WHICH IT WAS APPROVED FOR A CONTINUOUS PERIOD OF 1 YEAR OR MORE, THE CONDITIONAL APPROVAL AUTOMATICALLY LAPSES AND IS VOID. A NEW APPLICATION IS REQUIRED BEFORE THE CONDITIONAL APPROVAL MAY BE RE-ESTABLISHED.

COMMENT: Clarifies provisions for signs by conditional approval.

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

(c) *Contents of notice.*

The notice must:

- (1) specify the nature of the violation; and
- (2) warn the recipient that, unless the violation is corrected within 30 days, or such other time as is specified in the notice, the matter will be referred to the Board of Municipal and Zoning Appeals for potential modification, suspension, or revocation of the conditional use OR SIGN.

(f) *Decision.*

- (1) If, after notice to the parties and an opportunity to be heard, the Board of Municipal and Zoning Appeals finds that a condition, restriction, or limitation imposed under this subtitle has been violated, the Board may take any 1 or combination of the following actions:
 - (i) revoke the conditional use OR SIGN;
 - (ii) suspend the conditional use OR SIGN APPROVAL subject to completion of corrective action or other condition set by the Board; or
 - (iii) affirm the conditional use OR SIGN, subject to a schedule for corrective action, with provision for automatic termination if the schedule is not met.

COMMENT: Clarifies provisions for signs by conditional approval.

Council Bill 21-0113

§ 5-410. DISCRETION TO DENY.

THE BOARD OF MUNICIPAL AND ZONING APPEALS MAY DENY ANY APPLICATION FOR A CONDITIONAL USE OR SIGN IF THE SUBJECT PROPERTY HAS ANY OUTSTANDING NOTICE OF VIOLATION, CODE VIOLATION, OR ANY OTHER UNRESOLVED OR UNPAID FEE, FINE, OR CITATION.

COMMENT: Provides the Board of Municipal and Zoning Appeals the discretion to dismiss or deny relief under an application for outstanding Code or other violations.

Title 10. Commercial Districts

Subtitle 5. Design Standards for C-5 District

§ 10-503. Parking and access.

(b) *New curb cuts.*

New curb cuts are prohibited on primary streets (*SEE DESIGN MANUAL*).

COMMENT: The intent is to add more clarity by providing a cross-reference to the Design Manual.

Title 11. Industrial Districts

Subtitle 2. District Descriptions

§ 11-203. IMU Industrial Mixed-Use Districts.

. . .

(c) *Floor area requirement for certain uses.*

(1) In an IMU-1 District, a use other than residential and other than parking must account for a floor area (located anywhere in any building on the same lot) equal to at least 60% of the total ground-floor area of all buildings on the lot, unless otherwise granted a variance by the Board of Municipal and Zoning Appeals.

(2) In an IMU-2 District, a use listed in the “Industrial Use Category” of Table 11-301 {“Industrial Districts – Permitted and Conditional Uses”} as allowed for an IMU-2 District must account for a floor area (located anywhere in any building on the same lot) equal to at least 50% of the total ground floor area of all buildings on the lot, unless otherwise granted a variance by the Board of Municipal and Zoning Appeals.

[(d) *Floor area exception.*]

[Subsection (c) of this section does not apply to lots located within 300 feet of a residential zoning district.]

COMMENT: This proposes to delete a loophole regarding IMU zones.

Council Bill 21-0113

Title 14. Use Standards

Subtitle 3. Use Standards

§ 14-312.1. FARMERS' MARKETS.

(A) *"FARMERS' MARKET" DEFINED.*

IN THIS SECTION, "FARMERS' MARKET" MEANS A MARKET IN A FIXED LOCATION AT WHICH 3 OR MORE VENDORS OFFER FOR SALE TO THE PUBLIC:

- (1) FRESH FRUITS, VEGETABLES, JUICES, FLOWERS, PLANTS, HERBS, OR SPICES THAT HAVE BEEN PRODUCED OR GROWN BY THE VENDOR OR CONSIGNED TO THE VENDOR BY THEIR PRODUCER OR GROWER;
- (2) BAKED GOODS, MEATS, DAIRY GOODS, OR PREPARED FOODS THAT HAVE BEEN MADE BY THE VENDOR OR CONSIGNED TO THE VENDOR BY THEIR MAKER; OR
- (3) ARTS AND CRAFTS THAT HAVE BEEN MADE BY THE VENDOR OR CONSIGNED TO THE VENDOR BY THEIR MAKER.

(B) *WHERE ALLOWED.*

FARMERS' MARKETS ARE ALLOWED IN ANY ZONING DISTRICT ON A LOT OR CONTIGUOUS LOTS AT LEAST 3,500 SQUARE FEET.

(C) *APPLICATION.*

FOR AN INITIAL APPLICATION, THE MARKET'S MANAGER SHALL SUBMIT A SITE PLAN THAT SHOWS THE LOCATION OF THE MARKET, THE LAYOUT OF THE MARKET, AND ALL PARKING, INCLUDING ALL PROPOSED INGRESSES AND EGRESSES

(D) *ARTS AND CRAFTS LIMITATION.*

SALES OF ARTS AND CRAFTS MAY NOT OCCUPY MORE THE 25% OF THE OVERALL SALES AREA OF THE MARKET.

COMMENT: This makes a former "temporary use" permanent.

§ 14-328. Neighborhood commercial establishments.

(J) *OUTDOOR DINING.*

OUTDOOR DINING MAY ONLY BE ON THE STREET SIDE OF THE PROPERTY AND IS NOT ALLOWED IN THE REAR YARD, DECK, OR ROOFTOP.

Comment: Reflects the interest in adding outdoor dining to neighborhood commercial establishments but restricts outdoor seating to the street side of businesses, not in a rear yards, a deck, or a rooftop where it could bother residents.

Council Bill 21-0113

§ 14-329. Outdoor dining.

(a) *Nature of use.*

(1) Outdoor dining is considered an accessory use to a principal use AND MAY BE LOCATED ON EITHER THE PROPERTY FOR WHICH THE PERMIT IS APPROVED OR EXTEND INTO THE PUBLIC RIGHTS-OF-WAY IMMEDIATELY ADJOINING THE BUILDING FRONTAGE OR STREET CORNER SIDE OF THE PROPERTY.

(2) PARAGRAPH (1) OF THIS SUBSECTION IS SUBJECT TO THE REQUIREMENTS SET FORTH IN THIS SECTION, AS APPLICABLE.

(b) *Pedestrian and parking access.*

(1) Outdoor dining may not interfere with the pedestrian access or parking.

(2) All outdoor dining areas located IN A PUBLIC RIGHT-OF-WAY must maintain a 5-foot sidewalk clearance at all times.

(c) *Minor privilege permit.*

Any outdoor dining located in the public right-of-way requires a minor privilege permit.

(d) *Required yard.*

(1) Outdoor dining may not be located in any required yard that adjoins a residential ZONING district, unless an alley OR A STREET OF AT LEAST 20 FEET IN WIDTH is located between the use and the residential district.

(2) IF NO YARD IS REQUIRED OR IF NO ALLEY OR STREET IS PRESENT, THE USE MUST MAINTAIN AT LEAST A 30-FOOT DISTANCE FROM ANY ADJACENT RESIDENTIAL PROPERTY.

(e) *Compactness.*

An outdoor dining area for an establishment must be as compact as possible by locating the outdoor dining area in a single portion of an establishment's frontage.

§ 14-331. Parking garages [(principal use)] and parking lots.

(a) *Parking garages [(principal use)].*

(1) Parking garages [(principal use)] in the C-1, C-1-E, C-1-VC, C-2, C-3, C-5, and TOD Districts must include active ground-floor uses, whether residential or non-residential uses, along at least 50% of the ground floor when adjoining a street, other than an alley.

COMMENT: Corrects a mistake in the Zoning Code with the reference to "principal use", because this section was intended to apply to all parking garages (accessory and principal).

Council Bill 21-0113

Subtitle 4. Temporary-Use Standards

[§ 14-408. Permitted temporary uses – Farmers’ markets.]

[(a) “Farmers’ market” defined.]

[“Farmers’ market” means a market in a fixed location at which 3 or more vendors offer for sale to the public:]

[(1) fresh fruits, vegetables, juices, flowers, plants, herbs, or spices that have been produced or grown by the vendor or consigned to the vendor by their producer or grower;]

[(2) baked goods, meats, dairy goods, or prepared foods that have been made by the vendor or consigned to the vendor by their maker; or]

[(3) arts and crafts that have been made by the vendor or consigned to the vendor by their maker.]

[(b) *Where allowed.*]

[Farmers’ markets are allowed in any zoning district on a lot or contiguous lots at least 3,500 square feet.]

[(c) *Application.*]

[The application for a temporary-use permit must be submitted by the market’s manager.]

[(d) *New farmers’ market.*]

[For an initial application, the market’s manager must also submit a map that shows:]

[(1) the location and layout of the site; and]

[(2) all parking areas, including proposed ingress and egress.]

[(e) *Arts and crafts limitation.*]

[Sales of arts and crafts may not occupy more the 25% of the overall sales area of the market.]

Comment: This section is being deleted because “Farmers’ market” is now a regular use and being codified as such in a new § 14-312.1.

Council Bill 21-0113

Title 15. Site Development Standards

Subtitle 3. Measurement Methodologies

§ 15-301. Measurement of building height.

(a) *In general.*

(2) For purposes of determining compliance with height limitations, the height of a building is determined by measuring the vertical distance:

(i) from the following, as applicable:

(A) from the mean curb level of the right-of-way on which the property fronts;

(B) if the front wall of the building is not within 30 feet of the curb, from the average elevation of [the ground between that wall and the curb] GROUND ADJOINING THAT WALL; or

...
....

COMMENT: Clarifies an element of how the height of a building is determined by measuring the vertical distance.

Subtitle 4. Exceptions

§ 15-405. Limitations in Mount Vernon neighborhood.

(b) *Other limitations.*

Within the boundaries indicated in *Table 15-405* for the Mount Vernon Neighborhood:

(1) when calculating the height of a building for compliance with height limitations, mechanical equipment, including heating, ventilation, and air-conditioning units, on top of the building are included in that calculation;

(2) new [primary-use] PRINCIPAL-USE surface parking lots are prohibited; and

(3) [(4)] for new construction, the minimum lot area per dwelling unit is 200 square feet.

Council Bill 21-0113

Subtitle 5. Accessory Structures and Uses

§ 15-504. Carriage house.

(A) An accessory carriage house existing on June 5, 2017, in a Residential District or in an OR District may be [subdivided and] converted into a SINGLE-FAMILY detached dwelling, if:

[(1) the new lot area meets the minimum lot and yard requirements that apply to rowhouse dwellings in the applicable district;]

(1) [(2)] the building contains at least [1,750] 750 square feet of gross floor area;

(2) [(3)] all other requirements of this Code [and Baltimore City Subdivision Regulations] are met [or a variance is obtained]; and

(3) [(4)] 1 additional parking space is provided for each dwelling unit created.

(B) IN ADDITION, IF AN EXISTING CARRIAGE HOUSE IS CONVERTED INTO A DWELLING UNIT, IT CANNOT BE ENLARGED BY ANY ALTERATION THAT WOULD INCREASE THE BUILDING HEIGHT OR FOOTPRINT BY MORE THAN 20%.

COMMENT: Corrects and clarifies the original intent of the Zoning Code to allow for the conversion of existing carriage houses. Sub-division was not the proper mechanism, as subdivision would create a separate lot and not protect neighborhoods from creating flag lots and larger buildings. This change to by-right, with the addition of a cap for rehabilitation, is in keeping with the original intent of scale and purpose.

Title 16. Off-Street Parking and Loading

Subtitle 2. General Applicability

§ 16-205. Provision of additional spaces and parking maximums.

Nothing in this title prevents the voluntary establishment of additional off-street parking or loading facilities. However, in no case may off-street parking be provided in excess of double the requirements of this Code, except for detached and semi-detached dwellings[,] to which no maximum applies OR NO PARKING IS REQUIRED. All regulations governing the location, design, and control of these facilities must be in accordance with this title.

COMMENT: The intent is to clarify that some additional parking may be permitted in circumstances where the Code itself does not expressly require it.

Subtitle 3. Construction of Facilities.

Council Bill 21-0113

§ 16-301. Site plan review requirements.

(a) *In general.*

Site plan review is required before any construction or alteration of or addition to any off-street parking facility of 5 or more parking spaces or the construction of a new loading berth.

(b) *“Construction, alteration, or addition” described.*

(1) *Inclusions.*

For purposes of this section, construction, alteration, or addition includes all paving of previously unpaved surfaces, replacement of pavement with new binder and surface courses, construction of curbing, installation of new parking lot landscaping, and similar activities.

(2) *Exclusions.*

Construction, alteration, or addition does not include maintenance activities such as replacement of existing landscaping, repair of existing curbing, repairs, sealing, re-striping (WITH NO DESIGN OR LAYOUT CHANGES), or placement of surface course pavement over previously paved areas.

COMMENT: The intent here is to make repair and resurfacing projects easier.

Subtitle 4. Design of Off-Street Parking Facilities

§ 16-402. Minimum dimensions of off-street parking spaces.

Off-street parking spaces must EITHER be designed:

(1) in accordance with *Table 16-402: Off-Street Parking Dimensions*; OR

(2) AS REVIEWED BY THE SITE PLAN REVIEW COMMITTEE AND APPROVED BY THE DIRECTOR OF PLANNING.

COMMENT: The intent is provide greater flexibility while maintaining review.

§ 16-403. Access.

(d) *One-way traffic aisles as in Table.*

Within off-street parking facilities, one-way traffic aisles must EITHER be designed:

(1) in accordance with *Table 16-402*; or

(2) AS REVIEWED BY THE SITE PLAN REVIEW COMMITTEE AND APPROVED BY THE DIRECTOR OF PLANNING.

COMMENT: The intent is provide greater flexibility while maintaining review.

Council Bill 21-0113

Subtitle 6. Required Off-Street Parking

§ 16-601. Exemptions AND REDUCTIONS from requirements.

...

(c) Square footage exemption for C-2.

(1) The first [2,500] 3,000 square feet of gross floor area for commercial uses in the C-2 District are exempt from the parking requirements of Table 16-406.

(2) Those commercial uses [2,500] 3,000 square feet or less in gross floor area located within a multi-tenant configuration (e.g., a shopping center) are not eligible for this exemption and must provide the required parking.

COMMENT: The intent is to be less restrictive with regard to parking for small businesses.

...

(f) Structures over 50 years old, etc.

(1) IN GENERAL.

Structures over 50 years old or structures that have received an historic tax credit are exempt from the parking requirements, subject to review and approval by the Director of Planning, if they have not historically provided parking and they lack sufficient space on the lot to accommodate parking. [However, any conversions of rowhouse dwellings (Title 9, Subtitle 7) existing as of June 5, 2017, must provide additional parking spaces for the additional dwelling units required by this Code.]

(2) EXCEPTIONS.

THE PARKING EXEMPTION DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION DOES NOT APPLY IF:

(I) ANY VARIANCE FROM THE PROVISIONS OF THIS CODE IS REQUIRED; OR

(II) THE PREMISES IS PART OF AN APPLICATION FOR THE CONVERSION OF A ROWHOUSE DWELLING (TITLE 9, SUBTITLE 7) AFTER JUNE 5, 2017.

(G) REDUCTIONS – AFFORDABLE HOUSING.

NO MORE THAN 1 PARKING SPACE NEED BE PROVIDED FOR EVERY 2 DWELLING UNITS IN DWELLINGS THAT ARE ERECTED OR REHABILITATED SUBJECT TO A RESTRICTION THAT THE UNITS BE LEASED TO RESIDENTS WITH INCOMES AT OR BELOW 60% OF THE AREA MEDIAN INCOME, WITH THAT RESTRICTION BEING FOR A TERM OF NOT LESS THAN 15 YEARS FROM THE DATE OF THE ISSUANCE OF A USE PERMIT AND RECORDED IN THE LAND RECORDS OF BALTIMORE CITY. THE HOUSING COMMISSIONER MUST VERIFY, BY LETTER TO THE PLANNING DIRECTOR AND THE ZONING ADMINISTRATOR, THE RECORDATION, TERM, AND TENOR OF THE RESTRICTION.

Council Bill 21-0113

1 (H) *REDUCTIONS – SMALL DWELLINGS.*

2 NO MORE THAN 0.5 PARKING SPACES NEED BE PROVIDED FOR EVERY DWELLING UNIT THAT
3 IS 500 SQUARE FEET OR SMALLER.

4 (I) *REDUCTIONS – HOUSING FOR ELDERLY.*

5 FOR UNITS DESIGNED FOR OCCUPANCY BY THE ELDERLY IN A GOVERNMENT-ASSISTED
6 PRIVATE OR PUBLIC HOUSING DWELLING, NO MORE THAN 1 SPACE NEED BE PROVIDED FOR
7 EVERY 4 UNITS.

8 **COMMENT:** The additions to this section consolidate several parking exceptions under 1 section, for
9 ease of reference.

10 **§ 16-602. Required off-street parking.**

11 [(a) *In general.*]

12 The minimum number of off-street parking spaces to be provided for the designated uses is
13 as in *Table 16-406: Required Off-Street Parking*. *Table 16-406* lists parking requirements
14 for the generic uses listed within the districts. In some cases, uses that are considered part of
15 a generic use category are listed with specified parking requirements. These specific uses are
16 listed only for the purposes of this title and do not indicate whether the uses are permitted or
17 conditional uses within any district. Certain generic uses listed within the districts do not
18 have parking requirements. These types of uses are not listed in *Table 16-406*.

19 [(b) *Reductions – Affordable housing.*]

20 [No more than 1 parking space need be provided for every 2 dwelling units in dwellings
21 that are erected or rehabilitated subject to a restriction that the units be leased to residents
22 with incomes at or below 60% of the Area Median Income, with that restriction being for
23 a term of not less than 15 years from the date of the issuance of a use permit and recorded
24 in the Land Records of Baltimore City. The Housing Commissioner must verify, by letter
25 to the Planning Director and the Zoning Administrator, the recordation, term, and tenor of
26 the restriction.]

27 [(c) *Reductions – Small dwellings.*]

28 [No more than 0.5 parking spaces need be provided for every dwelling unit that is 500
29 square feet or smaller.]

30 [(d) *Reductions – Housing for elderly.*]

31 [For units designed for occupancy by the elderly in a government-assisted private or
32 public housing dwelling:

33 (1) in the R-5 and R-6 Districts, no more than 1 parking space need be provided for
34 every 2 units; and

35 (2) in the R-7, R-8, R-9, and R-10 Districts, no more than 1 parking space need be
36 provided for every 4 units.]

Council Bill 21-0113

COMMENT: These provisions are being consolidated under one section, § 16-601, for ease of reference.

Subtitle 7. Required Bicycle Parking

§ 16-701. Design standards for all bicycle parking.

(a) *Space size.*

(1) *IN GENERAL.*

EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, REQUIRED [Required] bicycle spaces must be at least 2 feet wide by 6 feet long, with a minimum overhead vertical clearance of 7 feet 6 inches[, except for approved bike lockers and other enclosures, which may be shorter in height].

(2) *EXCEPTIONS.*

(I) BICYCLE SPACES THAT ARE GROUND-MOUNTED MAY BE 1.5 FEET WIDE BY 6 FEET LONG.

(II) APPROVED BIKE LOCKERS AND OTHER ENCLOSURES MAY BE SHORTER THAN THE DIMENSIONS DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION.

COMMENT: This change allows for an exemption for the use of floor racks with a smaller spatial dimension. This dimension is consistent with the Department of Transportation dimensions for racks in the right-of-way. Other racks, such as wall-mounted or ceiling-mounted racks. still require the larger dimensions.

...

(i) *Floor racks.*

(1) Required bicycle parking may be provided in floor racks.

(2) Wall and ceiling rack designs are subject to the approval of the Director of Planning as part of site plan review. HOWEVER IN NO CASE MAY MORE THAN 80% OF THE REQUIRED BICYCLE PARKING SPACES BE PROVIDED AS WALL OR CEILING RACKS.

(3) If required bicycle parking is provided in racks, the racks must meet the following standards:

(i) the bicycle frame and 1 wheel must be lockable to the rack with a high security, U-shaped shackle lock if both wheels are left on the bicycle;

(ii) a bicycle 6-feet long can be securely held with its frame supported so that the bicycle cannot be pushed or fall in a manner that will damage the bicycle in any way;

(iii) the racks must support a bicycle in at least 2 places, preventing it from falling over; and

Council Bill 21-0113

1 (iv) the racks must be solidly constructed, resistant to rust and corrosion, d
2 resistant to hammers and saws, and anchored so that they cannot be easily
3 removed.
4 . . .

5 (M) *STANDARD DESIGN.*

6 BICYCLE PARKING SPACES MUST BE DESIGNED IN ACCORDANCE WITH *TABLE 16-701:*
7 *BICYCLE PARKING DIMENSIONS.*

8 (N) [(m)] *Alternate designs.*

9 Alternate designs for bicycle parking may be approved by the Director of Planning as part
10 of site plan review.

11 **§ 16-704. Long-term bicycle parking standards.**

12 (A) *IN GENERAL.*

13 Long-term bicycle parking must be:

14 (1) located:

15 (i) on the site; or

16 (ii) in an area where the closest point is within 300 feet of the site;

17 (2) located either at ground level, on the ground floor of a building, or easily
18 accessible by elevator;

19 (3) covered; and

20 (4) in at least 1 of the following locations, to provide security:

21 (i) in a locked room; OR

22 (ii) in an area that is enclosed by a fence, either 8 feet high or from floor to
23 ceiling, with a locked gate [;

24 (iii) within view of an attendant or security guard;

25 (iv) in an area that is monitored by a security camera; or

26 (v) in an area that is visible from employee work areas].

Council Bill 21-0113

1 (B) *CERTAIN ADDITIONAL STANDARDS.*

2 IN INSTANCES WHERE MORE THAN 9 LONG-TERM BICYCLE PARKING SPACES ARE REQUIRED,
3 A MINIMUM OF 10% OF THE TOTAL SPACES MUST:

4 (1) BE DEDICATED AS CARGO, FAMILY, OR ADAPTIVE BICYCLE PARKING; AND

5 (2) ADHERE TO THE FOLLOWING ADDITIONAL STANDARDS:

6 (I) THE SPACES MUST BE FLOOR-MOUNTED;

7 (II) THERE MUST BE ADEQUATE ELECTRIC OUTLETS FOR BICYCLE CHARGING;
8 AND

9 (III) EACH SPACE MUST HAVE A MINIMUM DIMENSION OF 2 FEET WIDE BY 8
10 FEET LONG.

11 COMMENT: This establishes additional standards for bicycle parking.

12 § 16-705. Required number of bicycle spaces.

13 (e) *Motor vehicle parking offset.*

14 (1) For every [12] 8 required bicycle parking spaces that meet the short- or long-term
15 bicycle parking standards, as set forth in *Table 16-705 {"Required Bicycle Spaces"}*,
16 the motor vehicle parking required by this title may be reduced by 1 space.

17 (2) Existing parking may be converted to take advantage of this provision.
18

19 Title 17. Signs

20 *Subtitle 1. Purpose of Title; Definitions.*

21 § 17-102. Definitions.

22 (a) *In general.*

23 In this title, the following terms have the meanings indicated.

24 (b) *A-frame sign.*

25 "A-frame sign" means a sign, ordinarily in the shape of the letter "A", or some variation
26 of it, that is displayed on the ground, not permanently attached, and usually 2-sided.

Council Bill 21-0113

1 (C) *ABOVE GROUND FLOOR.*

2 (1) *IN GENERAL.*

3 “ABOVE GROUND FLOOR” MEANS THE OCCUPIABLE SPACE IN A BUILDING THAT IS
4 ABOVE THE GROUND FLOOR.

5 (2) *EXCLUSIONS.*

6 “ABOVE GROUND FLOOR” DOES NOT INCLUDE:

7 (I) ANYTHING DETERMINED TO BE THE GROUND FLOOR AS DEFINED IN THIS
8 SECTION;

9 (II) ANY EXTERIOR OR INTERIOR SPACES CREATED FROM OR DEFINED BY THE
10 STRUCTURAL OR ARCHITECTURAL ITEMS DESCRIBED IN § 15-301(B) OF THIS
11 ARTICLE;

12 (III) INTERIOR LOFT SPACE OR MEZZANINE SPACE WITHIN THE VOLUME OF THE
13 GROUND FLOOR; OR

14 (IV) ANYTHING OTHERWISE DESCRIBED IN THIS ARTICLE AS NOT ABOVE GROUND
15 FLOOR.

16 **COMMENT:** Clarifies the Zoning Code by defining what is considered to be “above ground floor” when
17 applying the “above ground floor” signage provisions set forth in Title 17 and *Table 17-201: Sign*
18 *Regulations.*

19 (D) [(c)] *Attention-getting device.*

20 “Attention-getting device” means any pennant, flag, feather flag, festoon, spinner,
21 streamer, searchlight, balloon, inflatable sign, strobe light, or similar device or
22 ornamentation designed for the purpose of attracting attention.

23 (E) [(d)] *Awning or canopy sign.*

24 “Awning or canopy sign” means a sign that is printed on, or is attached above, on, or
25 under the outer edge of, an awning, canopy or other fabric, plastic, or structural
26 protective cover over a door, entrance, window, or outdoor service area.

27 (F) [(e)] *Banner sign.*

28 (1) *In general.*

29 “Banner Sign” means a sign that:

30 (i) is printed or displayed on cloth or other flexible material;

31 (ii) is attached to a frame, a pole or other structure on a lot;

Council Bill 21-0113

1 (iii) is mounted flat against the wall of a structure or projects from a structure;
2 and

3 (iv) is mounted and attached to a structure that is meant to be durable and
4 permanent.

5 (2) *Types.*

6 (i) A banner sign may be either a freestanding banner sign, a projecting banner sign,
7 or a wall mounted banner sign.

8 (ii) For purposes of this definition:

9 (A) “freestanding banner sign” means any banner sign, including a flag, that is
10 attached by only one side to a pole, frame, or any structure and hanging
11 freely so that it can flutter or move in the wind;

12 (B) “projecting banner sign” means any banner sign that is mounted non-
13 parallel to a building wall or any other surface of a structure and is
14 attached on multiple sides to a rigid frame that is attached to a structure;
15 and

16 (C) “wall mounted banner sign” means a banner sign that is attached to a
17 building wall and projects no more than 8 inches from the wall, with the
18 exposed face of the sign in a plane parallel to the face of the wall.

19 (3) *Exclusions.*

20 “Banner sign” does not include any provisional fence sign or attention-getting device.

21 (G) [(f)] *Canopy sign.*

22 *See “Awning or canopy sign”.*

23 (H) [(g)] *Changeable copy sign.*

24 “Changeable copy sign” means a permanent sign that contains a part that allows copy to
25 be changed manually

26 (I) [(h)] *Electronic sign.*

27 (1) *In general.*

28 “Electronic sign” means a sign or portion of a sign that uses changing light to form a
29 message or messages in text, digital graphics, or digital animation, where the
30 sequence of messages and the rate of change is electronically programmed and can be
31 modified by electronic processes.

Council Bill 21-0113

1 (2) *Inclusion of “electronic display screen”.*

2 (i) “Electronic sign” includes an electronic display screen.

3 (ii) For purposes of this definition, “electronic display screen”:

4 (A) means the portion of an electronic sign that displays digital art or an
5 electronic graphic, image, or video, which may or may not include text;
6 and

7 (B) includes any television screen, plasma screen, digital screen, flat screen,
8 LED screen, video boards holographic display, projected video sign, and
9 exterior wall integrated technology.

10 (J) [(i)] *Flag.*

11 *See “Banner sign”.*

12 (K) [(j)] *Freestanding sign.*

13 (1) *In general.*

14 “Freestanding sign” means a sign that:

15 (i) is made of durable material that is not cloth or other flexible material; and

16 (ii) is placed on or supported by the ground, independent of the principal
17 structure on the lot.

18 (2) *Exclusion.*

19 “Freestanding sign” does not include a banner sign.

20 (3) *Types.*

21 (i) A freestanding sign may be either a freestanding monument sign, a freestanding
22 pole sign, or a freestanding pylon sign.

23 (ii) For purposes of this definition:

24 (A) “Freestanding monument sign” means any freestanding sign that is placed
25 directly on the ground or supported by a decorative base, including a post,
26 pole, or other structure, that is an integral part of the sign design.

27 (B) “Freestanding pole sign” means any freestanding sign that is erected and
28 maintained on 1 or more freestanding poles, uprights, or braces directly
29 inserted into the ground and is not attached to any other structure.

Council Bill 21-0113

1 (C) “Freestanding pylon sign” means any freestanding sign that is supported
2 by a support structure that is a solid-appearing base constructed of a
3 permanent material, such as concrete block, brick, or metal. The ground
4 support does not include any post, pole, or other structure.

5 (L) *GROUND FLOOR.*

6 (1) *IN GENERAL.*

7 “GROUND FLOOR” MEANS THE FIRST LEVEL OF OCCUPIABLE SPACE OF A BUILDING.

8 (2) *EXCLUSIONS.*

9 “GROUND FLOOR” DOES NOT INCLUDE:

10 (I) ANYTHING DETERMINED TO BE ABOVE GROUND FLOOR, AS DEFINED IN THIS
11 SECTION;

12 (II) BASEMENT OR SUB-BASEMENT SPACES; OR

13 (III) ANYTHING OTHERWISE DESCRIBED IN THIS ARTICLE AS NOT GROUND FLOOR.

14 **COMMENT:** Clarifies the Zoning Code by defining what is considered to be “ground floor” when
15 applying the “ground floor” signage provisions set forth in Title 17 and *Table 17-201: Sign*
16 *Regulations.*

17 (M) [(k)] *Monument sign.*

18 *See “Freestanding sign”.*

19 (N) [(l)] *Moving sign.*

20 (1) *In general.*

21 “Moving sign” means a sign that, in whole or in part, rotates, elevates, or in any way
22 alters position or geometry.

23 (2) *Exclusions.*

24 “Moving sign” does not include an analog clock.

25 (O) [(m)] *Nonconforming sign.*

26 “Nonconforming sign” means a sign that was lawfully erected and maintained under a
27 previous version of this Code but does not now conform to the requirements of this Code.

28 (P) [(n)] *Open-structural framework sign.*

Council Bill 21-0113

1 (1) *In general.*

2 “Open-structural framework sign” means a sign that is attached to an expressed or
3 projecting structural member of a building below the roofline of any roof surface of
4 any section of the building.

5 (2) *How attached.*

6 The sign:

7 (1) may be attached above, on, or under the structural member; but

8 (2) may not be located on a roof or above the roofline of any roof surface of any
9 section of the building.

10 (Q) *PAINTED/MURAL SIGN.*

11 (1) *IN GENERAL.*

12 “PAINTED/MURAL SIGN” MEANS A SIGN APPLIED DIRECTLY TO THE WALL OF A
13 BUILDING OR OTHER PERMANENT STRUCTURE ELEMENT ON A LOT THROUGH PAINT,
14 GLUE, OR OTHER MEDIUM APPLICATION WITHOUT THE USE OF FASTENERS, FRAMES, OR
15 OTHER SUPPORT STRUCTURES.

16 (2) *INCLUSIONS.*

17 FOR THE PURPOSES OF THIS DEFINITION:

18 (I) A PAINTED/MURAL SIGN LIES ON THE SAME PLANE OF THE STRUCTURE TO
19 WHICH IT IS APPLIED, UNLESS OTHERWISE SPECIFIED IN THIS TITLE; AND

20 (II) A STRUCTURE SHALL INCLUDE BUILDING WALLS, ROOFS, ARCHITECTURAL
21 ELEMENTS, FENCES, DRIVEWAYS, PARKING LOTS, OR OTHER PAVED AREAS, AND
22 STRUCTURAL OR ARCHITECTURAL ITEMS DESCRIBED IN § 15-301(B) OF THIS
23 ARTICLE.

24 (3) *EXCLUSIONS.*

25 A “PAINTED/MURAL SIGN” DOES NOT INCLUDE:

26 (I) WALL SIGNS;

27 (II) AWNING OR CANOPY SIGNS;

28 (III) PROJECTING SIGNS;

29 (IV) WINDOW SIGNS; OR

30 (V) ROOF SIGNS.

Council Bill 21-0113

1 **COMMENT:** Provides for the establishment of a new sign type within Title 17 and *Table 17-201: Sign*
2 *Regulations*. The exclusions will ensure that “painted/mural signs” are separate and distinct from other
3 sign types defined within the Code.

4 (R) [(o)] *Pole sign*.

5 See “Freestanding sign”.

6 (S) [(p)] *Pole mounted banner sign*.

7 See “Banner sign”.

8 (T) [(q)] *Portable sign*.

9 (1) *In general*.

10 “Portable sign” means a sign whose principal supporting structure is intended, by
11 design and construction, to rest on the ground for support and may be easily moved or
12 relocated.

13 (2) *Inclusions*.

14 “Portable sign” includes a sign mounted on a trailer, wheeled carrier, or other non-
15 motorized mobile structure, with wheels or with wheels removed.

16 (3) *Exclusions*.

17 “Portable sign” does not include an A-frame sign, even if the A-frame sign is
18 designed to be easily moved.

19 (U) [(r)] *Projecting banner sign*.

20 See “Banner sign”.

21 (V) [(s)] *Projecting sign*.

22 (1) *In general*.

23 “Projecting sign” means a sign that:

24 (i) is made of a durable material that is not cloth or other flexible material;

25 (ii) is attached to a building or other structure; and

26 (iii) extends beyond the surface of the building or structure to which it is attached.

27 (2) *Inclusions*.

28 “Projecting sign” includes:

29 (i) any sign that is non-parallel to the face of the wall of a structure; and

Council Bill 21-0113

1 (ii) any sign that:

2 (A) is in a plane parallel to the face of the wall of a structure; and

3 (B) projects more than 12 inches from that wall.

4 (3) *Exclusions.*

5 “Projecting sign” does not include any:

6 (i) banner sign; or

7 (ii) roof sign.

8 (W) [(t)] *Provisional fence sign.*

9 “Provisional fence sign” means a sign placed on any fence that is constructed or installed
10 primarily for the purposes of making a safety perimeter around a construction site.

11 (X) [(u)] *Roof sign.*

12 “Roof sign” means a sign that:

13 (1) is erected, constructed, or maintained on any roof surface, on any permitted
14 projection on a roof, or HAS 30% OR MORE OF THE SIGN FACE above any parapet of
15 a building; and

16 (2) has its principal support attached to the roof structure OR BEHIND THE PARAPET OF
17 A BUILDING.

18 **COMMENT:** By establishing a defined threshold to be considered a “roof sign,” this amendment
19 clarifies the Zoning Code and alleviates unnecessary confusion with other sign types that may attached
20 to another part of a building but placed on the roof or sign types that may extend well beyond the roof
21 itself.

22 (Y) [(v)] *Wall sign.*

23 (1) *In general.*

24 “Wall sign” means a sign [that]:

25 (i) THAT is made of a durable material that is not cloth or other flexible material;

26 (ii) THAT is mounted flat against or painted on the wall of a structure; [and]

27 (iii) THAT projects no more than 12 inches from the wall, with the exposed face of
28 the sign in a plane parallel to the face of the wall; AND

29 (IV) WHOSE SIGN FACE EXTENDS LESS THAN 30% BEYOND THE ROOF LINE OR
30 PARAPET OF A BUILDING.

Council Bill 21-0113

1 (2) *Exclusions.*

2 “Wall sign” does not include any:

- 3 (i) banner sign;
- 4 (II) PAINTED/MURAL SIGN;
- 5 (III) [(ii)] roof sign; or
- 6 (IV) [(iii)] window sign.

7 (Z) [(w)] *Wall mounted banner sign.*

8 *See “Banner sign”.*

9 (AA) [(x)] *Window sign.*

10 (1) *IN GENERAL.*

11 “Window sign” means a sign that:

- 12 (I) [(1)] is intended for viewing from the exterior of a building; and
- 13 (II) [(2)] is:
 - 14 (A) [(i)] attached to, placed on, or printed on the interior or exterior of a
 - 15 window of the building;
 - 16 (B) [(ii)] attached to, placed on, or printed on a door of the building; or
 - 17 (C) [(iii)] displayed within 12 inches of a window of the building.

18 (2) *EXCLUSION.*

19 “WINDOW SIGN” DOES NOT INCLUDE A PAINTED/MURAL SIGN, AS DEFINED IN THIS
20 SECTION.

21 ***Subtitle 2. Placement, Design, and Construction***

22 **§ 17-202. Placement restrictions.**

23 (a) *As in Building Code.*

24 All signs must also comply with the placement restrictions of the Baltimore City Building
25 Code, Appendix H {“Signs”}.

Council Bill 21-0113

1 (b) *Covering window, door, etc., prohibited.*

2 (1) No sign mounted on the exterior or interior of a building may cover any part of a
3 window, door, or prominent architectural feature unless otherwise expressly allowed
4 in this [title] ARTICLE.

5 (2) ANY PAINTED/MURAL SIGN THAT SEEKS TO COVER ANY WINDOW, DOOR, OR
6 PROMINENT ARCHITECTURAL FEATURE MUST HAVE DESIGN REVIEW APPROVAL.

7 (3) ANY PAINTED/MURAL SIGN THAT SEEKS TO COVER ANY WINDOW OR PORTION OF A
8 WINDOW MUST COMPLY WITH THE TRANSPARENCY REQUIREMENTS DESCRIBED IN
9 § 17-416 {"WINDOW SIGNS"} OF THIS TITLE.

10 **§ 17-206. SPECIAL RULES.**

11 (A) *MORE THAN 1 PRINCIPAL BUILDING ON A LOT.*

12 (1) EXCEPT FOR ROOF SIGNS, ANY LOT WITH MORE THAN 1 PRINCIPAL BUILDING ON THAT
13 LOT MAY HAVE SIGNAGE ON EACH BUILDING THAT COMPLIES WITH THE RULES OF THE
14 RESPECTIVE SIGN TYPE IN THIS TITLE, *TABLE 17-201: SIGN REGULATIONS*, AND *TABLE*
15 *17-306: MAXIMUM CUMULATIVE AREAS OF SIGNS*.

16 (2) UNLESS OTHERWISE PROVIDED IN THIS TITLE, THE AGGREGATE MAXIMUM AREA OF
17 SIGNAGE ALLOWED FOR EACH BUILDING MAY NOT BE COMBINED OR SPLIT.

18 (B) *FREESTANDING MONUMENT SIGNS.*

19 FREESTANDING MONUMENT SIGNS MAY BE INSTALLED ON LOTS ADJACENT TO AND
20 CONTIGUOUS WITH RESIDENTIAL DEVELOPMENTS OF 20 UNITS OR MORE IF THE UNITS ARE
21 IN A SINGLE BUILDING OR PART OF A MAJOR SUBDIVISION OR REDEVELOPMENT OF
22 CONTIGUOUS AND ADJOINING LOTS.

23 (C) *SIGN SPLITTING OF AGGREGATE MAXIMUM SIGN AREA.*

24 THE AGGREGATE MAXIMUM SIGN AREA PER SIGN TYPE, AS CALCULATED UNDER § 17-306
25 OF THIS TITLE, MAY BE SPLIT INTO MULTIPLE SIGNS AND DISPERSED ON A SINGLE LOT FOR
26 THE FOLLOWING SIGN TYPES, ZONING DISTRICTS, AND USES:

27 (1) FREESTANDING MONUMENT SIGNS AND FREESTANDING PYLON SIGNS FOR
28 APPROVED DRIVE-THROUGH FACILITIES IN THE C-2, C-3, C-4, AND C-5 ZONING
29 DISTRICTS;

30 (2) FREESTANDING MONUMENT SIGNS AND FREESTANDING PYLON SIGNS FOR USES IN
31 THE C-2, C-3, C-4, AND C-5 ZONING DISTRICTS WHERE THE LOT IS 10,000 SQUARE
32 FEET OR GREATER OR HAS MORE THAN ONE PRINCIPAL BUILDING ON A LOT;

33 (3) FREESTANDING MONUMENT SIGNS, FREESTANDING PYLONS SIGNS, AND WALL SIGNS
34 WHERE THERE IS MORE THAN 1 PRINCIPAL BUILDING ON A LOT IN THE EC-1, EC-2,
35 OS, H, OIC, AND BSC ZONING DISTRICTS. THIS OPTION MUST BE DOCUMENTED IN
36 A SIGNAGE PACKAGE;

Council Bill 21-0113

1 (4) WALL SIGNS ABOVE GROUND FLOOR IN THE C-3, C-4, C-5, TOD-4, BSC, H, I-1, I-2,
2 AND PC ZONING DISTRICTS; AND

3 (5) THE MAXIMUM AREA OF A SIGN CANNOT BE VARIED TO CREATE MORE SIGN AREA
4 AND THEN SPLIT INTO MULTIPLE SIGNS NOR CAN A SIGN THAT RESULTS FROM THE
5 SPLIT BE LATER REPLACED WITH A LARGER SIGN.

6 (D) *AUTOMATIC INCREASE IN TOTAL MAXIMUM AREA.*

7 IF SIGN SPLITTING IS USED, A 15% AUTOMATIC TOTAL MAXIMUM AREA INCREASE MAY BE
8 APPLIED TO THE AGGREGATE BASE MAXIMUM AREA PERMITTED BEFORE THE SIGN
9 SPLITTING IS USED, SUBJECT TO THE FOLLOWING:

10 (1) THE MAXIMUM SIGN AREA AUTOMATIC INCREASE UNDER THIS SUBSECTION MAY
11 NOT BE FURTHER INCREASED BY THE BOARD OF MUNICIPAL AND ZONING
12 APPEALS; AND

13 (2) ALL SIGNS UNDER THIS SUBSECTION MUST BE PERMITTED AT THE SAME TIME ON
14 THE SAME PERMIT AND THE INCREASE DOCUMENTED ON THE PERMIT.

15 (E) *WALL SIGNS.*

16 (1) SINGLE-STORY, SINGLE-TENANT BUILDINGS THAT ARE 15,000 SQUARE FEET OR
17 GREATER IN THE C-2, C-3, C-4, C-5, AND PC ZONING DISTRICTS MAY USE THE ABOVE
18 GROUND FLOOR SIGNAGE ALLOTMENT FOR WALL SIGNS IN *TABLE 17-201: SIGN*
19 *REGULATIONS* IF THE SIGN TYPE DISTINGUISHES THE ALLOTMENT BETWEEN GROUND
20 FLOOR AND ABOVE GROUND FLOOR.

21 (2) GROUND FLOOR TENANTS 15,000 SQUARE FEET OR GREATER IN A MULTI-TENANT
22 BUILDING WITH DIRECT STREET ACCESS IN THE C-2, C-3, C-4, C-5, AND PC ZONING
23 DISTRICTS MAY USE THE ABOVE GROUND FLOOR SIGNAGE ALLOTMENT FOR WALL
24 SIGNS IN *TABLE 17-201: SIGN REGULATIONS* IF THE SIGN TYPE DISTINGUISHES THE
25 ALLOTMENT BETWEEN GROUND FLOOR AND ABOVE GROUND FLOOR, SUBJECT TO THE
26 FOLLOWING:

27 (I) APPLICABLE ONLY TO USES OUTLINED IN THE COMMERCIAL AND
28 INSTITUTIONAL USE CATEGORIES OF THE UNDERLYING ZONING DISTRICT;

29 (II) FOR THE APPLICATION OF THIS TITLE, *TABLE 17-201: SIGN REGULATIONS*, AND
30 *TABLE 17-306: MAXIMUM CUMULATIVE AREAS OF SIGNS* FOR BUILDINGS WHOSE
31 MAIN ENTRANCE DOES NOT FRONT A RIGHT-OF-WAY (NOT INCLUDING AN
32 UN-NAMED ALLEY OR NAMED ALLEY), THE BUILDING FRONTAGE IS
33 DESIGNATED AS THE ELEVATION THAT HAS THE MAIN ENTRANCE TO THE
34 BUILDING OR TENANT; AND

35 (III) THE BUILDING FRONTAGE OR TENANT FRONTAGE MUST BE 40 FEET WIDE OR
36 GREATER.

Council Bill 21-0113

1 (F) *PLANNED UNIT DEVELOPMENTS.*

2 THE FOLLOWING RULES APPLY FOR SIGNAGE WITHIN PLANNED UNIT DEVELOPMENTS:

3 (1) UNLESS OTHERWISE SPECIFIED IN AN INDIVIDUAL PLANNED UNIT DEVELOPMENT
4 ORDINANCE, ALL EXISTING PLANNED UNIT DEVELOPMENTS ESTABLISHED OR THAT
5 HAVE HAD A MAJOR CHANGE AFTER JUNE 5, 2017 MUST FOLLOW THE RULES
6 SPECIFIED IN THIS TITLE, *TABLE 17-201: SIGN REGULATIONS*, AND *TABLE 17-306:*
7 *MAXIMUM CUMULATIVE AREAS OF SIGNS.*

8 (2) ANY DESIGNATED BUSINESS PLANNED UNIT DEVELOPMENT ESTABLISHED PRIOR TO
9 JUNE 5, 2017 THAT HAS AN UNDERLYING RESIDENTIAL ZONING AND THAT DOES
10 NOT EXPRESSLY ADDRESS SIGNAGE MUST FOLLOW THE RULES SPECIFIED FOR THE
11 C-2 ZONING DISTRICT IN THIS TITLE, *TABLE 17-201: SIGN REGULATIONS*, AND *TABLE*
12 *17-306: MAXIMUM CUMULATIVE AREAS OF SIGNS*

13 (3) (I) SUBJECT TO TITLE 17, SUBTITLE 5 OF THIS ARTICLE, TITLE 15 OF THIS ARTICLE,
14 AND ANY OTHER APPLICABLE PORTIONS OF THIS CODE, AN AREA OF SPECIAL
15 SIGNAGE CONTROL MAY BE INCORPORATED IN THE ORDINANCE OF A NEW
16 PLANNED UNIT DEVELOPMENT.

17 (II) THIS PARAGRAPH APPLIES ONLY TO NEW PLANNED UNIT DEVELOPMENTS OR
18 EXISTING PLANNED UNIT DEVELOPMENTS THAT ARE BEING REPEALED AND
19 REPLACED. THIS PARAGRAPH DOES NOT APPLY TO EXISTING PLANNED UNIT
20 DEVELOPMENTS.

21 (4) (I) FOR A PLANNED UNIT DEVELOPMENT THAT DOES NOT HAVE AN AREA OF
22 SPECIAL SIGNAGE CONTROL, EITHER INCORPORATED WITHIN THE PLANNED
23 UNIT DEVELOPMENT ORDINANCE OR SEPARATELY, THE AGGREGATE OF THE
24 MAXIMUM ALLOWABLE FREESTANDING MONUMENT AND PYLON SIGNAGE MAY
25 BE SPLIT AMONG ALL BUILDINGS ON THAT LOT, NOT TO EXCEED THE
26 AGGREGATE AREA ALLOWED BY ADDING THE MAXIMUM ALLOWABLE AREA OF
27 EACH SIGN BY THE QUANTITY OF SIGNS ALLOWED BY *TABLE 17-201: SIGN*
28 *REGULATIONS* AND *TABLE 17-306: MAXIMUM CUMULATIVE AREAS OF SIGNS*,
29 UNLESS OTHERWISE PROVIDED WITHIN THIS TITLE. THIS OPTION MUST BE
30 DOCUMENTED IN A SIGNAGE PACKAGE WITHIN THE PLANNED UNIT
31 DEVELOPMENT ORDINANCE.

32 (II) FOR EXISTING PLANNED UNIT DEVELOPMENT WHERE THERE IS A SIGNAGE
33 PACKAGE, THE SIGNAGE PACKAGE MAY BE AMENDED AS A MINOR CHANGE.

34 (5) IF THERE IS A CONFLICT BETWEEN AN AREA OF SPECIAL SIGN CONTROL AND A
35 PLANNED UNIT DEVELOPMENT ORDINANCE, THE PLANNED UNIT DEVELOPMENT
36 ORDINANCE PREVAILS.

37 (6) IF USING THE SIGN SPLITTING OPTION, THE BOARD OF MUNICIPAL AND ZONING
38 APPEALS MAY NOT INCREASE THE AGGREGATE AREA OF A SIGN.

Council Bill 21-0113

COMMENT: Creates and provides provisions for certain conditions, such as multiple buildings on a single lot, planned unit developments, and certain commercial building configurations, that are common enough to require additional clarification on how to address those conditions without the necessity of a broader revision of the base signage requirements. The intent is to provide flexibility for these common conditions within existing base signage requirements.

Subtitle 3. Sign Dimension AND QUANTITY Measurement Methodology

§ 17-302. Sign area – General.

(a) *Signs on a background.*

(1) For signs on a background, the entire area of the framework or background of the sign is calculated as sign area, including any material or color forming the sign face or background used to differentiate the sign from the structure against which it is placed.

(2) Sign area does not include any framework or bracing, unless the framework or bracing is part of the message or sign face.

(b) *Freestanding letters or logos.*

(1) For signs consisting of freestanding letters or logos, the sign area is calculated as the total area of each square, circle, rectangle, triangle, or combination of these, that encompasses each individual letter or logo.

(2) Sign area does not include any supporting framework or bracing, unless the framework or bracing is part of the message or sign face.

(c) *Window sign on transparent film.*

Window signs printed on a transparent film and affixed to a windowpane are calculated by their individual letters or logos, as long as the portion of the transparent film around the perimeter of the individual letters or logos maintains the transparency of the window.

(D) *PAINTED/MURAL SIGNS.*

(1) A SINGLE DESIGN IN THE SAME PLANE OR ELEVATION SHALL BE CONSIDERED 1 SIGN.

(2) FOR PAINTED/MURAL SIGNS THAT INCLUDE BOTH SIGNAGE AND ART IN A SINGLE DESIGN, THE SIGNAGE AREA SHALL BE CALCULATED AS THE COMBINED AREA OF THE SIGNAGE PORTION OR PORTIONS, PROVIDED THAT THE SIGNAGE IS IN THE SAME PLANE OR ELEVATION.

Council Bill 21-0113

§ 17-308. BUILDING AND TENANT FRONTAGE MEASUREMENT METHODOLOGY.

(1) FOR ANY BUILDING SUBJECT TO THIS TITLE, THE BUILDING FRONTAGE SHALL BE IDENTIFIED AND CALCULATED BASED ON THE BUILDING ELEVATION THAT IS PARALLEL TO AND IMMEDIATELY ADJACENT TO THE RIGHT-OF-WAY (EXCLUDING UN-NAMED OR NAMED ALLEYS) OR THE PARKING LOT DRIVE AISLE ON WHICH THE MAIN ENTRANCE FRONTS.

(2) FOR GROUND FLOOR TENANTS WITH DIRECT STREET ACCESS, TENANT FRONTAGE SHALL BE CALCULATED PER LINEAR FOOT OF EXTERIOR FACING FRONTAGE FOR THAT TENANT.

COMMENT: Clarifies how an individual tenant within a larger building can calculate the frontage for in-line tenant conditions. This clarification will assist in implementing proposed § 17-206 {"Special rules"}.

§ 17-309. MAXIMUM AREA AND MAXIMUM QUANTITY.

(A) *IN GENERAL.*

EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION OR AS OTHERWISE PROVIDED IN THIS ARTICLE:

(1) THE "MAXIMUM AREA PER SIGN" SPECIFIED IN *TABLE 17-201: SIGN REGULATIONS* IS THE MAXIMUM AREA ALLOWED FOR EACH SIGN PER SIGN TYPE ALLOWED;

(2) THE "MAXIMUM QUANTITY" SPECIFIED IN *TABLE 17- 201: SIGN REGULATIONS* IS THE TOTAL NUMBER OF SIGNS PER SIGN TYPE ALLOWED; AND

(3) THE AGGREGATE MAXIMUM SIGN AREA PER SIGN TYPE IS CALCULATED BY MULTIPLYING THE "MAXIMUM AREA PER SIGN" BY THE "MAXIMUM QUANTITY" OF THAT SIGN TYPE AS SPECIFIED IN *TABLE 17-201: SIGN REGULATIONS*.

(B) *EXCEPTION.*

(1) *IN GENERAL.*

ANY SIGN THAT IS REQUIRED BY THE CITY BUILDING, FIRE, AND RELATED CODES AND THAT IS 2 SQUARE FEET OR LESS DOES NOT COUNT TOWARDS:

(I) THE ALLOWABLE MAXIMUM QUANTITY SPECIFIED IN *TABLE 17- 201: SIGN REGULATIONS*;

(II) THE MAXIMUM AREA PER SIGN SPECIFIED IN *TABLE 17- 201: SIGN REGULATIONS*; OR

(III) THE MAXIMUM CUMULATIVE AREA OF SIGNAGE SPECIFIED IN *TABLE 17-306: MAXIMUM CUMULATIVE AREA OF SIGNS*.

Council Bill 21-0113

1 (2) *SIGNS OVER 2 SQUARE FEET.*

2 ANY SIGN OVER 2 SQUARE FEET OR ANY SIGN DESCRIBED IN PARAGRAPH (1) OF THIS
3 SUBSECTION IS SUBJECT TO THE APPLICABLE RULES OF THIS TITLE, *TABLE 17-201: SIGN*
4 *REGULATIONS*, AND *TABLE 17-306: MAXIMUM CUMULATIVE AREAS OF SIGNS*.

5 **COMMENT:** In order to alleviate confusion, this clarifies what is meant by “maximum quantity”
6 and “maximum cumulative area” per sign within *Table 17-201: Sign Regulations*. Further, this
7 provision would exempt certain signs that are otherwise required by the City Building, Fire, and
8 Related Codes.

9 ***Subtitle 4. Requirements by Sign Type***

10 **§ 17-401. A-frame signs.**

11 (a) *In general.*

12 A-frame signs are allowed only:

13 (1) for non-residential uses; AND

14 (2) IN THE ZONING DISTRICTS SPECIFIED IN THIS TITLE OR IN *TABLE 17-201: SIGN*
15 *REGULATIONS*.

16 **§ 17-404. Awning or canopy signs and open-structural framework signs.**

17 (a) *Where allowed.*

18 Awning or canopy signs and open-structural framework signs are allowed [as follows]:

19 (1) in a residential use category, only on multi-family dwellings with 20 or more
20 units, dormitories with 20 or more rooms, and residential-care facilities with
21 17 or more residents; [and]

22 (2) in all other use categories, on all uses for which the sign is otherwise allowed
23 under this title; and

24 (3) IN THE ZONING DISTRICTS SPECIFIED IN THIS TITLE OR IN *TABLE 17-201: SIGN*
25 *REGULATIONS*.

26 (F) *SIGNAGE ON EXISTING CANOPIES IN LOCAL HISTORIC DISTRICTS AND LOCAL LANDMARKS.*

27 (1) AWNING OR CANOPY SIGNAGE MAY BE APPLIED TO EXISTING CANOPY STRUCTURE ON
28 BUILDINGS IN LOCAL HISTORIC DISTRICTS AND LOCAL LANDMARKS THAT WERE
29 PREVIOUSLY USED FOR SIGNAGE AS APPROVED BY THE COMMISSION FOR HISTORICAL
30 AND ARCHITECTURAL PRESERVATION.

31 (2) ANY ELECTRONIC SIGNAGE ON EXISTING CANOPIES ARE SUBJECT TO ALL APPLICABLE
32 RULES OF THIS ARTICLE, *TABLE 17-201: SIGN REGULATIONS*, AND *TABLE 17-306:*
33 *MAXIMUM CUMULATIVE AREA OF SIGNS*.

Council Bill 21-0113

1 **COMMENT:** Allows, subject to certain conditions, signage on existing canopies in local
2 historic districts and local landmarks.

3 **§ 17-405. Banner signs.**

4 Banner signs are allowed [as follows]:

5 (1) in a residential use category, only for multi-family dwellings with 20 or more units
6 and dormitories with 20 or more rooms; [and]

7 (2) in all other use categories, for all uses for which the sign is otherwise allowed under
8 this title; AND

9 (3) IN THE ZONING DISTRICTS SPECIFIED IN THIS TITLE OR IN *TABLE 17-201: SIGN*
10 *REGULATIONS.*

11 **§ 17-407. Electronic signs.**

12 (a) *Where allowed.*

13 Electronic signs are allowed [as follows]:

14 [(1) in a residential use category, only for multi-family dwellings with 50 or more
15 units; and

16 (2) in all other use categories, for all uses for which the sign is otherwise allowed
17 under this title.]

18 (1) IN RESIDENTIAL ZONING DISTRICTS R-1A THROUGH R-10 FOR ALL USES ALLOWED
19 IN THE INSTITUTIONAL USE CATEGORY.

20 (2) IN NON-RESIDENTIAL ZONING DISTRICTS:

21 (I) IN A RESIDENTIAL USE CATEGORY, ONLY FOR MULTI-FAMILY DWELLINGS WITH
22 50 OR MORE UNITS; AND

23 (II) IN ALL OTHER USE CATEGORIES, FOR ALL USES FOR WHICH THE SIGN IS
24 OTHERWISE ALLOWED UNDER THIS TITLE; AND

25 (3) IN THE ZONING DISTRICTS SPECIFIED IN THIS TITLE OR IN *TABLE 17-201: SIGN*
26 *REGULATIONS.*

27 **Comment:** Allows, subject to certain conditions, electronic signage in the
28 Institutional use category in all Residential Zoning Districts.”.

Council Bill 21-0113

1 (g) *Architecture.*

2 (1) No electronic sign affixed to a building, including sign support structure, may project
3 beyond the ends or top of the wall or higher than any roofline of the structure to
4 which it is attached.

5 (2) IN LOCAL HISTORIC DISTRICTS AND LOCAL LANDMARKS DESIGNATED BY THE
6 COMMISSION FOR HISTORICAL AND ARCHITECTURAL PRESERVATION, ELECTRONIC
7 SIGNAGE MAY BE ADDED TO AN EXISTING CANOPY THAT IS INTEGRAL TO THE
8 ARCHITECTURE OF THE BUILDING IN ACCORDANCE WITH ALL APPLICABLE RULES OF
9 THIS ARTICLE, TITLE 17, *TABLE 17-201: SIGN REGULATIONS*, AND *TABLE 17-306:*
10 *MAXIMUM CUMULATIVE AREA OF SIGNS.*

11 **COMMENT:** Allows, subject to certain conditions, electronic signage on existing canopies
12 in local historic districts and local landmarks.

13 **§ 17-408. Freestanding signs.**

14 (a) *Where allowed.*

15 Freestanding signs are allowed [as follows]:

16 (1) in a residential use category, only for multi-family dwellings with 20 or more
17 units, dormitories with 20 or more rooms, and residential-care facilities with 17 or
18 more residents; [and]

19 (2) in all other use categories, for all uses for which the sign is otherwise allowed
20 under this title; and

21 (3) IN THE ZONING DISTRICTS SPECIFIED IN THIS TITLE OR IN *TABLE 17-201: SIGN*
22 *REGULATIONS.*

23 (c) *Additional requirements.*

24 (1) All freestanding signs must be securely built, constructed, and erected on posts, bases,
25 and standards that are sunk below the natural surface in a manner that will prevent the
26 sign from overturning.

27 (2) On a freestanding pole sign, no message or graphic is allowed within the minimum
28 pole height.

29 (3) On a freestanding pole sign, the poles, uprights, or braces may not be more than 25%
30 of the width of the lowest point of the message or graphic being supported.

31 (4) Where allowed, all freestanding signs may only be placed within 20 feet of the front
32 or corner side lot line of any lot adjoining a street right-of-way of at least 30 feet
33 wide.

34 (5) The height of the open space between the ground and the message component of any
35 freestanding monument sign may not exceed more than 40% of the total sign height.

Council Bill 21-0113

1 (6) UNLESS OTHERWISE PROVIDED IN THIS TITLE, THE MAXIMUM SQUARE FOOTAGE OF
2 MULTIPLE FREESTANDING SIGNS MAY NOT BE COMBINED TO CREATE A LARGER
3 FREESTANDING SIGN.

4 **§ 17-412. PAINTED/MURAL SIGNS.**

5 PAINTED/MURAL SIGNS ARE ALLOWED:

6 (1) IN THE R-1A THROUGH R-10 ZONING CATEGORIES ON ALL USES IN THE INSTITUTIONAL,
7 OPEN-SPACE, AND COMMERCIAL USE CATEGORIES;

8 (2) IN ALL OTHER USE CATEGORIES, ON ALL USES FOR WHICH THE SIGN IS OTHERWISE
9 ALLOWED UNDER THIS TITLE; AND

10 (3) IN THE ZONING DISTRICTS SPECIFIED IN THIS TITLE OR IN *TABLE 17-201: SIGN*
11 *REGULATIONS*.

12 **§ 17-413. [§ 17-412.] Portable signs.**

13 . . .

14 **§ 17-414. [§ 17-413.] Projecting signs.**

15 (a) *Where allowed.*

16 Projecting signs are allowed [as follows]:

17 (1) in a residential use category, only on multi-family dwellings with 20 or more
18 units; [and]

19 (2) in all other use categories, on all uses for which the sign is otherwise allowed
20 under this title; AND

21 (3) IN THE ZONING DISTRICTS SPECIFIED IN THIS TITLE OR IN *TABLE 17-201: SIGN*
22 *REGULATIONS*.

23 **§ 17-415. [§ 17-414.] Roof signs.**

24 (a) *Where allowed.*

25 Roof signs are allowed [as follows]:

26 (1) in a residential use category, only on multi-family dwellings with 100 or more
27 units; [and]

28 (2) in all other use categories, on all uses for which the sign is otherwise allowed
29 under this title; AND

30 (3) IN THE ZONING DISTRICTS SPECIFIED IN THIS TITLE OR IN *TABLE 17-201: SIGN*
31 *REGULATIONS*.

Council Bill 21-0113

1 **§ 17-416. [§ 17-415.] Wall signs.**

2 (a) *Where allowed.*

3 Wall signs are allowed [as follows]:

4 (1) in a residential use category, only on multi-family dwellings with 15 or more
5 units, dormitories with 20 or more rooms, and residential-care facilities with 17 or
6 more residents; [and]

7 (2) in all other use categories, on all uses for which the sign is otherwise allowed
8 under this title; AND

9 (3) IN THE ZONING DISTRICTS SPECIFIED IN THIS TITLE OR IN *TABLE 17-201: SIGN*
10 *REGULATIONS.*

11 (c) *Additional requirements.*

12 (1) This subsection applies to all zoning districts, unless otherwise specified by this
13 subtitle or by *Title 17-201: Sign Regulations.*

14 (2) The maximum size of a wall sign is determined by:

15 (i) measuring the building frontage along the lot line of the elevation on which
16 the wall sign will be placed; and

17 (ii) applying to that measurement the area factor specified in *Table 17-201: Sign*
18 *Regulations.*

19 (3) The size of a wall sign on each side of the building is limited to the square footage
20 calculated on that side only AND MUST BE PLACED ON THAT SIDE OF THE BUILDING
21 UNLESS OTHERWISE PROVIDED IN THIS TITLE.

22 (4) In no case may the square footage allowed by the building frontage located along any
23 lot line be combined with the square footage allowed by the building frontage located
24 along any other lot line to create a larger sign on a wall OR SPLIT INTO MULTIPLE WALL
25 SIGNS other than that allowed on each individual wall unless otherwise provided in
26 this title.

27 [(5) In the C-3, C-4, C-5, TOD-4, BSC, H, I-1, I-2, and PC Zoning Districts, the
28 maximum area per sign for a wall sign (above the ground floor), as specified in *Table*
29 *17-201: Sign Regulations*, may be split into multiple signs on a single lot, not to
30 exceed the maximum square footage allowed.]

31 **§ 17-417. [§ 17-416.] Window signs.**

32 (a) *Where allowed.*

33 Window signs are allowed [as follows]:

Council Bill 21-0113

- 1 (1) in a residential use category, only on multi-family dwellings with 20 or more
2 units; [and]
- 3 (2) in all other use categories, on all uses for which the sign is otherwise allowed
4 under this title; AND
- 5 (3) IN THE ZONING DISTRICTS SPECIFIED IN THIS TITLE OR IN *TABLE 17-201: SIGN*
6 *REGULATIONS*.

7 ***Subtitle 5. Areas of Special Signage Control***

8 **§ 17-506. DESIGNATION SIGNAGE PLAN APPROVAL – PLANNED UNIT DEVELOPMENTS.**

9 (A) *IN GENERAL.*

10 AN AREA OF SPECIAL SIGNAGE CONTROL AND SIGNAGE PLAN MAY BE INCORPORATED
11 INTO A NEW PLANNED UNIT DEVELOPMENT ESTABLISHED BY ORDINANCE.

12 (B) *STANDARDS.*

13 IF A PLANNED UNIT DEVELOPMENT INCORPORATES AN AREA OF SPECIAL SIGNAGE
14 CONTROL:

- 15 (I) THE PROPOSED ORDINANCE MUST HAVE A DEDICATED SECTION OF THE ORDINANCE
16 ENTITLED, “AREA OF SPECIAL SIGNAGE CONTROL”;
- 17 (II) THE REQUIREMENTS OF 17-503(C) MUST BE INCLUDED AS PART OF THE
18 EVALUATION OF APPLICATION FOR THE INCLUSION WITHIN THE PLANNED UNIT
19 DEVELOPMENT;
- 20 (III) THE REQUIREMENTS OF 17-504 MUST BE MET AND INCLUDED IN EITHER TEXT OR
21 EXHIBITS IN THE PLANNED UNIT DEVELOPMENT;
- 22 (IV) *TABLE 17-201: SIGN REGULATIONS* AND *TABLE 17-306: MAXIMUM CUMULATIVE*
23 *AREA OF SIGNS* ARE APPLICABLE;
- 24 (V) A BOUNDARY CHANGE SHALL BE CONSIDERED A MAJOR CHANGE AND MUST BE
25 CHANGED BY ORDINANCE;
- 26 (VI) UNLESS THE SIGNAGE IS ATTACHED TO PORTIONS OF THE PLANNED UNIT
27 DEVELOPMENT THAT ARE DEEMED TO BE A MAJOR CHANGE UNDER TITLE 15 OF
28 THIS ARTICLE, A SIGNAGE PLAN INCLUDED IN THE PLANNED UNIT DEVELOPMENT
29 MAY BE AMENDED BY PLANNING COMMISSION AND CONSIDERED A MINOR CHANGE
30 TO THE PLANNED UNIT DEVELOPMENT;
- 31 (VII) IF A PLANNED UNIT DEVELOPMENT IS REPEALED AND NOT REPLACED, THE AREA
32 OF SPECIAL SIGNAGE CONTROL MAY CONTINUE TO BE EFFECTIVE WITH THE
33 DESIGNATED BOUNDARIES AND THE APPROVED SIGNAGE PLAN; AND
- 34 (VIII) UNLESS OTHERWISE PROVIDED, ALL PROVISIONS OF THIS CODE ARE APPLICABLE.

Council Bill 21-0113

1 **COMMENT:** Establishes provisions governing how “Areas of Special Signage Control” will operate with
2 regard to planned unit developments. This is the companion provision to § 17-206(f) {“Special rules:
3 Planned unit developments”}.

4 **Title 18. Nonconformities**

5 ***Subtitle 2. Definitions; General Provisions***

6 **§ 18-206. Determination of nonconformity.**

7 (C) THE ZONING ADMINISTRATOR OR THE BOARD OF MUNICIPAL AND ZONING APPEALS MAY
8 DENY ANY APPLICATION FOR A VARIANCE IF THE SUBJECT PROPERTY HAS AN
9 OUTSTANDING NOTICE OF VIOLATION, CODE VIOLATION, OR ANY OTHER UNRESOLVED OR
10 UNPAID FEE, FINE, OR CITATION.

11 **COMMENT:** Provides the Zoning Administrator or the Board of Municipal and Zoning
12 Appeals the discretion to dismiss or deny relief under an application, for outstanding
13 Code or other violations.

14 **§ 18-207. EXPIRATION OF APPROVAL.**

15 (A) ANY AUTHORIZATION TO CONTINUE A NONCONFORMING USE, DENSITY, OR OTHER
16 NONCONFORMITY LAPSES AND BECOMES VOID 1 YEAR FROM THE DATE OF ITS FINAL
17 APPROVAL, UNLESS WITHIN THAT YEAR:

- 18 (1) A USE PERMIT UNDER THIS CODE AND AN OCCUPANCY PERMIT UNDER THE
19 BALTIMORE CITY BUILDING CODE HAVE BEEN OBTAINED FOR THAT USE;
- 20 (2) THE ERECTION OR ALTERATION OF A STRUCTURE FOR THAT USE HAS LAWFULLY
21 BEGUN; OR
- 22 (3) THE USE HAS LAWFULLY BEGUN.

23 (B) THE BOARD OF MUNICIPAL AND ZONING APPEALS MAY GRANT AN EXTENSION OF THIS
24 PERIOD ON WRITTEN APPLICATION AND FOR GOOD CAUSE SHOWN WITHOUT NOTICE OR
25 HEARING.

26 **COMMENT:** Corrects an omission whereby the expiration of conditional uses and
27 variances and extensions from the Board of Municipal and Zoning Appeals are covered
28 under Title 5, but the continuation of nonconforming uses and structures are not. The
29 Board of Municipal and Zoning Appeals proposes adding language mirroring the
30 expiration/extension process for conditional uses and variances to include the
31 authorization to continue nonconforming uses/structures.

32 ***Subtitle 4. Nonconforming Structures***

33 **§ 18-403. Expansion of structure.**

34 A nonconforming structure may not be expanded if the expansion would[, in any way,] create
35 a new nonconformity[,] OR increase the degree of any nonconformity[, or increase the bulk of
36 the structure].

Council Bill 21-0113

1 **COMMENT:** Amends the existing provision, at the request of the Board of Municipal and
 2 Zoning Appeals, to lessen the restrictions on nonconforming structures to allow for
 3 regular improvements to property so long as they do not create new nonconformities or
 4 increase the degree of nonconformity. Example: If a single-family dwelling covers more
 5 of a lot than allowed by bulk regulation (say, by 1 sq. ft.), but requests an additional floor
 6 with building height that’s allowed by right, this provision, as currently exists, would not
 7 allow the additional floor because “it would increase the bulk of the structure.”

8
9

<i>Table 7-202: Open Space Districts Permitted and Conditional Uses</i>		
USES	DISTRICTS	USE STANDARDS
	OS	
COMMERCIAL		
...		
FARMERS MARKET	CB	PER § 14-312.1
.....		
OTHER		
.....		
Parking Lot (Accessory Use)	[CO] P¹	
.....		
Wireless Communications Services [1]²	CB, P	Per 14-338

21

¹ **PERMITTED ONLY ON PARK OR CEMETERY PROPERTY.**

22

² **(U)** Only Wireless Communication Services that are modifications to – and do not substantially change the physical dimension of – an existing telecommunications facility, are considered permitted uses.

23
24

25
26
27

Comment: Allows the use of Farmers Market in this Zoning District, subject to approval by the Board of Municipal and Zoning Appeals, and removes a requirement that has proved to be too onerous and without benefit to the City’s Department of Recreation and Parks.

Council Bill 21-0113

TABLE 8-301: DETACHED AND SEMI-DETACHED RESIDENTIAL DISTRICTS – PERMITTED AND CONDITIONAL USES										
USES	DISTRICTS									USE STANDARDS
	R-1A	R-1B	R-1C	R-1D	R-1E	R-1	R-2	R-3	R-4	
COMMERCIAL										
FARMERS MARKET	CB	CB	CB	CB	CB	CB	CB	CB	CB	PER § 14-312.1

COMMENT: Allows the use of Farmers Market in these Zoning Districts, subject to approval by the Board of Municipal and Zoning Appeals..

TABLE 9-301: ROWHOUSE AND MULTI-FAMILY RESIDENTIAL DISTRICTS – PERMITTED AND CONDITIONAL USES							
USES	DISTRICTS						USE STANDARDS
	R-5	R-6	R-7	R-8	R-9	R-10	
INSTITUTIONAL							
EDUCATIONAL FACILITY: COMMERCIAL-VOCATIONAL	CB	CB	CB	CB	CB	CB	
FARMERS MARKET	CB	CB	CB	CB	CB	CB	PER § 14-312.1

COMMENT: Allows the use of Farmers Market in these Zoning Districts, subject to approval by the Board of Municipal and Zoning Appeals.

Council Bill 21-0113

Council Bill 21-0113

TABLE 10-301: COMMERCIAL DISTRICTS – PERMITTED AND CONDITIONAL USES								
USES	DISTRICTS							USE STANDARDS
	C-1	C-1-VC	C-1-E	C-2	C-3	C-4	C-5	
...								
INSTITUTIONAL								
...								
Educational Facility: Commercial-Vocational	CB			CB	P	P	P	
...								
COMMERCIAL								
...								
Arts Studio: Industrial	P	P	P	[CB] P	[CB] P	P	[CB] P	
...								
FARMERS MARKET	P	P	P	P	P	P	P	PER § 14-312.1
...								
INDUSTRIAL								
Food Processing: Light	[CB] P	[CB] P	[CB] P	[CB] P	[CB] P	[CB] P	[CB] P	
...								

17 **COMMENTS:** Allows the use of Educational Facility: Commercial-Vocational in the C-1 Zoning District, as
 18 approved by the Board of Municipal and Zoning Appeals, which will allow for driving schools and other
 19 small training centers to locate in Main Street areas. Allowing the uses of Arts Studio: Industrial, Farmers
 20 market, and Food Processing: Light, as permitted uses in the Commercial Zoning Districts, will help small
 21 businesses and start-ups and bring new businesses to commercial corridors.

TABLE 10-401: COMMERCIAL DISTRICTS (C-1 TO C-4) – BULK AND YARD REGULATIONS						
CATEGORIES	SPECIFICATIONS (PER DISTRICT)					
	C-1	C-1-VC ¹	C-1-E	C-2	C-3	C-4

Council Bill 21-0113

1MINIMUM LOT AREA						
2Dwelling: Live-Work, 3Multi-Family, or 4Rowhouse	300 sq.ft/ DU	5,000 sq.ft/ DU	550 sq.ft/ DU	225 sq.ft/ DU	300 sq.ft/ DU	300 sq.ft/ DU
5. . .						

6 **COMMENT:** Clarifies and corrects, with the addition of the symbol “/du” (per dwelling unit).

7	TABLE 11-301: INDUSTRIAL DISTRICTS – PERMITTED AND CONDITIONAL USES							
8	USES	DISTRICTS						USE STANDARDS
		OIC	BSC	IMU-1	IMU-2	I-1	I-2	MI
9	COMMERCIAL							
10. . .								
11	Drive-Through Facility			CB	[CB]			Per § 14-311
12	FARMERS MARKET	P	P	P				PER § 14-312.1
13. . .								

14 **COMMENT:** Deletes Drive-Through Facility as a use in IMU-2 District.. Permits the use of Farmers Market
15 in designated Zoning Districts .

Council Bill 21-0113

TABLE 12-301: OFFICE-RESIDENTIAL DISTRICTS – PERMITTED AND CONDITIONAL USES		
USES	DISTRICTS	USE STANDARDS
	OR	
COMMERCIAL		
...		
FARMERS MARKET	CB	PER § 14-312.1
...		

8 **COMMENT:** Allows the use of Farmers Market in this Zoning District, subject to conditional approval by
9 the Board of Municipal and Zoning Appeals.

TABLE 12-402: TRANSIT-ORIENTED DEVELOPMENT DISTRICTS – PERMITTED AND CONDITIONAL USES					
USES	DISTRICTS				USE STANDARDS
	TOD-1	TOD-2	TOD-3	TOD-4	
COMMERCIAL					
...					
FARMERS MARKET	P	P	P	P	PER § 14-312.1
...					

17 **COMMENT:** Permits the use of Farmers Market in these Zoning Districts.

TABLE 12-501: EDUCATIONAL CAMPUS DISTRICTS – PERMITTED AND CONDITIONAL USES			
USES	DISTRICTS		USE STANDARDS
	EC-1	EC-2	
COMMERCIAL			
...			
FARMERS MARKET	P	P	PER § 14-312.1

Council Bill 21-0113

1. . .			
--------	--	--	--

2 **COMMENT:** Permits the use of Farmers Market in these Zoning Districts.

TABLE 12-601: HOSPITAL CAMPUS DISTRICTS – PERMITTED AND CONDITIONAL USES		
USES	DISTRICTS	USE STANDARDS
	H	
6COMMERCIAL		
7. . .		
8 FARMERS MARKET	P	PER § 14-312.1
9. . .		

10 **COMMENT:** Permits the use of Farmers Market in this Zoning District.

TABLE 15-601: PERMITTED ENCROACHMENTS INTO REQUIRED YARDS			
PERMITTED ENCROACHMENTS	FRONT YARD/ CORNER-SIDE YARD	INTERIOR- SIDE YARD	REAR YARD
13. . .			
14 GAZEBO		X	X
15. . .			

16 **COMMENT:** Adds gazebo to the list of permitted encroachments, recognizing that they are common
17 structures and are not the same thing as an arbor or trellis.

Council Bill 21-0113

TABLE 16-406: REQUIRED OFF-STREET PARKING

USES	PARKING SPACES REQUIRED
4.
5. Bail Bond Establishment	[2] 1 per 1,000 sq. ft. of GFA
6.
7. Check-cashing Establishment	[2] 1 per 1,000 sq. ft. of GFA
8.
9. Entertainment: Indoor – Movie Theater	[1 per 4 seats for first 400 seats +] 1 per 6 seats [after first 400]
10.
11. Financial Institution	[2] 1 per 1,000 sq. ft. of GFA + 2 stacking spaces per drive-through lane
12.
13. Office	1 per [800] 1,000 sq. ft. of GFA
14.
15. Pawn Shop	[2] 1 per 1,000 sq. ft. of GFA
16. Personal Services Establishment	[2] 1 per 1,000 sq. ft. of GFA
17. Place of Worship	1 per 4 persons of fire-rated capacity OF THE MAIN SANCTUARY ; or, for places of worship whose worshipers are required to walk to worship because of religious tenet, 1 per 8 persons of fire-rated capacity + 1 or more additional spaces as required by this Code for other uses on the site
18.
19. Retail Good Establishment	[2] 1 per 1,000 sq. ft. of GFA
20.

Council Bill 21-0113

TABLE 16-705: REQUIRED BICYCLE SPACES

CAUTION: THE REQUIREMENTS OF THIS TABLE ARE SUBJECT TO VARIOUS STATUTORY QUALIFICATIONS, EXEMPTIONS, STANDARDS, MINIMUM REQUIREMENTS, AND ADJUSTMENTS. FOR SPECIFICS, CONSULT § 16-705 OF THIS CODE.

USES	LONG-TERM SPACES REQ'D	SHORT-TERM SPACES REQ'D
Art Gallery	1 per [10,000] 5,000 sq. ft. of GFA	1 per [5,000] 1,000 sq. ft. of GFA
Arts Studio	1 per [10,000] 5,000 sq. ft. of GFA	1 per [5,000] 1,000 sq. ft. of GFA
Banquet Hall	1 per 200 persons of fire-rated capacity	[None] 1 PER 200 PERSONS OF FIRE-RATED CAPACITY
CARRY-OUT FOOD SHOP	1 PER 2,000 SQ. FT. OF GFA	1 PER 1,000 SQ. FT. OF GFA
Cemetery	1 per 10,000 sq. ft. of office and chapel areas	1 per 7,500 sq. ft. of office and chapel areas
Convention Center	1 per [20,000] 10,000 sq. ft. of GFA	1 per [40,000] 10,000 sq. ft. of GFA
Cultural Facility	1 per [10,000] 5,000 sq. ft. of GFA	1 per [10,000] 2,000 sq. ft. of GFA
Day-Care Center: Adult or Child	1 per 10,000 sq. ft. of GFA	[None] 1 PER 5,000 SQ. FT. OF GFA
Dwelling: Multi-Family – Generally	1 per [4] 3 dwelling units	1 per [12] 6 dwelling units
Dwelling: Multi-Family – Age-Restricted Housing	75% of general multi-family requirement	75% of general multi-family req't
Educational Facility: Commercial-Vocational or Post-Secondary	1 per 20 employees on peak shift + 1 per 25 students based on maximum student capacity	[None] 1 PER 20 EMPLOYEES ON PEAK SHIFT + 1 PER 25 STUDENTS BASED ON MAXIMUM STUDENT CAPACITY
Educational Facility: Primary and Secondary	1 per 20 employees on peak shift + 1 per 50 students based on maximum student capacity	[None] 1 PER 20 EMPLOYEES ON PEAK SHIFT + 1 PER 50 STUDENTS BASED ON MAXIMUM STUDENT CAPACITY
Entertainment: Indoor – Generally	1 per [150] 100 persons of fire-rated capacity	[None] 1 PER 50 PERSONS OF FIRE-RATED CAPACITY
Entertainment: Indoor – Movie Theater	1 per [10,000] 5,000 sq. ft. of GFA	1 per [5,000] 1,000 sq. ft. of GFA
Entertainment: Outdoor	1 per [15,000] 5,000 sq. ft. of public-use area	1 per [5,000] 1,000 sq. ft. of public-use area
Financial Institution	per [10,000] 5,000 sq. ft. of GFA	1 per [25,000] 1,000 sq. ft. of GFA
Government Facility	1 per [8,000] 5,000 sq. ft. of GFA	1 per [15,000] 5,000 sq. ft. of GFA
Health-Care Clinic	1 per [50,000] 30,000 sq. ft. of GFA	1 per [30,000] 10,000 sq. ft. of GFA
Hospital	1 per [50,000] 30,000 sq. ft. of GFA	1 per [30,000] 10,000 sq. ft. of GFA

Council Bill 21-0113

<i>USES</i>	<i>LONG-TERM SPACES</i>	<i>SHORT-TERM SPACES</i>
Hotel or Motel	1 per 8 guest units	[None] 1 PER 25 GUEST UNITS
Industrial: General	1 per [30,000] 10,000 sq. ft. of GFA	[None] 1 PER 20,000 SQ. FT. OF GFA
INDUSTRIAL: WAREHOUSE	1 PER 10,000 SQ. FT. OF GFA	1 PER 20,000 SQ. FT. OF GFA
Office	1 per [10,000] 5,000 sq. ft. of GFA	1 per [25,000] 5,000 sq. ft. of GFA
Park or Playground	None	[None] 1 PER 5,000 SQ. FT. OF GFA
Parking Garage or Lot (Principal Use)	1 per 20 vehicle parking spaces	[None] 1 PER 40 VEHICLE PARKING SPACES
[Passenger Terminal]	[None]	[None]
Personal Services Establishment	1 per [10,000] 5,000 sq. ft. of GFA	1 per [5,000] 1,000 sq. ft. of GFA
Place of Worship	1 per 15,000 sq. ft. of GFA	1 per 7,500 sq. ft. of GFA
Recreation: Indoor	1 per 150 persons of fire-rated capacity	[None] 1 PER 50 PERSONS OF FIRE-RATED CAPACITY
Recreation: Outdoor	1 per 15,000 sq. ft. of public-use area	1 per 5,000 sq. ft. of public-use area
Residential-Care Facility	1 per 8 residents; however, if the facility does not permit residents to have bicycles at the facility, the facility need not provide bicycle parking spaces for them	1 per 16 residents; however, if the facility does not permit residents to have bicycles at the facility, the facility need not provide bicycle parking spaces for them
Restaurant	1 per [4,000] 2,000 sq. ft. of GFA	1 per [4,000] 1,000 sq. ft. of GFA
Retail Goods Establishment	1 per 10,000 sq. ft. of GFA	1 per 5,000 sq. ft. of GFA
Stadium	1 per 200 seats	[None] 1 PER 100 SEATS
Tavern	1 per [4,000] 2,000 sq. ft. of GFA	1 per [4,000] 1,000 sq. ft. of GFA

19 **COMMENT TO DISTRICTS R-1A THROUGH R-10, AND DISTRICTS R-MU AND D-MU:** Allows an
 20 electronic sign (Category I) in residential zoning districts, subject to certain specific requirements for this
 21 type of sign and conditional approval by the Board of Municipal and Zoning Appeals. Institutions, such as
 22 churches and schools, would like to take advantage of new technology to have digital signs. By making
 23 them conditional by the Board, they can be reviewed to assure that they are not glaring into residential
 24 windows.

25 Also allows painted/mural signs in these districts, subject to conditional approval by the Board.

TABLE 17-201: SIGN REGULATIONS

CAUTION: ADDITIONAL SIGN STANDARDS ARE LOCATED IN TITLE 17 {"SIGNS"}.

Council Bill 21-0113

SIGN TYPES BY ZONING DISTRICT *		ZONING DISTRICT REQUIREMENTS			AREA OF SPECIAL SIGNAGE CONTROL (ASSC)		
	Approval Method	Maximum Area Per Sign	Height, Width, & Location Req'ts	Maximum Quantity	Sign Types Allowable for ASSC Deviation	Maximum Percentage Deviation for Height, Width, & Area	Quantity Deviation
R-1 THROUGH R-4							
ELECTRONIC SIGN (CATEGORY I)	CB	15 SQ. FT.	PER SIGN TYPE USED	1 PER LOT	NOT ELIGIBLE		
... 5							
PAINTED/MURAL SIGN	CB	36 SQ. FT.		1 PER LOT	NOT ELIGIBLE		
... 7							
R-5 THROUGH R-7							
ELECTRONIC SIGN (CATEGORY I)	CB	15 SQ. FT.	PER SIGN TYPE USED	1 PER LOT	NOT ELIGIBLE		
... 11							
PAINTED/MURAL SIGN	CB	36 SQ. FT.		1 PER LOT	NOT ELIGIBLE		
... 13							
R-8 THROUGH R-10							
ELECTRONIC SIGN (CATEGORY I)	CB	15 SQ. FT.	PER SIGN TYPE USED	1 PER LOT	NOT ELIGIBLE		
... 17							

Council Bill 21-0113

PAINTED/MURAL SIGN	CB	36 SQ. FT.		1 PER LOT	NOT ELIGIBLE
... 2					
R-MU					
ELECTRONIC SIGN (CATEGORY I)	CB	15 SQ. FT.	PER SIGN TYPE USED	1 PER LOT	NOT ELIGIBLE
... 6					
PAINTED/MURAL SIGN	CB	36 SQ. FT.		1 PER LOT	NOT ELIGIBLE
... 8					
D-MU					
ELECTRONIC SIGN (CATEGORY I)	CB	15 SQ. FT.	PER SIGN TYPE USED	1 PER LOT	NOT ELIGIBLE
... 12					
PAINTED/MURAL SIGN	CB	36 SQ. FT.		1 PER LOT	NOT ELIGIBLE
... 14					

Council Bill 21-0113

<i>SIGN TYPES BY ZONING DISTRICT *</i>		<i>ZONING DISTRICT REQUIREMENTS</i>			<i>AREA OF SPECIAL SIGNAGE CONTROL (ASSC)</i>		
	<i>Approval Method</i>	<i>Maximum Sign Area</i>	<i>Height, Width, etc.</i>	<i>Maximum Quantity</i>	<i>Sign Types Allowable</i>	<i>Maximum % Deviation</i>	<i>Quantity Deviation</i>
C-12							
... 3							
PAINTED/MURAL SIGN	A	36 SQ. FT.		1 PER LOT	X	25%	PER APPROVED SIGNAGE PLAN
... 5							

Council Bill 21-0113

<i>Sign Types by Zoning District *</i>		<i>Zoning District Requirements</i>			<i>Area of Special Signage Control (ASSC)</i>		
	<i>Approval Method</i>	<i>Maximum Sign Area</i>	<i>Height, Width, etc.</i>	<i>Maximum Quantity</i>	<i>Sign Types Allowable</i>	<i>Maximum % Deviation</i>	<i>Quantity Deviation</i>
C-1-E							
... 3							
PAINTED/MURAL SIGN	A	36 SQ. FT.		1 PER LOT	X	25%	PER APPROVED SIGNAGE PLAN
... 5							

Council Bill 21-0113

<i>SIGN TYPES BY ZONING DISTRICT *</i>		<i>ZONING DISTRICT REQUIREMENTS</i>			<i>AREA OF SPECIAL SIGNAGE CONTROL (ASSC)</i>		
	<i>Approval Method</i>	<i>Maximum Sign Area</i>	<i>Height, Width, etc.</i>	<i>Maximum Quantity</i>	<i>Sign Types Allowable</i>	<i>Maximum % Deviation</i>	<i>Quantity Deviation</i>
C-1-2C							
... 3							
PAINTED/MURAL SIGN	A	36 SQ. FT.		1 PER LOT	X	25%	PER APPROVED SIGNAGE PLAN
... 5							

Council Bill 21-0113

<i>SIGN TYPES BY ZONING DISTRICT *</i>		<i>ZONING DISTRICT REQUIREMENTS</i>			<i>AREA OF SPECIAL SIGNAGE CONTROL (ASSC)</i>		
	<i>Approval Method</i>	<i>Maximum Sign Area</i>	<i>Height, Width, etc.</i>	<i>Maximum Quantity</i>	<i>Sign Types Allowable</i>	<i>Maximum % Deviation</i>	<i>Quantity Deviation</i>
C-2 2							
... 3							
Electronic Sign (Category II)	[ASSC Only] CB	50 sq. ft.	Per sign type used	2 PER LOT	X	50%	Per Approved Signage Plan
... 5							
PAINTED/MURAL SIGN	A	40 SQ. FT.		1 PER LOT	X	50%	PER APPROVED SIGNAGE PLAN
... 7							
Wall Sign (Ground Floor)	A	[18] 30 sq. ft.		1 per tenant w/ direct ground-floor access / Corner tenant, 1 per street frontage	X	50%	Per Approved Signage Plan

Council Bill 21-0113

<i>SIGN TYPES BY ZONING DISTRICT *</i>		<i>ZONING DISTRICT REQUIREMENTS</i>			<i>AREA OF SPECIAL SIGNAGE CONTROL (ASSC)</i>		
	<i>Approval Method</i>	<i>Maximum Sign Area</i>	<i>Height, Width, etc.</i>	<i>Maximum Quantity</i>	<i>Sign Types Allowable</i>	<i>Maximum % Deviation</i>	<i>Quantity Deviation</i>
C-3 2							
... 3							
PAINTED/MURAL SIGN	A	100 SQ. FT.		1 PER LOT	X	50%	PER APPROVED SIGNAGE PLAN
... 5							
Wall Sign (Ground Floor)	A	[25] 40 sq. ft.		1 per tenant w/ direct ground-floor access / Corner tenant, 1 per street frontage	X	50%	Per Approved Signage Plan
... 7							

Council Bill 21-0113

<i>Sign Types by Zoning District *</i>		<i>Zoning District Requirements</i>			<i>Area of Special Signage Control (ASSC)</i>		
	<i>Approval Method</i>	<i>Maximum Sign Area</i>	<i>Height, Width, etc.</i>	<i>Maximum Quantity</i>	<i>Sign Types Allowable</i>	<i>Maximum % Deviation</i>	<i>Quantity Deviation</i>
C-4 2							
... 3							
PAINTED/MURAL SIGN	A	100 SQ. FT.		1 PER LOT	X	50%	PER APPROVED SIGNAGE PLAN
... 5							

Council Bill 21-0113

Sign Types by Zoning District *		Zoning District Requirements			Area of Special Signage Control (ASSC)		
C-4 (cont'd)	Approval Method	Maximum Sign Area	Height, Width, etc.	Maximum Quantity	Sign Types Allowable	Maximum % Deviation	Quantity Deviation
... 3							
Wall Sign (Ground Floor)	A	[25] 40 sq. ft.		1 per tenant w/ direct ground-floor access	X	50%	Per Approved Signage Plan
... 5							
C-5-DC							
... 7							
PAINTED/MURAL SIGN	A	100 SQ. FT.		1 PER LOT	X	75%	PER APPROVED SIGNAGE PLAN
... 9							
Wall Sign (Ground Floor)	A	[25] 40 sq. ft.		1 per tenant w/ direct ground-floor access / Corner tenant, 1 per street frontage	X	50%	Per Approved Signage Plan

Council Bill 21-0113

<i>Sign Types by Zoning District *</i>		<i>Zoning District Requirements</i>			<i>Area of Special Signage Control (ASSC)</i>		
	<i>Approval Method</i>	<i>Maximum Sign Area</i>	<i>Height, Width, etc.</i>	<i>Maximum Quantity</i>	<i>Sign Types Allowable</i>	<i>Maximum % Deviation</i>	<i>Quantity Deviation</i>
C-5-1H							
... 3							
Banner Sign (Wall Mounted)	A	120 sq. ft.	Below parapet	[1] 2 per lot	X	75%	Per Approved Signage Plan
... 5							
PAINTED/MURAL SIGN	A	100 SQ. FT.		1 PER LOT	X	75%	PER APPROVED SIGNAGE PLAN
Projecting Sign (Ground Floor)	A	[12] 15 sq. ft.		1 per tenant w/ direct ground-floor access / Corner tenant, 1 per street frontage	X	75%	Per Approved Signage Plan
... 9							
Wall Sign (Ground Floor)	A	[25] 40 sq. ft.		1 per tenant w/ direct ground-floor access / Corner tenant, 1 per street frontage	X	75%	Per Approved Signage Plan
... 11							

Council Bill 21-0113

Sign Types by Zoning District *		ZONING DISTRICT REQUIREMENTS			AREA OF SPECIAL SIGNAGE CONTROL (ASSC)		
	Approval Method	Maximum Sign Area	Height, Width, etc.	Maximum Quantity	Sign Types Allowable	Maximum % Deviation	Quantity Deviation
C-5-DE							
... 3							
Banner Sign (Wall Mounted)	A	120 sq. ft.	Below parapet	[1] 2 per lot	X	75%	Per Approved Signage Plan
... 5							
PAINTED/MURAL SIGN	A	100 SQ. FT.		1 PER LOT	X	75%	PER APPROVED SIGNAGE PLAN
Projecting Sign (Ground Floor)	A	[12] 15 sq. ft.		1 per tenant w/ direct ground-floor access / Corner tenant, 1 per street frontage	X	75%	Per Approved Signage Plan
... 9							
Wall Sign (Ground Floor)	A	[25] 40 sq. ft.		1 per tenant w/ direct ground-floor access / Corner tenant, 1 per street frontage	X	75%	Per Approved Signage Plan
... 11							

Council Bill 21-0113

<i>Sign Types by Zoning District *</i>		<i>Zoning District Requirements</i>			<i>Area of Special Signage Control (ASSC)</i>		
	<i>Approval Method</i>	<i>Maximum Sign Area</i>	<i>Height, Width, etc.</i>	<i>Maximum Quantity</i>	<i>Sign Types Allowable</i>	<i>Maximum % Deviation</i>	<i>Quantity Deviation</i>
C-5-HT							
... 3							
Banner Sign (Wall Mounted)	A	120 sq. ft.	Below parapet	1] 2 per lot	X	50%	Per Approved Signage Plan
... 5							
PAINTED/MURAL SIGN	A	60 SQ. FT.		1 PER LOT	X	50%	PER APPROVED SIGNAGE PLAN
... 7							

Council Bill 21-0113

Sign Types by Zoning District *		Zoning District Requirements			Area of Special Signage Control (ASSC)		
	Approval Method	Maximum Sign Area	Height, Width, etc.	Maximum Quantity	Sign Types Allowable	Maximum % Deviation	Quantity Deviation
C-5-TO							
... 3							
PAINTED/MURAL SIGN	A	100 SQ. FT.		1 PER LOT	X	50%	PER APPROVED SIGNAGE PLAN
Projecting Sign (Ground Floor)	A	[12] 15 sq. ft.		1 per tenant w/ direct ground-floor access / Corner tenant, 1 per street frontage	X	50%	Per Approved Signage Plan
... 7							
Wall Sign (Ground Floor)	A	[25] 40 sq. ft.		1 per tenant w/ direct ground-floor access / Corner tenant, 1 per street frontage	X	25%	Per Approved Signage Plan
... 9							
C-5-OS							
... 11							
PAINTED/MURAL SIGN	A	100 SQ. FT.		1 PER LOT	X	50%	PER APPROVED SIGNAGE PLAN
Projecting Sign (Ground Floor)	A	[12] 15 sq. ft.		1 per tenant w/ direct ground-floor access / Corner tenant, 1 per street frontage	X	50%	Per Approved Signage Plan
... 15							
Wall Sign (Ground Floor)	A	[25] 40 sq. ft.		1 per tenant w/ direct ground-floor access / Corner tenant, 1 per street frontage	X	25%	Per Approved Signage Plan
... 17							

Council Bill 21-0113

<i>Sign Types by Zoning District *</i>		<i>Zoning District Requirements</i>			<i>Area of Special Signage Control (ASSC)</i>		
	<i>Approval Method</i>	<i>Maximum Sign Area</i>	<i>Height, Width, etc.</i>	<i>Maximum Quantity</i>	<i>Sign Types Allowable</i>	<i>Maximum % Deviation</i>	<i>Quantity Deviation</i>
C-5-G							
... 3							
PAINTED/MURAL SIGN	A	100 SQ. FT.		1 PER LOT	X	50%	PER APPROVED SIGNAGE PLAN
Projecting Sign (Ground Floor)	A	[12] 15 sq. ft.		1 per tenant w/ direct ground-floor access / Corner tenant, 1 per street frontage	X	50%	Per Approved Signage Plan
... 7							
Wall Sign (Ground Floor)	A	[25] 40 sq. ft.		1 per tenant w/ direct ground-floor access / Corner tenant, 1 per street frontage	X	25%	Per Approved Signage Plan
... 9							

Council Bill 21-0113

<i>Sign Types by Zoning District *</i>		<i>Zoning District Requirements</i>			<i>Area of Special Signage Control (ASSC)</i>		
	<i>Approval Method</i>	<i>Maximum Sign Area</i>	<i>Height, Width, etc.</i>	<i>Maximum Quantity</i>	<i>Sign Types Allowable</i>	<i>Maximum % Deviation</i>	<i>Quantity Deviation</i>
OIC2							
... 3							
PAINTED/MURAL SIGN	CB	50 SQ. FT.		1 PER LOT		NOT ELIGIBLE	
... 5							

Council Bill 21-0113

<i>Sign Types by Zoning District *</i>		<i>Zoning District Requirements</i>			<i>Area of Special Signage Control (ASSC)</i>		
	<i>Approval Method</i>	<i>Maximum Sign Area</i>	<i>Height, Width, etc.</i>	<i>Maximum Quantity</i>	<i>Sign Types Allowable</i>	<i>Maximum % Deviation</i>	<i>Quantity Deviation</i>
BSC							
... 3							
PAINTED/MURAL SIGN	A	60 SQ. FT.		1 PER LOT		NOT ELIGIBLE	
... 5							
Wall Sign (Ground Floor)	A	[12] 40 SQ. FT.		1 per tenant w/ direct ground-floor access / Corner tenant, 1 per street frontage		Not Eligible	

Council Bill 21-0113

<i>Sign Types by Zoning District *</i>		<i>Zoning District Requirements</i>			<i>Area of Special Signage Control (ASSC)</i>		
	<i>Approval Method</i>	<i>Maximum Sign Area</i>	<i>Height, Width, etc.</i>	<i>Maximum Quantity</i>	<i>Sign Types Allowable</i>	<i>Maximum % Deviation</i>	<i>Quantity Deviation</i>
IMU-1 and IMU-2							
... 3							
PAINTED/MURAL SIGN	A	50 SQ. FT.		1 PER LOT	X	50%	PER APPROVED SIGNAGE PLAN
... 5							
Wall Sign (Ground Floor)	A	[12] 40 sq. ft..		1 per tenant w/ direct ground-floor access / Corner tenant, 1 per street frontage	X	50%	Per Approved Signage Plan
... 7							

Council Bill 21-0113

<i>Sign Types by Zoning District *</i>		<i>Zoning District Requirements</i>			<i>Area of Special Signage Control (ASSC)</i>		
	<i>Approval Method</i>	<i>Maximum Sign Area</i>	<i>Height, Width, etc.</i>	<i>Maximum Quantity</i>	<i>Sign Types Allowable</i>	<i>Maximum % Deviation</i>	<i>Quantity Deviation</i>
OR-1							
... 3							
PAINTED/MURAL SIGN	CB	40 SQ. FT.		1 PER LOT	X	25%	PER APPROVED SIGNAGE PLAN
... 5							
Wall Sign (Ground Floor)	A	[18] 30 sq. ft.		1 per tenant w/ direct ground-floor access	X	25%	Per Approved Signage Plan
... 7							
OR-2							
... 9							
PAINTED/MURAL SIGN	CB	40 SQ. FT.		1 PER LOT	X	50%	PER APPROVED SIGNAGE PLAN
... 11							
Wall Sign (Ground Floor)	A	[18] 30 sq. ft.		1 per tenant w/ direct ground-floor access	X	50%	Per Approved Signage Plan
... 13							

Council Bill 21-0113

<i>Sign Types by Zoning District *</i>		<i>Zoning District Requirements</i>			<i>Area of Special Signage Control (ASSC)</i>		
	<i>Approval Method</i>	<i>Maximum Sign Area</i>	<i>Height, Width, etc.</i>	<i>Maximum Quantity</i>	<i>Sign Types Allowable</i>	<i>Maximum % Deviation</i>	<i>Quantity Deviation</i>
EC-1							
... 3							
PAINTED/MURAL SIGN	A	60 SQ. FT.		1 PER LOT	NOT ELIGIBLE		
... 5							

Council Bill 21-0113

<i>Sign Types by Zoning District *</i>		<i>Zoning District Requirements</i>			<i>Area of Special Signage Control (ASSC)</i>		
	<i>Approval Method</i>	<i>Maximum Sign Area</i>	<i>Height, Width, etc.</i>	<i>Maximum Quantity</i>	<i>Sign Types Allowable</i>	<i>Maximum % Deviation</i>	<i>Quantity Deviation</i>
EC-2							
... 3							
Banner Sign (Wall Mounted)	A	32 sq. ft.	Below parapet	[1] 2 per lot			Not Eligible
... 5							
PAINTED/MURAL SIGN	A	60 SQ. FT.		1 PER LOT			NOT ELIGIBLE
... 7							

Council Bill 21-0113

<i>Sign Types by Zoning District *</i>		<i>Zoning District Requirements</i>			<i>Area of Special Signage Control (ASSC)</i>		
	<i>Approval Method</i>	<i>Maximum Sign Area</i>	<i>Height, Width, etc.</i>	<i>Maximum Quantity</i>	<i>Sign Types Allowable</i>	<i>Maximum % Deviation</i>	<i>Quantity Deviation</i>
H 2							
... 3							
PAINTED/MURAL SIGN	A	60 SQ. FT.		1 PER LOT		NOT ELIGIBLE	
... 5							
Wall Sign (Ground Floor)	A	[18] 40 sq. ft.		1 per tenant w/ direct ground floor access		Not Eligible	
... 7							

Council Bill 21-0113

<i>Sign Types by Zoning District *</i>		<i>Zoning District Requirements</i>			<i>Area of Special Signage Control (ASSC)</i>		
	<i>Approval Method</i>	<i>Maximum Sign Area</i>	<i>Height, Width, etc.</i>	<i>Maximum Quantity</i>	<i>Sign Types Allowable</i>	<i>Maximum % Deviation</i>	<i>Quantity Deviation</i>
TOD-1							
... 3							
PAINTED/MURAL SIGN	A	40 SQ. FT.		1 PER LOT	X	50%	PER APPROVED SIGNAGE PLAN
... 5							
Projecting Sign (Above Ground Floor)	A	[8] 16 sq. ft.		1 per street frontage	X	50%	Per Approved Signage Plan
... 8							
Wall Sign (Ground Floor)	A	[25] 30 sq. ft.		1 per tenant w/ direct ground-floor access	X	50%	Per Approved Signage Plan
... 10							

Council Bill 21-0113

<i>Sign Types by Zoning District *</i>		<i>Zoning District Requirements</i>			<i>Area of Special Signage Control (ASSC)</i>		
	<i>Approval Method</i>	<i>Maximum Sign Area</i>	<i>Height, Width, etc.</i>	<i>Maximum Quantity</i>	<i>Sign Types Allowable</i>	<i>Maximum % Deviation</i>	<i>Quantity Deviation</i>
TOD-2							
... 3							
PAINTED/MURAL SIGN	A	60 SQ. FT.		1 PER LOT	X	50%	PER APPROVED SIGNAGE PLAN
... 5							
Projecting Sign (Above Ground Floor)	A	[8] 16 sq. ft.		1 per street frontage	X	50%	Per Approved Signage Plan
... 8							
Wall Sign (Ground Floor)	A	[25] 40 sq. ft.		1 per tenant w/ direct ground-floor access	X	50%	Per Approved Signage Plan
... 10							

Council Bill 21-0113

<i>Sign Types by Zoning District *</i>		<i>Zoning District Requirements</i>			<i>Area of Special Signage Control (ASSC)</i>		
	<i>Approval Method</i>	<i>Maximum Sign Area</i>	<i>Height, Width, etc.</i>	<i>Maximum Quantity</i>	<i>Sign Types Allowable</i>	<i>Maximum % Deviation</i>	<i>Quantity Deviation</i>
TOD-3							
... 3							
PAINTED/MURAL SIGN	A	40 SQ. FT.		1 PER LOT	X	50%	PER APPROVED SIGNAGE PLAN
... 5							
Projecting Sign (Above Ground Floor)	A	[8] 16 sq. ft.		1 per street frontage	X	50%	Per Approved Signage Plan
... 8							
Wall Sign (Ground Floor)	A	[25] 30 sq. ft.		1 per tenant w/ direct ground-floor access	X	50%	Per Approved Signage Plan
... 10							

Council Bill 21-0113

SIGN TYPES BY ZONING DISTRICT *		ZONING DISTRICT REQUIREMENTS			AREA OF SPECIAL SIGNAGE CONTROL (ASSC)		
	Approval Method	Maximum Sign Area	Height, Width, etc.	Maximum Quantity	Sign Types Allowable	Maximum % Deviation	Quantity Deviation
TOD-4							
... 3							
PAINTED/MURAL SIGN	A	60 SQ. FT.		1 PER LOT	X	75%	PER APPROVED SIGNAGE PLAN
... 5							
Projecting Sign (Above Ground Floor)	A	[8] 16 sq. ft.		1 per street frontage	X	75%	Per Approved Signage Plan
... 8							
Wall Sign (Ground Floor)	A	[25] 40 sq. ft.		1 per tenant w/ direct ground-floor access	X	75%	Per Approved Signage Plan
... 10							

Council Bill 21-0113

<i>Sign Types by Zoning District *</i>		<i>Zoning District Requirements</i>			<i>Area of Special Signage Control (ASSC)</i>		
	<i>Approval Method</i>	<i>Maximum Sign Area</i>	<i>Height, Width, etc.</i>	<i>Maximum Quantity</i>	<i>Sign Types Allowable</i>	<i>Maximum % Deviation</i>	<i>Quantity Deviation</i>
OS 2							
... 3							
PAINTED/MURAL SIGN	A	100 SQ. FT.		1 PER BUILDING	NOT ELIGIBLE		
... 5							

Council Bill 21-0113

<i>Sign Types by Zoning District *</i>		<i>Zoning District Requirements</i>			<i>Area of Special Signage Control (ASSC)</i>		
	<i>Approval Method</i>	<i>Maximum Sign Area</i>	<i>Height, Width, etc.</i>	<i>Maximum Quantity</i>	<i>Sign Types Allowable</i>	<i>Maximum % Deviation</i>	<i>Quantity Deviation</i>
PC-2 THROUGH PC-4							
... 3							
PAINTED/MURAL SIGN	A	100 SQ. FT.		1 PER LOT	X	75%	PER APPROVED SIGNAGE PLAN
... 5							

6

7 **SECTION 2. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30th day after
 8 the date it is enacted.