

**CITY OF BALTIMORE
COUNCIL BILL 19-0372
(First Reader)**

Introduced by: Councilmember Cohen

Introduced and read first time: April 15, 2019

Assigned to: Land Use and Transportation Committee

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

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Zoning – Fells Point Height Overlay District**

3 FOR the purpose of establishing a new Fells Point Height Overlay District; specifying height
4 limits allowed in certain areas of the district; providing that the regulations of the underlying
5 zoning districts apply; and generally specifying the regulation of properties within the
6 Overlay District.

7 BY repealing and reordaining, with amendments

8 Article 32 - Zoning

9 Section 12-101

10 Baltimore City Code

11 (Edition 2000)

12 BY adding

13 Article 32 - Zoning

14 Section 12-212

15 Baltimore City Code

16 (Edition 2000)

17 BY adding

18 Article 32 - Zoning

19 Sections 12-1401 through 12-1406, to be under the new subtitle, “Fells Point Height Overlay
20 District”, and Table 12-1401

21 Baltimore City Code

22 (Edition 2000)

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

25 **Baltimore City Code**

26 **Article 32. Zoning**

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

Title 12. Special Purpose Districts

Subtitle 1. Purpose of Title

§ 12-101. In general.

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

...
(12) FELS POINT HEIGHT OVERLAY DISTRICT.

Subtitle 2. District Descriptions

§ 12-212. FELS POINT HEIGHT OVERLAY DISTRICT.

THE FELS POINT HEIGHT OVERLAY DISTRICT IS INTENDED TO ESTABLISH HEIGHT LIMITATIONS FOR NEW CONSTRUCTION AND FOR ADDITIONS AND ALTERATIONS OF EXISTING STRUCTURES IN CERTAIN AREAS OF THE DISTRICT. THIS OVERLAY DISTRICT IS TIED DIRECTLY TO THE UNDERLYING ZONING DISTRICTS IN ORDER TO MAINTAIN THE EXISTING CHARACTER AND DEVELOPMENT OF THE NEIGHBORHOOD.

SUBTITLE 14. FELS POINT HEIGHT OVERLAY DISTRICT

§ 12-1401. APPLICABILITY.

THE FELS POINT HEIGHT OVERLAY DISTRICT, THE BOUNDARIES OF WHICH ARE SHOWN ON *TABLE 12-1401: FELS POINT HEIGHT OVERLAY DISTRICT*, APPLIES ONLY TO NEW CONSTRUCTION AND TO ADDITIONS AND ALTERATIONS OF EXISTING STRUCTURES.

§ 12-1402. AREAS WITHIN THE DISTRICT.

(A) BROADWAY CORRIDOR.

WITHIN THE OVERLAY DISTRICT, THE BROADWAY CORRIDOR CONSISTS OF THOSE LOTS AND STRUCTURES WITH ADDRESSES ON BROADWAY AND THOSE LOTS OR STRUCTURES WITH ADDRESSES ABUTTING BROADWAY, AS SHOWN ON *TABLE 12-1401: FELS POINT HEIGHT OVERLAY DISTRICT*.

(B) OTHER AREA.

WITHIN THE OVERLAY DISTRICT, THE OTHER AREA CONSISTS OF ALL LAND AND STRUCTURES, EXCLUSIVE OF THOSE IN THE BROADWAY CORRIDOR, AS SHOWN ON *TABLE 12-1401: FELS POINT HEIGHT OVERLAY DISTRICT*.

§ 12-1403. USE REGULATIONS.

THE USE REGULATIONS OF THE ZONING CODE FOR THE UNDERLYING ZONING DISTRICTS IN THE OVERLAY DISTRICT REMAIN IN EFFECT.

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1 **§ 12-1404. HEIGHT REGULATIONS.**

2 *(A) BROADWAY CORRIDOR.*

3 THE HEIGHT OF ANY NEW DEVELOPMENT OR OF ANY ADDITION OR ALTERATION TO AN
4 EXISTING STRUCTURE MAY NOT EXCEED THE LESSER OF:

5 (1) 50 FEET; OR

6 (2) ANY LOWER MAXIMUM HEIGHT PERMITTED UNDER THE UNDERLYING ZONING.

7 *(B) OTHER AREA OF THE OVERLAY DISTRICT.*

8 THE HEIGHT OF ANY NEW DEVELOPMENT OR OF ANY ADDITION OR ALTERATION TO AN
9 EXISTING STRUCTURE MAY NOT EXCEED THE LESSER OF:

10 (1) 40 FEET; OR

11 (2) ANY LOWER MAXIMUM HEIGHT PERMITTED UNDER THE UNDERLYING ZONING.

12 **§ 12-1405. BULK AND YARD REGULATIONS.**

13 THE BULK AND YARD REGULATIONS OF THE UNDERLYING ZONING DISTRICTS APPLY IN THE
14 FELLS POINT HEIGHT OVERLAY DISTRICT.

15 **§ 12-1406. DESIGN REVIEW REQUIRED.**

16 BEFORE ANY NEW CONSTRUCTION OR ANY ADDITION OR ALTERATION TO AN EXISTING
17 STRUCTURE MAY BEGIN IN THE FELLS POINT HEIGHT OVERLAY DISTRICT, DESIGN REVIEW
18 APPROVAL IS REQUIRED.

19 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the catchlines contained in this Ordinance
20 are not law and may not be considered to have been enacted as a part of this or any prior
21 Ordinance.

22 **SECTION 3. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30th day
23 after the date it is enacted.

Table 12-1401: Fells Point Height Overlay District

