



**BALTIMORE CITY COUNCIL
LAND USE AND TRANSPORTATION COMMITTEE**

Mission Statement

On behalf of the Citizens of Baltimore City, the mission of the Land Use and Transportation Committee is to review and support responsible development and zoning initiatives to ensure compatibility with the aim of improving the quality of life for the diverse population of Baltimore City.

**The Honorable Edward L. Reisinger
Chairman**

PUBLIC HEARING

Wednesday, April 5, 2017

1:00 PM

CLARENCE "DU" BURNS COUNCIL CHAMBERS

City Council Bill # 17-0021

Ordinance - Baltimore City Zoning Code - Legalization - Corrections



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OFFICE OF COUNCIL SERVICES

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BILL SYNOPSIS

Committee: Land Use and Transportation

Bill 17-0021

Baltimore City Zoning Code - Legalization - Corrections

Sponsor: *President (Administration) - Department of Legislative Reference*

Introduced: *February 27, 2017*

Purpose:

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

Effective: On the date on which Ordinance 16-581 becomes effective or if later, the date on which this Ordinance is enacted.

Hearing Date/Time/Location: April 5, 2017 / 1:00 p.m. / Clarence "Du" Burns Chambers

Agency Reports

Department of Law	Favorable
Planning Commission	Favorable/Amend
Board of Municipal and Zoning Appeals	Favorable
Department of Housing and Community Development	*
Department of Transportation	*

ANALYSIS

Current Law

Certain sections of Article 1 - Mayor, City Council, and Municipal Agencies, Article 19 - Police Ordinances and Article 32 - Zoning. *(For specific sections see the attached Bill 17-0021, pages 2-4).*

Background

Bill 17-0021 Baltimore City Zoning Code - Legalization – Corrections would legalize, correct, clarify and conform new zoning laws approved via Ordinance 15-0681 (formerly known as Bill 12-0152 - Transform Baltimore).

The Zoning Code consists of rules and regulations that govern the use of land and development. Approval of Ordinance 16-0581 (Transform Baltimore) by the City Council marked the first thorough review of **Article 30 - Baltimore City Zoning Code** in over forty years. The Planning Commission introduced the legislation to achieve four key goals to:

- Simplify and streamline the development process;
- Improve Urban Design and the Environments;
- Preserve Neighborhood Character; and
- Creating new Zoning Tools to Promote Mixed Uses.

Transform Baltimore established Article 32 {"Zoning"}, a new Zoning Code for Baltimore City. The new code consists of text, which includes tables and a map. Transform Baltimore made the following changes:

- modified the laws governing the agencies and officials who administer the City's zoning processes, including the Zoning Administrator, the Board of Municipal and Zoning Appeals, the Planning Commission, the Planning Director, and the Commissioner of Housing and Community Development;
- provided for the respective powers and duties of certain agencies and officials;
- established new zoning districts for the City;
- adopted maps and profiles for the various districts;
- established the requirements and procedures for obtaining zoning amendments, use permits, and other approvals;
- established use regulations for various districts, including permitted uses, conditional uses, and prohibited uses;

- established bulk and yard regulations for various districts, including height, lot coverage, lot areas, floor area ratio, and yard size standards;
- established design standards for development in various districts;
- established off-street-parking requirements, sign regulations, and other regulations for various districts;
- required special reviews for certain proposed developments, including site plan review, environmentally sensitive areas review, design review, and landscape review;
- provided for the establishment and regulation of planned unit developments;
- establishing certain transition rules and authorizing the continuation of certain nonconforming uses and structures, subject to certain conditions;
- provided for conditional uses (special exceptions), variances, and other modifications or approvals;
- defined certain terms;
- established certain rules of construction;
- prohibited certain conduct;
- established enforcement procedures, including civil and criminal penalties;
- conformed cross-references in other articles;
- corrected, clarified, and conformed related provisions;
- provided for a special effective date; and
- generally relating to zoning and development laws of the City of Baltimore.

Bill 17-0021 will correct typographical, grammatical and references errors; conform, coordinate and clarify language across the code; and legalize the changes. The new code will become effective Monday, June 5, 2017 or at a later date if specified by Bill 17-0021.

Additional Information

Fiscal Note: Not Available

Information Source(s): Department of Planning

Analysis By: Jennifer L. Coates
Analysis Date: March 29, 2017

Direct Inquiries to: (410) 396-1260

Agency Reports

CITY OF BALTIMORE

CATHERINE E. PUGH, Mayor



DEPARTMENT OF LAW

101 City Hall
Baltimore, Maryland 21202

March 30, 2017

The Honorable President and Members
of the Baltimore City Council
Attn: Natawna B. Austin, Executive Secretary
Room 409, City Hall
100 N. Holliday Street
Baltimore, Maryland 21202

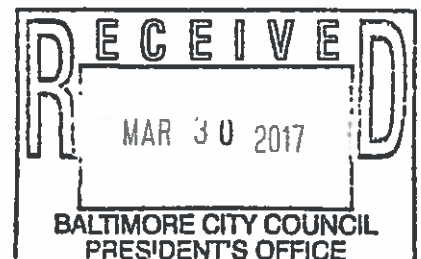
Re: City Council Bill 17-0021 – Baltimore City Zoning Code - Legalization -
Corrections

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 17-0021 and approves it for form and legal sufficiency. The bill performs two tasks: (1) It legalizes new City Code Article 32 as enacted by Ordinance 16-581; and (2) it amends Article 32 to correct various technical errors, omissions, and inconsistencies and corrects, clarifies and conforms various references and language. The bill provides for a special effective date.

The Law Department notes that the legislative procedures applicable to this bill are not addressed by the current zoning code or Article 32. Article 32 has yet to take effect. Therefore, the legislative procedures contained in the Article do not apply to Council Bill 17-0021. The legislative procedures provided by the City's current zoning code apply only to "legislative authorizations" or "zoning legislation." See Baltimore City Zoning Code ("ZC"), Article 16 generally. Amendments to the text of Article 32, however, are neither "legislative authorizations" nor "zoning legislation" as defined by Article 16. See ZC § 16-101(c). The procedures applicable to the bill are found in State law, which require only a public hearing advertised for at least 15 days. MD. Land Use Art. § 10-303.

Council Bill 17-0021 primarily is a corrective bill in that it intends to correct technical errors, omissions, and inconsistencies as well as clarifying and conforming various Article 32 references and language. In reviewing the bill, if the City Council concludes that any of its provisions are more substantive in nature than corrective, those provisions can be struck and offered in subsequent legislation. The Law Department points out, however, that whether a bill amending the text of Article 32 is corrective in nature or substantive, until Article 32 becomes effective, the legislative process for either type of bill is identical.



Sincerely,

A handwritten signature in blue ink, appearing to read "Victor K. Tervala". The signature is fluid and cursive, with a prominent horizontal stroke at the end.

Victor K. Tervala
Chief Solicitor

cc: David Ralph, Acting City Solicitor
Karen Stokes, Director, Mayor's Office of Government Relations
Kyron Banks, Mayor's Legislative Liaison
Elena DiPietro, Chief Solicitor, General Counsel Division
Hilary Ruley, Chief Solicitor
Jennifer Landis, Assistant Solicitor

FROM	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 8 TH FLOOR, 417 EAST FAYETTE STREET
	SUBJECT	CITY COUNCIL BILL #17-0021 / BALTIMORE CITY ZONING CODE – LEGALIZATION – CORRECTIONS

CITY of
BALTIMORE

MEMO



TO

DATE:

The Honorable President and
Members of the City Council
City Hall, Room 400
100 North Holliday Street

March 24, 2017

At its regular meeting of March 23, 2017, the Planning Commission considered City Council Bill #17-0021, for the purpose of legalizing new City Code Article 32 {"Zoning"}, as enacted by Ordinance 16-581 {"TransForm Baltimore – Zoning"} and edited, codified, and published by the Baltimore City Department of Legislative Reference; further amending new Article 32 to correct various technical errors, omissions, and inconsistencies and to correct, clarify, and conform various references and language; providing for a special effective date; and generally relating to the zoning and development laws of the City of Baltimore.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report, which recommended amendment and approval of City Council Bill #17-0021 and adopted the following resolution; seven members being present (seven in favor).

RESOLVED, That the Planning Commission concurs with the recommendation of its departmental staff, and recommends that City Council Bill #17-0021 be amended and passed by the City Council.

The Planning Commission would also like to recognize the Fells Point Area residents, Ms. Denise Whitman, Ms. Deborah Tempera and Ms. Carolyn Boitnott for bringing to our attention certain discrepancies in Tables 12-903 (1), 12-903 (2), 12-903 (3), and 12-903 (4).

If you have any questions, please contact Mr. Wolde Ararsa, Division Chief, Land Use and Urban Design Division at 410-396-4488.

TJS/WA

Attachments

cc: Mr. Pete Hammen, Chief Operating Officer
Mr. Jim Smith, Chief of Strategic Alliances
Ms. Karen Stokes, Mayor's Office
Mr. Colin Tarbert, Mayor's Office
The Honorable Edward Reisinger, Council Rep. to Planning Commission
Mr. David Tanner, BMZA
Mr. Geoffrey Veale, Zoning Administration
Ms. Sharon Daboin, DHCD
Mr. Patrick Fleming, DOT
Ms. Elena DiPietro, Law Dept.
Ms. Natawna Austin, Council Services
Mr. Francis Burnszynski, PABC



Catherine E. Pugh
Mayor

PLANNING COMMISSION

Wilbur E. "Bill" Cunningham, Chairman

STAFF REPORT



Thomas J. Stosur
Director

March 23, 2017

REQUEST: City Council Bill #17-0021/ Baltimore City Zoning Code – Legalization – Corrections:

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

RECOMMENDATION: Amendment and approval, with the following amendments:

- On page 53 of the corrective bill, after line 24, insert the following text, and in line 25 renumber paragraph (2) as (3):
“(1) IN the C-1, C-1-E, C-1-VC DISTRICTS, [and] THE FIRST THREE DWELLING UNITS, AND ANY RESTAURANTS, RETAIL GOODS ESTABLISHMENTS, PERSONAL SERVICES ESTABLISHMENTS, FINANCIAL INSTITUTIONS, AND CARRY-OUT FOOD SHOPS ARE EXEMPT FROM THE OFF-STREET PARKING REQUIREMENTS OF TABLE 16-406;
(2) THE C-5 [Districts] SUBDISTRICTS and all non-residential uses in the R-MU and D-MU Overlay Districts are exempt from parking requirements.”
- On page 85, line 8 of the corrective bill (Table 10-301), strike “Per § 14-327” from the Use Standards reference for Dwelling: Multi-Family.
- On page 95, line 7 of the corrective bill (Table 11-301), strike “Per § 14-327” from the Use Standards reference for Dwelling: Multi-Family.
- On page 104 of the corrective bill (Table 12-301), in line 5 in the Districts column, amend the “CB” to read “CB, P¹”. Then, before line 15, add text for the new footnote 1 as follows, renumbering the subsequent footnotes:
“¹ A Neighborhood Commercial Establishment is a permitted use only if: (i) the structure has 50 or more dwelling units; and (ii) non-residential uses are limited to 10% of the structure’s gross floor area.”
- The additional amendments proposed by the Department of Legislative Reference, Draft V, dated March 19, 2017.
- It has been brought to staff’s attention that text changes in Tables 12-903 (1), 12-903 (2), 12-903 (3), and 12-903 (4), concerning substitution, at least, of “may” for “shall” in several places had been made prior to the Third Reader version of the bill. Staff recommends that the Department of Legislative Reference, Law Department and Council President’s office make a recommendation to the Land Use and Transportation Committee on which usage is correct.

STAFF: Eric Tiso

PETITIONER: The Administration, on behalf of the Department of Legislative Reference

HISTORY

- On March 21, 2013, the Planning Commission reviewed and forwarded a comprehensive list of recommendations on CCB #12-0152 (later adopted as Ord. #16-581).
- On September 19, 2013, the Planning Commission reviewed additional amendments and forwarded its recommendation on CCB #12-0152.
- On December 5, 2016, CCB #12-0152 was signed by the Mayor as Ord. #16-581, to take effect on June 5, 2017.

ANALYSIS

Background and Bill Effects: After a number of years of effort to establish a comprehensive replacement of the Zoning Code, it was approved by the City Council on the last day of the Council session, and then signed by the Mayor. Given the volume of work done on the bill leading up to its enactment at the close of the session, there was not sufficient time for the staff of various commenting agencies to review and help ensure the various amendments would be sufficient, would achieve what was intended, and would be clear and easy to understand. As a result, there are a number of corrections required ranging from simple spelling and punctuation errors, to ensuring that the text is internally consistent, and that it correctly conveys the legislative intent as approved.

The first 65 pages of the bill make corrections to the text, and the balance of the bill are the corrections to the tables. A separate bill will be introduced for corrections to the zoning map approved with Ord. #16-581. A listing and explanation of each and every correction proposed would be unwieldy, but the corrections can be categorized into a several groups below:

Corrections to typographical and grammatical errors: These are simple fixes for misspelling, number, correct use of English, and correct legal phraseology. Examples include on page 5 for the addition of a hyphen for “on-site” (in §1-303.c), and on page 7 for the addition of a comma following the words “shared wall” (in §1-305(s)).

Corrections to references: These corrections are to conform references to other parts of law, or other documents. An example is on page 15, where “Baltimore City Building Code” becomes “Baltimore City Building, Fire, and Related Codes” (in §2-203(2)).

Conforming or coordinating language across the code: These are corrections to ensure that terms are used consistently throughout the code, and in the most current forms. An example of making text consistent is found at the top of page 9 in the bill (in §1-307(b)), where the term “Greenhouse” is used throughout the code, where a variety of terms had been used in the text, including high tunnel, hoop-house, and cold-frame. Another example is on page 52, in §16-402(b)(2), where is updated from an older term “Handicap van accessible floors” to the preferred terminology of “Floors accessible to ADA-compliant vans ...”.

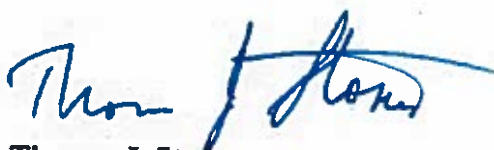
Simplifying or rearranging the text or tables for readability: These corrections are for consolidating related text, making things more visible, or arranging the text for better readability. An example is relocating a reference that requires Site Plan Review for all development within the C-5-IH district from Table 10-401, to a more obvious place - in the list of when Site Plan Review is applicable on page 18 (in §4-203, as a new (9)). Similarly, the minimum district size required to establish an Office-Industrial Campus is relocated from Table 11-401, to the text on page 25, under §11-201(a)(2).

Rearranging, or grouping text for brevity: This is simply rearranging parts of the text or tables to use less space, and the grouping together of similar or related text. An example is on page 38, in §13-202(b), where item (4) that required a minimum of five acres could be joined to item (1) above with the same requirement to save space. Similarly, in the tables, where one or more uses are identically allowed in a given district, those uses can be grouped into only one line to save space. An example is on page 79, in Table 9-301, Dwelling: Detached and Dwelling: Semi-Detached are treated identically, and so can be consolidated into one line as Dwelling: Detached or Semi-Detached.

Amendments: Staff proposes six amendments to the bill. The first amendment inserts a missing amendment adopted by Council (T-807). The second and third amendments remove a reference to §14-327 in Tables 10-301 and 11-301. The fourth reinserts a dropped footnote to Table 12-301. The fifth adopts the additional amendments proposed by the Department of Legislative Reference, Draft V, dated March 19, 2017. The sixth amendment notes that there were text changes in Tables 12-903 (1), 12-903 (2), 12-903 (3), and 12-903 (4), concerning substitution of “may” for “shall” in several places. Staff recommends that the Law Department and Council President’s office make a recommendation to the Land Use and Transportation Committee on which usage is correct.

Staff believes that these changes correct errors in the final Ordinance, and that it improves the readability of the text so that it may be more easily understood and used. For these reasons, staff recommends approval of the bill.

Community Notification: Notice of this action was sent to 8,624 individuals via GovDelivery.



Thomas J. Stosur
Director

AMENDMENTS TO COUNCIL BILL 17-021
(1st Reader Copy)

Proposed By: Department of Legislative Reference
{To be offered to the Land Use and Transportation Committee}

ADDITIONAL TEXT CORRECTIONS

Amendment No. 1 {§ 7-202}

On page 1, in line 17, after “5-901,” insert “7-202.”; and, on page 22, after line 18, insert:

“§ 7-202. Use regulations.

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

Amendment No. 2 {§ 11-301}

On page 1, in line 19, after “11-202(a),” insert “11-301.”; and, on page 25, after line 23, insert:

“Subtitle 3. Use Regulations

§ 11-301. As listed in Table 11-301

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

Amendment No. 3 {§ 12-301}

On page 29, in line 3, after “listed”, strike “under” and substitute “IN”.

Amendment No. 4 {§ 12-402}

On page 1, in line 21, after “and (i),” insert “12-402.”; and, on page 29, after line 25, insert:

“§ 12-402. Use regulations.

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

ADDITIONAL TABLE CORRECTIONS

Amendment No. 5 {Table 7-203}

On page 73, in the unnumbered row after line 12, in the 1st column, insert “**MINIMUM YARDS**”; and, in line 14, strike “**MINIMUM YARDS**” and substitute “**Interior-Side Yard**”; and, in line 15, strike “**Corner Side**” and substitute “**Corner-Side**”.

Amendment No. 6 {Table 8-401}

On page 77, in line 27, in columns for R-1A through R-1E Districts, in each instance, strike “25%” and substitute “**40%**”; and, in the same line, in the columns for R-1 through R-4 Districts, strike “30%” or “35%”, as the case may be, and, in each instance, substitute “**50%**”.

Amendment No. 7 {Table 9-401}

On page 83, in line 5, in the column for the R-7 District, strike “21 feet” and substitute “**15 feet**”.

Amendment No. 8 {Table 10-301}

On page 85, in line 22, in the column for the C-2 District, strike “CB” and substitute “**P**”.

Amendment No. 9 {Table 12-602}

On page 115, in line 20, strike “20 feet” and substitute “**10 feet**”; and, on the same page, in line 22, strike “10 feet” and substitute “**15 feet**”.

Amendment No. 10 {Table 12-1303}

On page 135, in the unnumbered row after line 3, strike the column headings “TOD-1”, “TOD-2”, “TOD-3”, and “TOD-4”, and substitute “PC-1”, “PC-2”, “PC-3”, and “PC-4”, respectively.

EDUCATIONAL AND HOSPITAL CAMPUS DISTRICTS – TEXT-TO-TABLE TRANSFERS

Amendment No. 11 {Title Function Paragraphs}

On page 1, in line 22, before “12-502(a)(2)”, insert “12-501,”; and, in the same line, before “12-602(a)(2)”, insert “12-601,”; and, on page 2, in line 15, strike “12-601(a)(6).”.

Amendment No. 12 {§ 12-501}

On page 30, after line 16, insert:

“12-501. Use Regulations.

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

[(1) Permitted uses.]

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

- (i) Community-managed open-space gardens (See § 14-307 for use standards).**
- (ii) Day-care centers: Child (See § 14-309 for use standards).**
- (iii) Educational facilities: Primary or secondary, including ancillary dormitory and residential uses.**
- (iv) Parking garages (principal use) (See § 14-331 for use standards).**
- (v) Parking lots (See § 14-331 for use standards).**
- (vi) Places of worship (See § 14-332 for use standards).**
- (vii) Telecommunications base stations – Stealth design (See § 14-338 for use standards).**
- (viii) Urban agriculture (See § 14-339 for use standards).**
- (ix) Utilities (See § 14-340 for use standards).**
- (x) Wireless communications services – as modification to, but without substantial change in physical dimensions of, an existing telecommunications facility (See § 14-338 for use standards).]**

[(2) Conditional uses.]

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

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

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

[(1) Permitted uses.]

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

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

[(2) Conditional uses.]

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

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

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

Amendment No. 13 {§ 12-601}

On page 31, strike lines 11 through 15, in their entireties, and substitute:

“[(a) Permitted uses.]

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

- (1) Day-care centers: Adult or Child (See § 14-309 for use standards).
- (2) Educational facilities: Post-secondary, including ancillary dormitory and residential uses.
- (3) Health-care clinics.
- (4) Hospitals, including ancillary dormitory and residential uses.

- (5) *{Reserved}*
- (6) Medical support facilities.
- (7) Offices.
- (8) Parking garages (Principal use) (See §14-331 for use standards).
- (9) Parking lots (See § 14-331 for use standards).
- (10) Personal services establishments.
- (11) Places of Worship (See §14-332 for use standards).
- (12) Recreation - Indoor and outdoor.
- (13) Research and development.
- (14) Residential-care facilities (See § 14-334 for use standards).
- (15) Restaurants.
- (16) Retail goods establishments – no alcoholic beverage sales.
- (17) Telecommunications base stations – Stealth design (See § 14-338 for use standards).
- (18) Utilities (See § 14-340 for use standards).
- (19) Wireless communications services – as modification to, but without substantial change in physical dimensions of, an existing telecommunications facility (See § 14-338 for use standards).]

[(b) *Conditional uses.*]

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

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

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

Amendment No. 14 {Substituted Tables}

After page 112, insert new *Table 12-501: Educational Campus Districts – Permitted and Conditional Uses* and, after page 114, insert new *Table 12-601: Hospital Campus Districts – Permitted and Conditional Uses*, to read as shown on the following pages:

{PAGE LEFT INTENTIONALLY BLANK}

**TABLE 12-501: EDUCATIONAL CAMPUS DISTRICTS –
PERMITTED AND CONDITIONAL USES**

USES	DISTRICTS		USE STANDARDS
	EC-1	EC-2	
RESIDENTIAL			
Dormitory (Ancillary to Educational Facility)	P	P	
Dwelling (Ancillary to Educational Facility)	P	P	Per § 14-327
Fraternity or Sorority House		P	Per § 14-313
Rooming House (Ancillary to Educational Facility)		CB	
INSTITUTIONAL			
Community Center (Ancillary to Educational Facility)		CB	
Cultural Facility (Ancillary to Educational Facility)		CB	Per § 14-308
Educational Facility: Commercial-Vocational		P	
Educational Facility: Post-Secondary		P	
Educational Facility: Primary and Secondary	P	P	
Place of Worship	P	P	Per § 14-332
OPEN-SPACE			
Community-Managed Open-Space Farm	CB	CB	Per § 14-307
Community-Managed Open-Space Garden	P	P	Per § 14-307
Park or Playground	P	P	
Urban Agriculture	P	P	Per § 14-339
COMMERCIAL			
Broadcasting Station (TV or Radio)		P	
Carry-Out Food Shop		P	
Day-Care Center: Adult or Child	P	P	Per § 14-309
Entertainment: Indoor		P	Per § 14-312

Commercial (cont'd)	EC-1	EC-2	
Office	P	P	
Personal Services Establishment		P	
Recreation: Indoor or Outdoor (Ancillary to Educational Facility)	P	P	Per § 14-312
Restaurant		P	
Retail Goods Establishment (No Alcoholic Beverages Sales)		P	
Stadium (Ancillary to Educational Facility)		CB	
INDUSTRIAL			
Research and Development Facility		P	
OTHER			
Electric Substation: Enclosed, Indoor, or Outdoor	CB	CB	Per § 14-340
Parking Garage (Principal Use)	P	P	Per § 14-331
Parking Lot (Principal Use)	P	P	Per § 14-331
Telecommunications Facility ¹	CB, P	CB, P	Per § 14-338
Utilities	CB	CB	Per § 14-340
Wireless Communications Services ²	CB, P	CB, P	Per § 14-338

¹ Only telecommunications base stations that comply with the stealth design standards of § 14-338 are considered permitted uses.

² 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.

**TABLE 12-601: HOSPITAL CAMPUS DISTRICTS –
PERMITTED AND CONDITIONAL USES**

USES	DISTRICTS	USE STANDARDS
	H	
RESIDENTIAL		
Dormitory (Ancillary to Hospital or Educational Facility: Post-Secondary)	P	
Dwelling (Ancillary to Hospital or Educational Facility: Post-Secondary)	P	
Residential-Care Facility	P	Per §14-334
Rooming House	CB	
INSTITUTIONAL		
Community Center (Ancillary to Educational Facility: Post-Secondary)	CB	
Cultural Facility (Ancillary to Educational Facility: Post-Secondary)	CB	Per § 14-308
Educational Facility: Post-Secondary	P	
Hospital	P	
Place of Worship	P	Per §14-332
COMMERCIAL		
Carry-Out Food Shop	P	
Day-Care Center: Adult or Child	P	Per §14-309
Health-Care Clinic	P	
Health Center	P	
Helistop	CB	
Hotel or Motel	CB	
Office	P	
Personal Services Establishment	P	

Commercial (cont'd)	H	
Recreation: Indoor and Outdoor (Ancillary to Hospital or Educational Facility: Post-Secondary)	P	Per §14-312
Restaurant	P	
Retail Goods Establishment (No Alcoholic Beverages Sales)	P	
INDUSTRIAL		
Research and Development Facility	P	
OTHER		
Electric Substation: Enclosed, Indoor, or Outdoor	CB	Per § 14-340
Parking Garage (Principal Use)	P	Per § 14-331
Parking Lot (Principal Use)	P	Per § 14-331
Telecommunications Facility ¹	CB, P	Per § 14-338
Utilities	CB	Per § 14-340
Wireless Communications Services ²	CB, P	Per § 14-338

¹ Only telecommunications base stations that comply with the stealth design standards of § 14-338 are considered permitted uses.

² 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.

CITY OF BALTIMORE

CATHERINE E. PUGH, Mayor



**BOARD OF MUNICIPAL AND
ZONING APPEALS**

DAVID C. TANNER, Executive Director
417 E. Fayette Street, Room 1432
Baltimore, Maryland 21202

March 6, 2017

The Honorable President and
Members of the City Council
City Hall
100 N. Holliday Street
Baltimore, MD 21202

Re: City Council Bill No. 17-0021: Zoning - Baltimore City Zoning Code - Legalization -
Corrections.

Ladies and Gentlemen:

City Council Bill No. 17-0021 has been referred by your Honorable Body to the Board of
Municipal and Zoning Appeals for study and report.

The purpose of City Council Bill No. 17-0021 is to legalize City Code Article 32 {"Zoning"}, as
enacted by Ordinance 16-581 {"TransForm Baltimore - Zoning"} and edited, codified, and
published by the Baltimore City Department of Legislative Reference; further amending new
Article 32 to correct various technical errors, omissions, and inconsistencies and to correct,
clarify, and conform various references and language; providing for a special effective date; and
generally relating to the zoning and development laws of the City of Baltimore.

The BMZA has reviewed the legislation and recommends approval to the passage of Bill
Number 17-0021.

Sincerely,

David C. Tanner
Executive Director

DCT/rdh

CC: Mayors Office of Council Relations

**CITY OF BALTIMORE
COUNCIL BILL 17-0021
(First Reader)**

Introduced by: The Council President
At the request of: Department of Legislative Reference
Introduced and read first time: February 27, 2017
Assigned to: Land Use and Transportation Committee

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

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Baltimore City Zoning Code – Legalization – Corrections**

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

9 BY repealing and reordaining, with amendments

10 Article 32 - Zoning

11 Sections 1-303(c)(1)(i), (f), and (t), 1-304(f) and (y), 1-305(p), (r) through (s), and (bb),
12 1-306(l), 1-307(a), (b), and (o)(2), 1-308(a)(3), (b)(3), (c)(2)(vi), and (q)(2), 1-310(c)(2),
13 (m)(1), (n)(2), 1-312(q)(1) and (u), 1-311(c), (e), and (o)(4), 1-314(j), 2-201(a), 2-202(b),
14 (h), (i), (j)(1), and (k)(1) and (2), 3-201(c)(intro), 3-202(a) and (l), 3-204(b)(intro) and
15 (3)(iii), 3-205(intro), 4-203(3) through (8), 4-405(a)(13)(iii), 5-202(b)(1), 5-301(b),
16 5-302(b)(1)(v)(intro), 5-305(b)(3)(i), 5-308(b)(7), 5-406(a) and (b)(10), 5-409(d),
17 5-504(intro), 5-601(f), 5-602(e), 5-603(d), 5-604(e) and (f), 5-703, 5-705, 5-901,
18 7-204(c) and (e), 7-306(b), 8-603, 8-606, 9-703(c) and (d), 9-803, 9-806, 10-204(a),
19 10-207(c)(1), 10-502(b), 10-603, 10-606, 11-201(a), 11-202(a), 11-603, 11-606,
20 12-101(11), 12-201 through 12-211, Subtitle 3(caption), 12-301, 12-302(a), 12-303(a),
21 (c), (f), and (i), 12-403(a), 12-405(a)(2) and (d), 12-406(c) and (f), Subtitle 5(caption),
22 12-502(a)(2), 12-503(b), 12-504(c) and (f), Subtitle 6(caption), 12-602(a)(2),
23 12-603(b)(1), 12-604(c) and (f), Subtitle 7(caption), 12-701(intro), Subtitle 9(caption),
24 12-901, 12-904(a)(1), 12-905(b)(4) and (c)(1), 12-906(a)(1), (3), and (6) and (b)(1),
25 (3)(i)(intro), (5), and (12), Subtitle 10(caption), 12-1001(a), 12-1002(intro),
26 12-1003(a)(intro) and (7) and (b)(intro), 12-1004(a), 12-1005(a) and (b)(1), Subtitle
27 11(caption), 12-1101(a), 12-1102(intro), 12-1103(a)(intro) and (b)(intro), 12-1104,
28 12-1105(a), 12-1301, 12-1302, 12-1303(a), 12-1304(a), (c) and (e), 13-102(a), 13-201(a),
29 13-202(b), 13-501, 13-503(b), 14-307(b)(2), 14-309(a), 14-310(a), 14-311(g),
30 14-313(a)(2)(ii), 14-316(b), 14-318(e), 14-324(b)(1), 14-325(a), 13-326(a) and (d)(2),
31 14-327(c)(intro), 14-331(a)(2) and (b)(5), 14-333(b)(1), 14-334(a)(3) and (b)(2),
32 14-338(d)(2)(i) and (k)(3)(i), 14-339(b), 14-340, 14-401(a) through (d) and (e)(3), (4)(ii),

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

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

10 Baltimore City Code
11 (Edition 2000)

12 BY repealing

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

17 Baltimore City Code
18 (Edition 2000)

19 BY adding

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

23 Baltimore City Code
24 (Edition 2000)

25 BY repealing and reordaining, without amendments

26 Article 32 - Zoning
27 Section 1-305(o), (q), (t), and (u)
28 Baltimore City Code
29 (Edition 2000)

30 BY repealing

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

35 BY renumbering, with amendments

36 Article 32 - Zoning
37 Section 6-401
38 to be
39 Section 2-202
40 and
41 Section 2-202
42 to be
43 Section 2-203
44 Baltimore City Code
45 (Edition 2000)

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1 BY repealing
2 Article 32 - Zoning
3 Tables 7-202 through 17-812
4 Baltimore City Code
5 (As enacted by Ordinance 16-581))

6 BY adding
7 Article 32 - Zoning
8 Tables 7-202 through 17-812
9 Baltimore City Code
10 (Edition 2000)

11 BY repealing
12 Article 1 - Mayor, City Council, and Municipal Agencies
13 Section 40-14(e)(8) and 41-14(7)
14 Baltimore City Code
15 (Edition 2000)

16 BY renumbering
17 Article 1 - Mayor, City Council, and Municipal Agencies
18 Section 40-14(e)(5) and (5a)
19 to be
20 Section 40-14(e)(5a) and 5(c), respectively
21 Baltimore City Code
22 (Edition 2000)

23 BY adding
24 Article 1 - Mayor, City Council, and Municipal Agencies
25 Section 40-14(e)(5b) and 41-14(4a)
26 Baltimore City Code
27 (Edition 2000)

28 BY repealing
29 Article 19 - Police Ordinances
30 Section 71-2(i)(3)
31 Baltimore City Code
32 (Edition 2000)

33 BY renumbering
34 Article 19 - Police Ordinances
35 Section 71-2(i)(3a)
36 to be
37 Section 71-2(i)(3)
38 Baltimore City Code
39 (Edition 2000)

Council Bill 17-0021

1 BY adding
2 Article 19 - Police Ordinances
3 Section 71-2(i)(5)
4 Baltimore City Code
5 (Edition 2000)

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

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

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Baltimore City Code

Article 32. Zoning

Title 1. General Provisions

Subtitle 3. Definitions

§ 1-302. “Abut” to “Awning”.

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

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

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

“Alternative energy system: Private” means an alternative energy system that:

- (1) primarily produces energy for consumption on site by a property owner;
and
- (2) secondarily might supply excess energy to an electric grid.]

[(s) *Arbor.*]

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

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

(c) *Banquet hall.*

(1) *In general.*

“Banquet hall” means an establishment:

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

.....

(f) *Bed and breakfast.*

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

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

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

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

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

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

9 (f) *Commercial vehicle.*

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

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

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

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

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

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

23 (1) *In general.*

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

26 [(2) *Inclusions.*]

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

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

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

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

32 (ii) a child day-care home.

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

2 (o) *Dwelling: Detached.*

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

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

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

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

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

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

13 (1) *In general.*

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

15 (2) *Inclusions.*

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

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

19 *SEE “AGE-RESTRICTED MULTI-FAMILY DWELLING”.*

20 (r) *Dwelling: Rowhouse.*

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

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

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

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

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

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1 (u) *Dwelling unit.*

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

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

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

6 (bb) *Electric substation: Enclosed.*

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

12 § 1-306. “Encroachment” to “Golf course”.

13 (l) *Food processing: Light.*

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

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

18 [(1) *General.*]

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

22 [(2) *Illustrations.*]

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

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

28 “HOUSING COMMISSIONER” OR “COMMISSIONER OF HOUSING” MEANS THE
29 COMMISSIONER OF HOUSING AND COMMUNITY DEVELOPMENT OR THE COMMISSIONER’S
30 DESIGNEE.

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

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

3 (1) *In general.*

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

6 (2) *Inclusions.*

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

9 (b) *Greenhouse.*

10 (1) *IN GENERAL.*

11 “Greenhouse” means a structure that is:

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

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

16 (2) *BY ANY OTHER NAME.*

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

19 (c) *Hospital.*

20 (2) *Inclusions.*

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

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

26 (a) *Industrial: General.*

27 (3) *Exclusions.*

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

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1 (b) *Industrial: Light.*

2 (3) *Exclusions.*

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

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

7 (2) *Inclusions.*

8 "Industrial: Maritime-dependent" includes:

9 ...

10 (vi) facilities that:

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

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

16 (q) *Lodge or social club.*

17 (2) *Inclusions.*

18 "Lodge or social club" includes:

19 (i) a union hall; and

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

22 § 1-309. "Lot line" to "Motel".

23 [(j) *Main Street.*]

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

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

28 [(1) *In general.*]

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

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1 [(2) *Inclusions.*]

2 ["Medical support facility" includes:

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

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

5 § 1-310. "Motor vehicle" to "Owner".

6 (c) *Motor vehicle operations facility.*

7 (2) *Exclusions.*

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

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

13 SEE "AGE-RESTRICTED MULTI-FAMILY DWELLING".

14 (m) *Nursery.*

15 (1) *In general.*

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

18 (n) *Office.*

19 (2) *Exclusions.*

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

22 [(s) *Outdoor fireplace.*]

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

26 [(w) *Outdoor theater.*]

27 [(1) *In general.*]

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

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1 [(2) *Illustration.*]

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

3 [(x) *Overlay District.*]

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

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

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

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

15 (e) *Parking lot.*

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

18 (o) *Person.*

19 "Person" means:

20 ...

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

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

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

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

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

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

31 [(c) *Public works.*]

32 [See "Government facility: Public works"]

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1 [(e) *Rain barrel.*]

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

3 (q) *Research and development facility.*

4 (1) *In general.*

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

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

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

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

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

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

17 [(e) *Trellis.*]

18 [“Trellis” means a frame that is:

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

20 (2) affixed to a wall; and

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

22 (j) *Urban agriculture.*

23 (1) *In general.*

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

26 § 1-315. “Yard” to “Zoo”.

27 (F) *ZONING ADMINISTRATOR; ADMINISTRATOR.*

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

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1 (G) *ZONING BOARD; BMZA.*

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

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

5 *Subtitle 2. Applicability*

6 **§ 2-201. Application of Code.**

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

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

11 [(f) *Conflicts.*]

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

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

16 [(a) *Uses allowed.*]

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

30 (i) *Previously issued building permits.*

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

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

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

6 (k) *Pending applications.*

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

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

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

15 *Subtitle 2. Administrative Agencies and Officials*

16 **§ 3-201. Zoning Administrator.**

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

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

20

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

22 (a) *Board established.*

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

25 (b) *Powers and duties.*

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

29 . . .

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

31

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1 (l) *Voting – Number of votes.*

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

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

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

8 **§ 3-204. Director of Planning.**

9 (b) *Powers and duties.*

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

13 . . .

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

16 . . .

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

18 . . .

19

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

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

24

25 **Title 4. Development Reviews**

26 ***Subtitle 2. Site Plan Review***

27 **§ 4-203. Applicability.**

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

29 . . .

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

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

Subtitle 4. Design Review

§ 4-405. Applicability.

(a) *In general.*

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

...

(13) any new construction that involves:

...

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

....

Title 5. Applications and Authorizations

Subtitle 2. Applications

§ 5-202. Completeness review.

(b) *Subsequent changes.*

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

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Subtitle 3. Variances

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§ 5-301. Purpose.

(b) Application.

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

§ 5-302. Minor and major variances.

(b) Minor variances.

(1) Minor variances comprise the following specified variances:

...

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

...

....

§ 5-305. Major variances.

(b) Procedures before the BMZA.

(3) Decision by Board.

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

...

....

§ 5-308. Approval standards.

(b) Other required findings.

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

...

(7) the variance will not otherwise:

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

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

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Subtitle 4. Conditional Uses

§ 5-406. Approval standards.

(a) Limited criteria for denying.

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

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

(b) Required considerations.

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

...

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

....

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

(d) How notice served.

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

Subtitle 5. Legislative Authorizations

§ 5-504. Referrals.

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

....

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Subtitle 6. Notices

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

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

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

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

§ 5-602. Major variances; Conditional uses.

(e) Timing of notice.

The posted notice MUST BE:

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

§ 5-603. Minor variances.

(d) Timing of notice.

The posted notice MUST BE:

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

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

(e) Timing of notice.

THE POSTED NOTICE MUST BE:

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

(f) Copy of agenda to Councilmembers.

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

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Subtitle 7. Use Permits

§ 5-703. Authorization and issuance.

A use permit for a structure or land is:

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

§ 5-705. Procedure.

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

Subtitle 9. Zoning Verifications

§ 5-901. Purpose.

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

Title 6. Zoning Districts; Maps and Profiles

[Subtitle 4. Exempt Essential Services]

Title 7. Open-Space and Environmental Districts

Subtitle 2. Open-Space Zoning District

§ 7-204. Other applicable standards.

(c) *Site development standards.*

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

(c) *Landscaping and screening.*

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

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Subtitle 3. Floodplain Overlay Zoning District

§ 7-306. Variances and conditional uses.

(b) Warning letters.

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

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

Title 8. Detached and Semi-Detached Residential Districts

§ 8-603. Site development.

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

§ 8-606. Landscaping and screening.

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

Title 9. Rowhouse and Multi-Family Residential Districts

Subtitle 7. Residential Conversions

§ 9-703. Conversion standards.

(c) GFA per dwelling unit.

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

- [(1) efficiency unit: 500 square feet.]
(1) [(2)] 1-bedroom unit: 750 square feet.
(2) [(3)] 2-bedroom unit: 1,000 square feet.
(3) [(4)] 3- or more bedroom unit: 1,250 square feet.

(d) Bulk AND YARD regulations.

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

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1 *Subtitle 8. Other Applicable Standards*

2 **§ 9-803. Site development.**

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

5 **§ 9-806. Landscaping and screening.**

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

8 **Title 10. Commercial Districts**

9 *Subtitle 2. District Descriptions*

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

11 (a) *Areas for which intended.*

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

15 **§ 10-207. C-5 Downtown District.**

16 (c) *Subdistricts.*

17 (1) *In general.*

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

22 *Subtitle 5. Design Standards for C-5 District*

23 **§ 10-502. Open-space plazas.**

24 (b) *Design requirements.*

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

26 (1) [(2) Plazas] A PLAZA must be designed to be accessible from adjoining buildings
27 and for generally unobstructed pedestrian circulation throughout the plaza[.]; AND

28 (2) [(3) Visibility] VISIBILITY into the plaza may not be entirely blocked by
29 structures.

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Subtitle 6. Other Applicable Standards

§ 10-603. Site development.

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

§ 10-606. Landscaping and screening.

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

Title 11. Industrial Districts

Subtitle 2. District Descriptions

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

(a) *IN GENERAL.*

(1) *Intent.*

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

(2) *MINIMUM SIZE OF DISTRICT.*

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

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

(a) *IN GENERAL.*

(1) *Intent.*

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

(2) *MINIMUM SIZE OF DISTRICT.*

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

Subtitle 6. Other Applicable Standards

§ 11-603. Site development.

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

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1 **§ 11-606. Landscaping and screening.**

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

4 **Title 12. Special Purpose Districts**

5 *Subtitle 1. Purpose of Title*

6 **§ 12-101. In general.**

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

9 . . .

10 (11) Port Covington Zoning [Districts] DISTRICT.

11 **§ 12-102. PURPOSE OF OVERLAY DISTRICTS.**

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

18 *Subtitle 2. District Descriptions*

19 **§ 12-201. OR Office-Residential [District] DISTRICTS.**

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

24 **§ 12-202. TOD Transit-Oriented Development Districts.**

25 The purpose of [the] TOD Transit-Oriented Development Zoning [District] DISTRICTS is to
26 encourage the location of uses and forms of development conducive to increased transit
27 usage. [The TOD District is] THESE DISTRICTS ARE intended to promote new, well-
28 integrated residential and commercial development around transit stations, TO ensure that
29 new development occurs in the form of compatible, higher density, transit-friendly design in
30 close proximity to transit systems, TO encourage a pedestrian-orientation in new
31 development, TO decrease reliance on motor vehicles by increasing transit uses, and TO
32 encourage a mix of buildings and activities that provides settings for social interaction and
33 active community life. In order to address the different characteristics of transit locations
34 within the City, 4 TOD Districts are established: the TOD-1 District, TOD-2 District, TOD-3
35 District and the TOD-4 District. The primary distinctions among these 4 TOD Districts are
36 height, residential density, and use mix.