

TWENTY-THIRD DAY

SECOND COUNCILMANIC YEAR - SESSION OF 2020-2024

JOURNAL
CITY COUNCIL OF BALTIMORE

November 7, 2022

The meeting began with a moment of silent reflection.

The President and members of the Council recited the Pledge of Allegiance to the Flag.

SHOWCASE BALTIMORE

Tyon and April Harper of Harp Vision delivered a presentation.

The City Council of Baltimore met pursuant to adjournment. Present: Nicholas J. Mosby, President, and Councilmembers Cohen, McCray, Dorsey, Conway, Schleifer, Middleton, Burnett, Bullock, Porter, Costello, Stokes, Glover, Ramos Absent: Councilmember Torrence

JOURNAL APPROVED

The Journal of October 24, 2022 was read and approved.

COMMUNICATIONS FROM THE MAYOR

OFFICE OF THE MAYOR

APPOINTMENTS BY THE MAYOR

MICHAEL MOISEYEV, as a the Director of the Department of Finance, for a term expiring December 3, 2024.

PARIS O'CONOR BIENERT, as a member of the Fair Election Fund Commission, for a term expiring December 3, 2024, as a member from District 14.

MANSUR ABDUL-MALIK, as a member of the Police Accountability Board, for a term expiring December 3, 2024, as a member from District 8.

MARC BROADY, ESQ., as a member of the Police Accountability Board, for a term expiring December 3, 2024, as a member from District 3.

JANETTA GILMORE, as a member of the Police Accountability Board, for a term expiring December 3, 2024, as a member from District 13.

LISA NGUYEN, as a member of the Police Accountability Board, for a term expiring December 3, 2024, as a member from District 11.

AVI WOLASKY, as a member of the Police Accountability Board, for a term expiring December 3, 2024, as a member from District 5.

INTRODUCTION AND READ FIRST TIME

The President laid before the City Council the following bills and Resolutions of the Mayor and City Council for first reading:

Bill No. 22-0293 - By City Council President (Administration - Office of the Comptroller)

An Ordinance authorizing the Mayor and City Council of Baltimore to sell, at either public or private sale, all its interest in certain property that is located at 1321 Filbert Street (Block 7200; Lot 060A) and is no longer needed for public use; and providing for a special effective date.

The bill was read the first time and referred to the Ways and Means Committee.

Bill No. 22-0294 - By City Council President (Administration - Office of the Comptroller)

An Ordinance authorizing the Mayor and City Council of Baltimore to sell, at either public or private sale, all its interest in certain properties that are located at 500 North Pulaski Street (Block 0117, Lot 001) and 502 North Pulaski Street (Block 0117, Lot 002) and are no longer needed for public use; and providing for a special effective date.

The bill was read the first time and referred to the Ways and Means Committee.

Bill No. 22-0295 - By Councilmember Burnett, Ramos

An Ordinance changing the zoning for the properties known as 4911-4917 West Forest Park Avenue and 4919-4925 West Forest Park Avenue, as outlined in red on the accompanying plat, from the R-1 Zoning District to the OS Zoning District.

The bill was read the first time and referred to the Economic and Community Development Committee.

Bill No. 22-0296 - By Councilmember Costello

An Ordinance changing the zoning for the property known as 810 Leadenhall Street (Block 0902, Lot 006), as outlined in red on the accompanying plat, from the IMU-1 Zoning District to the TOD-4 Zoning District.

The bill was read the first time and referred to the Economic and Community Development Committee.

Bill No. 22-0297 - By Councilmember Porter

An Ordinance changing the zoning for the property known as 2101 Washington Boulevard (Block 0770, Lot 006) , as outlined in red on the accompanying plat, from the C-2 Zoning District to the I-1 Zoning District.

The bill was read the first time and referred to the Economic and Community Development Committee.

Bill No. 22-0298 - By Councilmember McCray

An Ordinance changing the zoning for the property known as 3905 Bank Street (Block 6315 B, Lot 028) , as outlined in red on the accompanying plat, from the IMU-1 Zoning District to the C-2 Zoning District.

The bill was read the first time and referred to the Economic and Community Development Committee.

Bill No. 22-0299 - By Councilmember Bullock, Costello, Torrence, Stokes, Burnett, Cohen, Conway, Schleifer, Glover, Middleton

An Ordinance extending the period within which applications may be accepted for the historic improvement tax credit and providing for a special effective date.

The bill was read the first time and referred to the Ways and Means Committee.

CONSENT CALENDAR

CEREMONIAL RESOLUTIONS NO. 1065, 1066, 1067, 1068, 1069, 1070, 1071, 1072, 1073, 1074, 1075, AND 1076 ADOPTED UNDER RULE 3-9.

The resolutions were read.

The roll was called on the adoption of the resolutions, resulting as follows:

Yeas - President and Councilmembers Cohen, McCray, Dorsey, Conway, Schleifer, Middleton, Burnett, Bullock, Porter, Costello, Stokes, Glover, Ramos - Total 14.

Nays - 0.

Absent - 1.

The President declared the resolutions adopted under Rule 3-9.

Ceremonial Resolutions will be found at the end of the Journal.

COMMITTEE REPORTS

**BILL NO. 21-0113 REPORTED FAVORABLY, WITH AMENDMENTS,
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Middleton, for the Economic and Community Development Committee, reported Bill No. 21-0113 favorably, with amendments.

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

Committee Amendments to City Council Bill No. 21-0113

Amendment No. 1

On page 2, in line 6, after “11-203,” insert “14-314”; and, on that same page, in line 11, after “Table 12-601,” insert “Table 12-1302”; and, on that same page, in line 18, strike “and”; and, on that same page, in that same line, after “18-207” insert “, and Table 16-701”.

Amendment No. 2

On page 2, in line 8, strike “17-407(a) and (g)” and substitute “17-407(a), (e)(3)(v), (e)(4)(v), and (g)”.

Amendment No. 3

On page 7, in line 26, strike “OR ON PUBLIC PROPERTY”.

Amendment No. 4

On page 7, in line 26, after the semicolon strike “and”; and, on that same page, in line 28, strike the period and substitute a semicolon; and, on that same page, after line 28, insert:

“(11) ANY INSTALLATION, STRUCTURE, EQUIPMENT, OR ACCESSORY THAT IS USED BY A GOVERNMENT ENTITY FOR INTERNET OR TELECOMMUNICATIONS AND LOCATED ON PUBLIC PROPERTY.”.

Amendment No. 5

On page 8, strike beginning with “BY” in line 8 down through “APPEALS” in line 9 and substitute “IN THE MANNER OF THE ORIGINAL APPROVAL”; and, on that same page, strike beginning with “BY” in line 16 down through and including “APPEALS” in line 17 and substitute “IN THE MANNER OF THE ORIGINAL APPROVAL”; and, on that same page, strike beginning with “BY” in line 29 down through and including “APPEALS” in line 30 and substitute “IN THE MANNER OF THE ORIGINAL APPROVAL”.

Amendment No. 6

On page 14, in line 22, strike “**DISCRETION TO DENY**” and substitute “**CODE COMPLIANCE DENIAL**”; and, on that same page, strike lines 23 through 26 in their entirety and substitute:

“(A) IN GENERAL.

NEITHER THE ZONING ADMINISTRATOR NOR THE EXECUTIVE DIRECTOR OF THE BOARD OF MUNICIPAL AND ZONING APPEALS MAY PROCESS ANY APPLICATION FOR VARIANCE IF THE SUBJECT PROPERTY HAS ANY OUTSTANDING NOTICES OF VIOLATION, FINES, OR FEES THAT ARE EITHER UNRESOLVED OR UNPAID.

(B) EXCEPTION.

THE ZONING ADMINISTRATOR OR THE EXECUTIVE DIRECTOR OF THE BOARD OF MUNICIPAL AND ZONING APPEALS MAY PROCESS THE APPLICATION FOR VARIANCE IF THE VARIANCE APPLIED FOR IS REQUIRED TO RESOLVE AN OUTSTANDING NOTICE OF VIOLATION, FINE, OR FEE THAT IS EITHER UNRESOLVED OR UNPAID.”.

Amendment No. 7

On page 15, in lines 5, 13, 14, and 17, strike the brackets; and, on that same page, in line 14 strike “Zoning Administrator” and substitute “[Zoning Administrator] EXECUTIVE DIRECTOR OF THE BOARD OF MUNICIPAL AND ZONING APPEALS”; and, on that same page, strike beginning with “Zoning” in line 15 down through and including “Administrator” in line 16 and substitute “[Zoning Administrator] EXECUTIVE DIRECTOR OF THE BOARD OF MUNICIPAL AND ZONING APPEALS”; and, on that same page, in line 18, strike “(B)”; and, on that same page, in that same line, strike the brackets.

Amendment No. 8

On page 17, in line 2, before “(a)” insert a bracket; and, on that same page, in line 22, after the period insert a bracket; and, on that same page, in line 23, before “(b)” insert a bracket; and, on that same page in that same line insert “[(A) EVALUATION CRITERIA.”, and, on that same page, in line 24 strike “further” and substitute “[further]”.

Amendment No. 9

On page 18, after line 12, insert:

“(B) LIMITED CRITERIA FOR DENYING.

THE BOARD OF MUNICIPAL AND ZONING APPEALS OR THE CITY COUNCIL, MAY NOT APPROVE A CONDITIONAL USE OR SIGN UNLESS, AFTER PUBLIC NOTICE AND HEARING AND ON CONSIDERATION OF THE STANDARDS REQUIRED BY THIS SUBTITLE, THE BOARD OR COUNCIL FINDS THAT:

- (1) THE ESTABLISHMENT, LOCATION, CONSTRUCTION, MAINTENANCE, OR OPERATION OF THE CONDITIONAL USE OR SIGN WOULD NOT BE DETRIMENTAL TO OR ENDANGER THE PUBLIC HEALTH, SAFETY, OR WELFARE;
- (2) THE USE OR SIGN WOULD NOT BE PRECLUDED BY ANY OTHER LAW, INCLUDING AN APPLICABLE URBAN RENEWAL PLAN;
- (3) THE AUTHORIZATION WOULD NOT BE CONTRARY TO THE PUBLIC INTEREST; AND
- (4) THE AUTHORIZATION WOULD BE IN HARMONY WITH THE PURPOSE AND INTENT OF THIS CODE.”.

Amendment No. 10

On page 20, in line 1, strike “**DISCRETION TO DENY**” and substitute “**CODE COMPLIANCE DENIAL**”; and, on that same page, strike lines 2 through 5 in their entirety and substitute:

“(A) IN GENERAL.

NEITHER THE ZONING ADMINISTRATOR NOR THE EXECUTIVE DIRECTOR OF THE BOARD OF MUNICIPAL AND ZONING APPEALS MAY PROCESS ANY APPLICATION FOR A CONDITIONAL USE OR SIGN IF THE SUBJECT PROPERTY HAS ANY OUTSTANDING NOTICES OF VIOLATION, FINES, OR FEES THAT ARE EITHER UNRESOLVED OR UNPAID.

(B) EXCEPTION.

THE ZONING ADMINISTRATOR OR THE EXECUTIVE DIRECTOR OF THE BOARD OF MUNICIPAL AND ZONING APPEALS MAY PROCESS THE APPLICATION FOR A CONDITIONAL USE OR, SIGN IF THE CONDITIONAL USE OR SIGN APPLIED FOR IS REQUIRED TO RESOLVE AN OUTSTANDING NOTICE OF VIOLATION, FINE, OR FEE THAT IS EITHER UNRESOLVED OR UNPAID.”.

Amendment No. 11

On page 21, after line 24, insert:

“**§ 14-314. [Gas] FUEL stations.**

(a) Pump limits.

A [gas] FUEL station that abuts a residential district may not have more than 8 FUEL pumps.

(b) Canopy lighting.

(1) [Gas] FUEL station canopies must be designed with luminaires recessed under the canopy to minimize light pollution.

(2) Light intensity directly under the canopy may not exceed 10 footcandles at any location. All lighting mounted under the canopy, including auxiliary lighting within signage and panels over the FUEL pumps, are included in the 10-footcandle limit.

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(c) Effect on traffic.

All [gas] FUEL station drive lanes must be designed and located to ensure that they will not adversely affect the safety and efficiency of traffic circulation on adjacent streets.

(d) Alcoholic beverage sales prohibited.

The sale of alcoholic beverages is prohibited.

(e) Automatic car wash.

A [gas] FUEL station may also include a free-standing self-service car wash with 1 bay.

(f) Yard requirements.

(1) [Gas] FUEL stations are not subject to the front yard requirements of the zoning district.

(2) However:

(i) a landscaped front yard of at least 5 feet must be provided; and

(ii) if a [gas] FUEL station adjoins a residential district, buffer yard landscaping is required in accordance with the Baltimore City Landscape Manual.

(g) Signs.

Signs must comply with:

(1) Title 17 {"Signs"} of this Code; and

(2) all state and federal regulations for [gas] FUEL station signs."

Amendment No. 12

On page 21, strike lines 27 and 28 in their entireties and substitute:

“(1) IN GENERAL.

WHERE THE RIGHT-OF-WAY IS 10 FEET OR GREATER, OUTDOOR DINING MAY:

(I) BE ON THE STREET SIDE OF THE PROPERTY;

(II) BE ON THE INTERIOR OF THE PROPERTY;

(III) BE IN THE REAR YARD OF THE PROPERTY;

(IV) BE ON THE DECK ABOVE THE GROUND FLOOR; AND

(V) BE ON THE ROOF OF THE PROPERTY.

(2) DECK DINING - PROHIBITION.

NO DECK USED FOR OUTDOOR DINING SHALL BE CONSTRUCTED IN THE 10 FOOT RIGHT-OF-WAY DESCRIBED UNDER THIS SECTION.”.

Amendment No. 13

On page 22, after line 6, insert:

“(2) ROOFTOP DINING IS ALLOWED IN ALL NON-RESIDENTIAL ZONING DISTRICTS.

(I) ROOFTOP DINING IS A PERMITTED USE IN ALL NON-RESIDENTIAL ZONING DISTRICTS, EXCEPT IN THE C-1, C-1-VC, AND C-2 ZONING DISTRICTS.

(II) OUTDOOR DINING IN A C-1, C-1-VC, OR C-2 ZONING DISTRICT REQUIRES APPROVAL AS A CONDITIONAL USE BY THE BOARD OF MUNICIPAL AND ZONING APPEALS.”;

and, on that same page, in line 7, strike “(2)” and substitute “(3)”; and, on that same page, in that same line, strike “PARAGRAPH” and substitute “PARAGRAPHS”; and, on that same page, in that same line, after “(1)” insert “AND (2)”.

Amendment No. 14

On page 22, in line 10, after “access” insert a comma; and, on that same page, in that same line, before “or” insert a bracket; and, on that same page, in that same line, after “parking” insert “[PARKING, AND SAFE VEHICLE MANEUVERABILITY]”; and, on that same page, after line 12, insert:

“(3) IF REALLOCATING PARKING SPACES FOR AN OUTDOOR DINING AREA, THEN THE FOLLOWING APPLY:

- (I) IF OFF STREET PARKING SPACES ARE BEING REALLOCATED AND RESULT IN THE LOSS OF REQUIRED PARKING, THEN A PARKING VARIANCE MUST BE OBTAINED FROM THE BOARD OF MUNICIPAL AND ZONING APPEALS.
- (II) IF ON-STREET PARKING SPACES ARE BEING REALLOCATED, THEN THE APPLICANT MUST FOLLOW THE PROCESS AND GUIDELINES SET FORTH BY THE DEPARTMENT OF TRANSPORTATION.”.

Amendment No. 15

On page 22, in line 15, after “yard” insert “AND ROOFTOP DINING”; and, on that same page, in line 16, after “dining” insert “IN A NON-RESIDENTIAL ZONING DISTRICT”; and, on that same page, in that same line, after “yard” insert “OR ROOFTOP”; and, on that same page, in line 17, after “WIDTH” insert “ON THE SIDE IN WHICH THE OUTDOOR DINING IS PROPOSED”; and, on that same page, in line 19, after “PRESENT,” insert “AS OUTLINED IN PARAGRAPH (1) OF THIS SUBSECTION,”; and, on that same page, in line 20, after “FROM” insert “THE PROPERTY LINE OF”; and, on that same page, in that same line, after “ADJACENT” insert “NON-MIXED USE”.

Amendment No. 16

On page 22, in line 23, before “for”, insert a bracket, and, on that same page, after “frontage”, insert a bracket; and, on that same page, in line 24, before the period, insert “LOCATED ON A PUBLIC SIDEWALK ADJOINING THE BUILDING STREET FRONTAGE SEEKING THE USE SHOULD BE AS COMPACT AS POSSIBLE AGAINST THE BUILDING WALL TO ALLOW FOR EASY CONNECTIVITY TO THE SIDEWALK ON THE REMAINDER OF THE BLOCK”.

Amendment No. 17

On page 22, after line 24, insert:

“(F) *CONDITIONAL USE APPLICATIONS AND PERMITTING.*

ALL APPLICATIONS FOR THE OUTDOOR DINING USE CONDITIONAL USE MUST INCLUDE A SITE PLAN THAT SHOWS:

- (1) THE SIZE AND LOCATION OF THE PROPOSED OUTDOOR DINING;
- (2) ANY REQUIRED PEDESTRIAN ACCESS;
- (3) ANY REQUIRED CLEARANCES, AND;
- (4) THE LOCATION OF ALL REALLOCATED PARKING SPACES.”.

Amendment No. 18

On page 22, in line 29, strike “50%” and substitute “[~~50%~~ 25%”.

Amendment No. 19

On page 25, in line 8, after the semicolon, insert “AND”; and, on that same page, in line 10, strike the third bracket; and, on that same page, in that same line after “and” insert “[].”; and, on that same page, in line 11 strike “(3)”; ad, on that same page, in that same line, strike the second bracket; and, on that same page, in that same line, after the period insert a bracket.

Amendment No. 20

On page 25, in line 8, strike “750” and substitute “350”.

Amendment No. 21

On page 27, in line 20, strike “*EXCEPTIONS*” and substitute “*PERMITTING*”; and, on that same page, strike lines 21 through 25 in their entireties and substitute:

“(I) A PARKING VARIANCE IS NOT REQUIRED:

(A) IF THE DIRECTOR OF PLANNING GRANTS AN EXEMPTION TO CERTAIN PARKING

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REQUIRES AS PROVIDED FOR UNDER PARAGRAPH (1) OF THIS SUBSECTION; AND

(B) IF EVIDENCE THE EXEMPTION IS SUBMITTED WITH THE PERMIT APPLICATION.

(II) IF THE EXEMPTION IS DENIED BY THE DIRECTOR OF PLANNING, A REQUEST FOR A PARKING VARIANCE MAY BE SUBMITTED TO AND, AFTER REVIEW, APPROVED BY THE BOARD OF MUNICIPAL AND ZONING APPEALS.”.

Amendment No. 22

On page 29, strike beginning with “(I)” in line 12 down through and including “(II)” in line 14; and, on that same page, strike lines 16 through 19 in their entirety.

Amendment No. 23

On page 29, strike beginning with “HOWEVER” in line 24 down through and including “RACKS” in line 25; and, on that same page, in line 24, after “review” insert:

“AS FOLLOWS:

(I) IN NO CASE OF NEW CONSTRUCTION OF A BUILDING MAY MORE THAN 50% OF THE REQUIRED BICYCLE PARKING SPACES BE PROVIDED AS WALL OR CEILING RACKS; AND

(II) IN NO CASE OF BUILDING REHABILITATION OR ADAPTIVE REUSE OF A BUILDING MAY MORE THAN 75% OF THE REQUIRED BICYCLE PARKING SPACES BE PROVIDED AS WALL OR CEILING RACKS”.

Amendment No. 24

On page 30, in line 19, strike “and” and substitute “[and]”; and, on that same page, in line 26, strike “[.]” and substitute “; AND”; and, on that same page, after line 26 insert:

“(5) PROVIDED AS OUTLINED IN (4) OF THIS SUBSECTION, EXCEPT IN CERTAIN CONDITIONS OF PUBLIC ASSEMBLY, SUCH AS FOR STADIUMS AND ARENAS, THE DIRECTOR OF PLANNING AND THE SITE PLAN REVIEW COMMITTEE MAY APPROVE AT LEAST 1 OF THE FOLLOWING IN PLACE OF THOSE REQUIREMENTS IN PARAGRAPH (4) OF THIS SUBSECTION:

(I) WITHIN VIEW OF AN ATTENDANT OR SECURITY GUARD;

(II) IN AN AREA THAT IS MONITORED BY A SECURITY CAMERA; AND

(III) IN AN AREA THAT IS VISABLE FROM EMPLOYEE WORK AREAS.”.

Amendment No. 25

On page 31, in line 7, strike “THERE MUST BE ADEQUATE ELECTRIC OUTLETS” and substitute “EACH SPACE MUST HAVE AN ELECTRIC OUTLET”; and, on that same page, in line 9, strike “2” and “8”, respectively, and substitute with “4” and “9”, respectively.

Amendment No. 26

On page 31, in line 9, strike “2” and “8” and substitute with “4” and “9”, respectively.

Amendment No. 27

On page 40, after line 9, insert:

“§ 17-204. General design and construction.

(d) Illumination.

(1) Unless otherwise provided in this title, all signs, INCLUDING ELECTRONIC SIGNS, are subject to the illumination requirements of this subsection.”.

Amendment No. 28

On page 41, before line 1, insert:

“(4) WALL SIGNS ABOVE GROUND FLOOR IN THE C-1, C-1-E, AND C-2 ZONING DISTRICTS MAY BE SPLIT INTO NO MORE THAN 4 SIGNS;”;

and, on that same page, in lines 1 and 3, strike “(4)” and “(5)”, respectively and substitute “(5)” and “(6)”, respectively.

Amendment No. 29

On page 41, in line 2, after the semicolon strike “AND”; and, on that same page, in line 5, strike the period and insert “;AND”; and, on that same page, after line 5, insert:

“(6) MULTI-FAMILY DWELLINGS OF 50 UNITS OR MORE IN THE R-8, R-9, R-10, OR OR-2 ZONING DISTRICTS THAT HAVE GROUND FLOOR COMMERCIAL USES AND ARE SUBJECT TO § 14-327 {“MULTI-FAMILY DWELLINGS - ACCESSORY NON-RESIDENTIAL USES.”}, MAY FOLLOW PROJECTING SIGN AND WALL SIGN REQUIREMENTS FOR THE C-1 ZONING DISTRICT AS PROVIDED FOR IN TABLE 17-201: SIGN REGULATIONS AND TABLE 17-306: MAXIMUM CUMULATIVE AREA OF SIGNS.”.

Amendment No. 30

On page 46, in line 19, after “CATEGORY” insert “ON LOTS WITH A MINIMUM OF 30 FEET OF BUILDING FRONTAGE AND 7,500 SQUARE FEET OF LOT AREA”.

Amendment No. 31

On page 46, after line 28, insert:

“(e) Requirements by category.

...

(3) Category III electronic signs are subject to the following requirements:

...

(v) electronic signs may only be in the form of or integrated into a freestanding sign, OPEN STRUCTURAL FRAMEWORK, roof sign, or wall sign type.

(4) Category IV electronic signs are subject to the following requirements:

...

(v) electronic Signs may only be in the form of or integrated into a freestanding sign, OPEN STRUCTURAL FRAMEWORK, roof sign, or wall sign type.”.

Amendment No. 32

On page 49, after line 6, insert:

“(2) IN THE C-1 AND C-1-E ZONING DISTRICTS, WALL SIGNS ABOVE THE GROUND FLOOR ARE ONLY ALLOWED ON BUILDINGS WITH A BUILDING FRONTAGE OF 30 FEET OR WIDER;”;

and, on that same page, in lines 7 and 9, strike “(2)” and “(3)”, respectively, and substitute “(3) [(2)]” and “(4) [(3)]”, respectively.

Amendment No. 33

On page 51, strike lines 6 through 13 in their entirety.

Amendment No. 34

On page 51, in line 15, after “TO” insert “REESTABLISH OR”; and, on that same page, in line 24, after “PERIOD” insert “, AS ESTABLISHED UNDER SUBSECTION (A), BY NOT MORE THAN 18 MONTHS”.

Amendment No. 35

On page 51, after line 31, insert:

“Subtitle 3. Nonconforming Uses

§ 18-306. Change of use.

(c) Reversion prohibited.

(1) IN GENERAL.

When a nonconforming use has been changed, in whole or in part, to an allowed use, the whole or part that has been made to conform may not later be changed back to a nonconforming use.

(2) EXCEPTIONS.

IN THE R-1A, R-1B, R-1C, R-1D, R-1E, R-1, R-2, R-3, AND R-4 ZONING DISTRICTS THE ZONING ADMINISTRATOR MAY AUTHORIZE THE REESTABLISHMENT OF A RESIDENTIAL NONCONFORMING MULTIFAMILY USE THAT HAS LAPSED UP TO THE SAME NUMBER OF UNITS OR A NUMBER LESS THAN THE NUMBER OF UNITS THAT WERE LEGALLY ESTABLISHED, IF:

(I) THE UNIT WAS A LEGALLY ESTABLISHED MULTI-FAMILY DWELLING UNIT; AND

(II) THE STRUCTURE WAS NOT ALTERED TO BECOME A SINGLE-FAMILY DWELLING UNIT.

Comment: This language is an attempt to bring clarity and propose application for a variety of conditions throughout the City and will allow for reestablishment of a lapsed nonconforming use for multi-family in the R-1A through R-4 zoning districts. The goal is to bring vacant multi-family buildings back to productive use.”

Amendment No. 36

On page 52, after line 7, insert:

“§ 18-412. Exceptions – Multi-family structures.

(D) EXCEPTIONS.

THIS SECTION DOES NOT APPLY TO § 18-306(C) {“CHANGE OF USE . . . REVERSION PROHIBITED.”} OF THIS CODE.

Comment: This language is an attempt to bring clarity and propose application for a variety of conditions throughout the City and will allow for reestablishment of a lapsed nonconforming use for multi-family in the R-1A through R-4 zoning districts. The goal is to bring vacant multi-family buildings back to productive use.”

Amendment No. 37

On page 52, in line 17, strike the brackets; and, on that same page, in that same line, strike “P¹” and substitute “[P¹]”; and, on that same page; in line 20, strike the brackets; and, on that same page, in that same line, strike “²” and substitute “[²]”; and, on that same page, strike line 22 in its entirety; and, on that same page, in line 23, strike “^{2[1]}” and substitute “¹”.

Amendment No. 38

On page 56, after line 5, insert:

“ ...						
MAXIMUM BLDG HEIGHT						
Dwelling: Multi-Family	[60] 68 feet	40 feet	60 feet	[60] 68 or 100 feet ²	60 or 100 feet ²	60 feet
Mixed-Use w/ Dwelling Above the Ground Floor	[60] 68 feet	40 feet	60 feet	[60] 68 or 100 feet ²	60 or 100 feet ²	60 feet
Residential Care Facility (Elderly)	[60] 68 feet	40 feet	60 feet	[60] 68 or 100 feet ²	60 or 100 feet ²	60 feet
...						

² For a structure that contains dwellings above a non-residential use, a height of up to 100 feet may be allowed by the Board as a conditional use. Otherwise, the maximum height is 60 FEET OR 68 feet, DEPENDING ON THE ZONING DISTRICT IN WHICH THE STRUCTURE IS LOCATED.”

Amendment No. 39

On page 55, after line 10, insert:

...								
[Gas] FUEL Station				CB	CB	P		Per § 14-314

Amendment No. 40

On page 56, after line 13, insert:

...								
[Gas] FUEL Station				CB	CB	CB		Per § 14-314

Amendment No. 41

On page 58, after line 10, insert:

<i>TABLE 12-1302: PORT COVINGTON DISTRICT – PERMITTED AND CONDITIONAL USES</i>					
USES	SUBDISTRICTS				USE STANDARDS
	PC-1	PC-2	PC-3	PC-4	
COMMERCIAL					
...					
[Gas] FUEL Station		P	P		Per § 14-314

Amendment No. 42

On page 59, after line 11, insert:

...	
[Gas] FUEL Station	2 per 1,000 sq. ft. of accessory retail area

Amendment No. 43

On page 59, after line 20, insert:

<u>TABLE 16-701: BICYCLE PARKING DIMENSIONS</u>					
<u>PARKING ANGLE</u> <u>X°</u>	<u>MINIMUM DIMENSIONS</u>				
	<u>STALL WIDTH</u> (A)	<u>STALL LENGTH</u> (B)	<u>SKREW WIDTH</u> (C)	<u> AISLE WIDTH</u> (D)	<u>OVERALL MODULE</u> (E)
<u>0° (FLOOR PARALLEL)</u>	<u>2 FEET</u>	<u>6 FEET</u>	<u>2 FEET</u>	<u>5 FEET</u>	<u>9 FEET</u>
<u>90° (FLOOR HEAD IN)</u>	<u>2 FEET</u>	<u>6 FEET</u>	<u>2 FEET</u>	<u>5 FEET</u>	<u>17 FEET</u>
<u>90° (VERTICAL HEAD IN)</u>	<u>2 FEET</u>	<u>4 FEET</u>	<u>2 FEET</u>	<u>5 FEET</u>	<u>13 FEET</u>
<u>45° (FLOOR ANGLED)</u>	<u>2 FEET</u>	<u>4.3 FEET</u>	<u>2.8 FEET</u>	<u>5 FEET</u>	<u>13.6 FEET</u>
<u>0° (FLOOR PARALLEL – FAMILY / CARGO / ADAPTIVE)</u>	<u>4 FEET</u>	<u>8 FEET</u>	<u>4 FEET</u>	<u>5 FEET</u>	<u>13 FEET</u>
<u>90° (FLOOR HEAD IN – FAMILY / CARGO / ADAPTIVE)</u>	<u>4 FEET</u>	<u>8 FEET</u>	<u>4 FEET</u>	<u>5 FEET</u>	<u>21 FEET</u>

Amendment No. 44

On page 61, after line 3, insert:

INDUSTRIAL: LIGHT	1 PER 5,000 SQ. FT. OF GFA	1 PER 5,000 SQ. FT OF GFA
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Amendment No. 45

On page 64, after line 5, insert:

“[Wall Sign (Ground Floor & Above Ground Floor)]	[A]	[1.5 sq. ft. per linear foot of building frontage]		[1 per interior lot, 2 per corner lot]	[X]	[25%]	[Per Approved Signage Plan]
WALL SIGN (GROUND FLOOR)	A	24 SQ. FT.		1 PER TENANT W/ DIRECT GROUND FLOOR ACCESS/ CORNER TENANT, 1 PER STREET FRONTAGE	X	25%	PER APPROVED SIGNAGE PLAN
WALL SIGN (ABOVE GROUND FLOOR)	A	1.5 SQ. FT. PER LINEAR FOOT OF BUILDING FRONTAGE		1 PER INTERIOR LOT, 2 PER CORNER LOT	X	25%	PER APPROVED SIGNAGE PLAN
...”							

Amendment No. 46

On page 65, after line 5, insert:

“[Wall Sign (Ground Floor & Above Ground Floor)]	[A]	[1.5 sq. ft. per linear foot of building frontage]		[1 per interior lot, 2 per corner lot]	[X]	[25%]	[Per Approved Signage Plan]
WALL SIGN (GROUND FLOOR)	A	24 SQ. FT.		1 PER TENANT W/ DIRECT GROUND FLOOR ACCESS/ CORNER TENANT, 1 PER STREET FRONTAGE	X	25%	PER APPROVED SIGNAGE PLAN
WALL SIGN (ABOVE GROUND FLOOR)	A	1.5 SQ. FT. PER LINEAR FT. OF BUILDING FRONTAGE		1 PER INTERIOR LOT, 2 PER CORNER LOT	X	25%	PER APPROVED SIGNAGE PLAN
...”							

Councilmember Dorsey, duly seconded, moved that Amendment 5 be voted on separately from the other amendments.

Councilmember Middleton, the sponsor, duly seconded, moved the amendments be voted on together.

The roll was called on the adoption of the Amendments, resulting as follows:

Yeas - President and Councilmembers Cohen, McCray, Conway, Schleifer, Middleton, Burnett, Bullock, Porter, Costello, Stokes, Glover, Ramos - Total 13.

Nays - Councilmember Dorsey - Total 1.

Absent - Councilmember Torrence - Total 1.

The amendments were read and adopted.

Favorable report, as amended, adopted.

The bill, as amended, was read the second time and ordered printed for third reading.

BILL NO. 22-0200 REPORTED FAVORABLY

AND ORDERED PRINTED FOR THIRD READING

Councilmember Middleton, for the Economic and Community Development Committee, reported Bill No. 22-0200 favorably.

An Ordinance amending the Urban Renewal Plan for the Central Business District to revise the signage provisions provisions; waiving certain content and procedural requirements; making the provisions of this Ordinance severable; providing for the application of this Ordinance in conjunction with certain other ordinances; and providing for a special effective date.

Favorable report adopted.

The bill was read the second time and ordered printed for third reading.

BILL NO. 22-0292 REPORTED FAVORABLY, WITH AMENDMENTS,

AND ORDERED PRINTED FOR THIRD READING

Councilmember Stokes, for the Education, Workforce, and Youth Committee, reported Bill No. 22-0292 favorably, with amendments.

An Ordinance modifying certain provisions of the Elected Officials' Retirement System of the City of Baltimore relating to eligibility for service retirement benefits and deferred vested benefits; making this Ordinance contingent on the ratification of a certain City Charter amendment by a certain date; and providing for a special effective date.

Committee Amendments to City Council Bill No. 22-0292

Amendment No. 1

On page 2, in line 4, strike the third comma; and, on that same page, in line 5, after “MEMBER” insert “AND SERVING IN OFFICE”; and, on that same page, in line 22, strike the third comma; and, on that same page, in line 23, after “MEMBER” insert “AND SERVING IN OFFICE”.

The amendments were read and adopted.

The roll was called on the adoption of the favorable report, as amended, resulting as follows:

Yeas - President and Councilmember McCray, Schleifer, Middleton, Burnett, Bullock, Stokes, Glover, Ramos - Total 9.

Abstain - Councilmembers Costello, Porter, Conway - Total 3.

Absent - Councilmember Torrence - 1.

Nays - Councilmembers Cohen, Dorsey - Total 2.

The President declared the Resolution adopted.

Favorable report, as amended, adopted.

The bill, as amended, was read the second time and ordered printed for third reading.

BILL NO. 22-0127 REPORTED FAVORABLY**AND ADOPTED**

Councilmember McCray, for the Health, Environment, and Technology Committee, reported Bill No. 22-0127 favorably.

Informational Hearing - 988 Suicide and Crisis Lifeline

FOR the purpose of inviting representatives from the Baltimore City Health Department, the Baltimore City Fire Department, the Baltimore Police Department, the Department of Finance, the Baltimore City Law Department, and other interested parties to appear before the City Council to discuss the implementation of the 988 Suicide and Crisis Lifeline, its anticipated impact on individuals that use this resource, and the implementation plan for Baltimore City.

Recitals

The 988 Suicide and Crisis Lifeline launched nationally on Saturday, July 16, 2022. The Lifeline is the product of the federal National Suicide Hotline Designation Act of 2020, a law aimed at creating a pathway to mental health care that is easy for those in need to access. The Act seeks to offer individuals who dial 988 the same level of attention and care for suicidal ideation and mental health emergencies as those who call 911 for medical emergencies. Ideally, an individual who contacts 988 will quickly be connected to a trained crisis counselor who will provide support to the individual and dispatch a mobile crisis response unit, if necessary, to take the individual to a crisis stabilization location.

In light of its recent rollout, it is imperative that the public understands what the Lifeline offers and what to expect when engaging with the Lifeline. When an individual needs assistance, the individual can contact the Lifeline via text, phone, or chat. With proper resources, the individual should be connected to a crisis counselor immediately; however, current call center staffing numbers may necessitate a queue before connecting an individual to a crisis counselor. Ideally, an in-person response team that includes a trained mental health professional will be available to respond to the individual in need, if necessary. An individual experiencing an extreme mental health crisis should then be transported safely and expeditiously to a specialized facility that can properly treat, observe, and care for them. If such a facility is not available, which is an unfortunate reality given the current state of nationwide mental health resources, an individual who calls 988 may be taken to a hospital or emergency department to receive immediate care.

The 988 Suicide and Crisis Lifeline has the potential to revolutionize how we provide resources for individuals experiencing a mental health crisis. An effective, fully-funded system will reduce barriers to accessing help and ensure that equitable care is available to everyone, regardless of their background or socioeconomic status.

While the purpose of the Lifeline is commendable, the logistics of its nationwide rollout have been hampered by a lack of staff, resources, follow-through, and consistent federal funding. This is the beginning of an important new phase in mental health care and communities should be equipped to handle the needs of their residents, reduce reliance on the police and hospitals for mental health crises, and deliver timely and effective help to people in crisis.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BALTIMORE, That the City Council invites representatives from the Baltimore City Health Department, the Baltimore City Fire Department, the Baltimore Police Department, the Department of Finance, the Baltimore City Law Department, and other interested parties to appear before the City Council to discuss the implementation of the 988 Suicide and Crisis Lifeline, its anticipated impact on individuals that use this resource, and the implementation plan for Baltimore City.

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AND BE IT FURTHER RESOLVED, That a copy of this Resolution be sent to the Commissioner of Health, the Chief of the Fire Department, the Police Commissioner, the Director of Finance, the City Solicitor, and the Mayor's Legislative Liaison to the Baltimore City Council.

Favorable report adopted.

The roll was called on the adoption of the Resolution, resulting as follows:

Yeas - President and Councilmembers Cohen, McCray, Dorsey, Conway, Schleifer, Middleton, Burnett, Bullock, Porter, Costello, Stokes, Glover, Ramos - Total 14.

Absent - Councilmember Torrence - Total 1.

Nays - 0.

The President declared the Resolution adopted.

ADJOURNMENT

On motion of Councilmember Middleton, duly seconded, the City Council adjourned to meet on Monday, November 21 2022, at 5:00 p.m.

Consent Calendar

CR 1065 President Mosby, All Members

A Baltimore City Resolution congratulating Danelle Austin-Pinder on being named a 2023 Guardian that recognizes the 20 years of advocacy you have been doing in Park Heights and throughout the City of Baltimore.

CR 1066 President Mosby, All Members

A Baltimore City Resolution congratulating Park Heights Renaissance, Inc., Conifer Realty on your groundbreaking for the Cold Stream Lane Residential Community that will provide much needed affordable housing for Park Heights residents.

CR 1067 President Mosby, All Members

A Baltimore City Resolution congratulating James Price on your 60th Birthday.

CR 1068 President Mosby, All Members

A Baltimore City Resolution congratulating Reverend Dr. John A. Lunn, Sr. on 46 years of dedication and hard work to the City of Baltimore's religious community and the Berean Baptist Church.

CR 1069 President Mosby, All Members

A Baltimore City Resolution congratulating Berean Baptist Church on 105 years of faithful service to the City of Baltimore and the Greater Park Heights Community.

CR 1070 President Mosby, All Members

A Baltimore City Resolution to the Family of Frank Aaron Clayton, July 16, 1972 - October 7, 2022.

CR 1071 President Mosby, All Members

A Baltimore City Resolution congratulating Mr. Judson Hughes on your 90th Birthday Celebration and your contributions to the Penn-North Community and the City of Baltimore.

CR 1072 President Mosby, All Members

A Baltimore City Resolution on the death of Reverend Mary Johnson Wallace, May 4, 1953 - October 20, 2022.

CR 1073 Bullock

A Baltimore City Resolution on the death of Joseph Leroy Lewis, October 20, 1946 - October 14, 2022.

CR 1074 President Mosby, All Members

A Baltimore City Resolution congratulating Topgolf Baltimore on the Grand Opening of your new location.

CR 1075 Cohen

A Baltimore City Resolution congratulating Kim Wiggins, Jaqueline Joi on being named a trailblazing Baltimore Guardian, celebrating your role as a leader dedicated to fighting for a more equitable Baltimore.

CR 1076 Torrence

A Baltimore City Resolution on the death of Augusta Talbott, December 11, 1920 - September 19, 2022.