

**CITY OF BALTIMORE
COUNCIL BILL 18-0277
(First Reader)**

Introduced by: The Council President
At the request of: The Administration (Department of Planning)
Introduced and read first time: September 17, 2018
Assigned to: Land Use and Transportation Committee

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

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Zoning – IMU Industrial Mixed-Use Zoning Districts**

3 FOR the purpose of establishing a new IMU-2 Industrial Mixed-Use Zoning District and
4 specifying the permitted and conditional uses allowed in that district; renaming the current
5 “IMU” Industrial Mixed-Use Zoning District to be known as the “IMU-1” Industrial Mixed-
6 Use Zoning District; and correcting, clarifying, and conforming related provisions.

7 BY repealing and reordaining, with amendments

8 Article 32 - Zoning

9 Sections 6-206, 6-207, 11-203, 13-202(b), 15-510(a)(1)(iii), 15-701, 15-702(a),
10 15-703(a), 17-815(l), and 17-902(a)(1)

11 and

12 Tables 11-301, 11-401, 17-804, and 17-812

13 Baltimore City Code

14 (Edition 2000)

15 BY repealing and reordaining, with amendments

16 Article - Health

17 Section 9-201(f)

18 Baltimore City Revised Code

19 (Edition 2000)

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

22 **Baltimore City Code**

23 **Article 32. Zoning**

24 **Title 6. Zoning Districts; Maps and Profiles**

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

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Subtitle 2. Zoning Districts

§ 6-206. Industrial Districts.

The Industrial Districts are:

- OIC Office-Industrial Campus Zoning District
- BSC Bio-Science Campus Zoning District
- [I-MU] IMU-1 Industrial Mixed-Use Zoning District
- IMU-2 INDUSTRIAL MIXED-USE ZONING DISTRICT
- I-1 Light Industrial Zoning District
- I-2 General Industrial Zoning District
- MI Maritime Industrial Zoning District

§ 6-207. Special Purpose Districts.

The Special [Use] PURPOSE Districts are:

- OR Office-Residential Zoning District
- TOD-1 Transit-Oriented Development District
- TOD-2 Transit-Oriented Development District
- TOD-3 Transit-Oriented Development District
- TOD-4 Transit-Oriented Development District
- EC Educational Campus Zoning District
- H Hospital Campus Zoning District
- T Transportation Zoning District
- W Waterfront Overlay Zoning District
- R-MU Rowhouse Mixed-Use Overlay District
- D-MU DETACHED DWELLING MIXED-USE OVERLAY DISTRICT
- AU Adult Use Overlay Zoning District
- PC Port Covington Zoning District

Title 11. Industrial Districts

Subtitle 2. District Descriptions

§ 11-203. [I-MU] IMU Industrial Mixed-Use [District] DISTRICTS.

(a) *Intent.*

- (1) The [I-MU] IMU Industrial Mixed-Use Zoning [District is] DISTRICTS ARE intended to encourage the reuse of older industrial buildings for light industrial use, as well as a variety of non-industrial uses.
- (2) These older industrial buildings are often surrounded by residential and other non-industrial uses, THOUGH IN MANY CASES THEY ARE ALSO TRANSITION ZONES BETWEEN A HEAVY INDUSTRIAL AREA AND A MAJOR ROAD OR A LESS INTENSE USE OR DISTRICT.

[(b) *Surrounding, non-industrial uses.*]

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1 [Examples of non-industrial uses, creating a mixed-use or multi-tenant
2 environment, include:

- 3 (1) live-work dwellings;
- 4 (2) residential uses;
- 5 (3) commercial uses; and
- 6 (4) limited institutional uses.]

7 (B) *TYPES OF IMU DISTRICTS.*

8 (1) 2 TYPES OF IMU DISTRICTS ARE ESTABLISHED, AS FOLLOWS:

9 (I) ONE, THE IMU-1 DISTRICT, ALLOWS A VARIETY OF RESIDENTIAL USES,
10 INCLUDING LIVE-WORK DWELLINGS; AND

11 (II) THE OTHER, THE IMU-2 DISTRICT, PROHIBITS ALL RESIDENTIAL USES.

12 (2) THE IMU-1 DISTRICT IS GENERALLY FOR INDUSTRIAL BUILDINGS THAT ARE
13 ADJACENT TO EXISTING RESIDENTIAL BUILDINGS, TYPICALLY ROWHOUSES.

14 (3) THE IMU-2 DISTRICT IS GENERALLY FOR INDUSTRIAL BUILDINGS THAT ARE
15 ADJACENT TO HEAVIER INDUSTRY, PORT USES, HIGHWAYS, OR TRUCK ROUTES AND
16 NOT RESIDENTIAL AREAS. THIS DISTRICT IS INTENDED TO PROTECT INDUSTRIAL
17 LAND AND TRUCK ROUTES FROM PRESSURES OF RESIDENTIAL USES.

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

19 (1) In [the I-MU district:] AN IMU-1 DISTRICT, [(2)] a use other than residential and other
20 than parking must account for a floor area (located anywhere in any building on the
21 same lot) equal to at least 60% of the total ground-floor area of all buildings on the
22 lot.

23 (2) IN AN IMU-2 DISTRICT, [(1) an industrial] A use LISTED IN THE “INDUSTRIAL USE
24 CATEGORY” OF TABLE 11-301 {“INDUSTRIAL DISTRICTS – PERMITTED AND
25 CONDITIONAL USES”} AS ALLOWED FOR AN IMU-2 DISTRICT must account for a floor
26 area (located anywhere in any building on the same lot) equal to at least 50% of the
27 total ground floor area of all buildings on the lot[; or].

28 [(d) *Floor area exception.*]

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

32 **Title 13. Planned Unit Developments**

33 ***Subtitle 2. Requirements; Approval Standards; Exceptions***

1 **§ 13-202. General requirements.**

2 (b) *Minimum areas.*

3 Planned unit developments must meet the following minimum areas:

- 4 (1) at least 5 acres in the R-1A, R-1B, R-1C, R-1D, R-1E, R-1, R-2, R-3, R-4, R-5,
5 OIC, and BSC Districts;
- 6 (2) at least 2 acres in the R-6, R-7, R-8, R-9, R-10, C-1, C-2, C-3, C-4, [I-MU]
7 IMU-1 AND -2, TOD, OR, and PC Districts; and
- 8 (3) at least 1½ acres in the C-5 District.

9 **Title 15. Site Development Standards**

10 ***Subtitle 5. Accessory Structures and Uses***

11 **§ 15-510. Outdoor storage.**

12 (a) *Uses allowed accessory outdoor storage.*

- 13 (1) The following uses are allowed as accessory outdoor storage:
14
15 (iii) mini-warehouses in the C-4, [I-MU] IMU-1 AND -2 and I-1 Districts;
16

17 ***Subtitle 7. Performance Standards***

18 **§ 15-701. Purpose.**

19 The performance standards in this subtitle are designed to promote and protect commercial
20 districts, business areas, and the [I-MU] IMU-1 AND -2 and I-1 Districts, as light industrial
21 areas, thereby promoting and maintaining the most appropriate and beneficial use of these
22 areas. The application of these standards protect business and residential areas in or adjacent
23 to a commercial district or an [I-MU] IMU-1 OR -2 or I-1 District from adverse effects that
24 might otherwise result from the operation of the uses allowed in those districts.

25 **§ 15-702. Applicability of standards.**

26 (a) *In general.*

27 Except as specified in subsection (b) of this section, the performance standards in this
28 subtitle apply to:

- 29 (1) all uses in an [I-MU] IMU-1 AND -2 and AN I-1 District; and

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1 (2) all activities in a commercial district that involve the production, processing,
2 cleaning, servicing, testing, or repair of materials, goods, or products.

3 **§ 15-703. Environmental performance standards.**

4 (a) *In general.*

5 All uses in the commercial districts and the [I-MU] IMU-1 AND -2 and I-1 Districts must
6 be operated so as to comply with the performance standards described in this section. In
7 addition to these performance standards, all uses must be constructed, maintained, and
8 operated so as not to be injurious to the use and occupation of the adjacent premises by
9 reason of the emission or creation of noise, vibration, radiation, fire, explosive hazard, or
10 glare. Nothing in this section may be construed to alter, change, modify, or abrogate any
11 authority granted exclusively to any state or federal regulations.

12 **Title 17. Signs**

13 ***Subtitle 8. Permanent Signs***

14 **§ 17-815. Wall signs.**

15 (l) Cabinet box wall signs.

16 Cabinet box wall signs are prohibited in the C-1, C-1-E, C-1-VC, C-2, OR, [I-MU]
17 IMU-1 AND -2, R-MU, D-MU, and all residential districts.

18 ***Subtitle 9. Areas of Special Sign Control***

19 **§ 17-902. Applicability.**

20 (a) *Districts.*

21 (1) An Area of Special Sign Control may be applied for in the C-1, C-1-E, C-1-VC, C-2,
22 C-3, C-4, C-5, [I-MU] IMU-1 AND -2, OR, or TOD District.

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TABLE 11-301: INDUSTRIAL DISTRICTS – PERMITTED AND CONDITIONAL USES

USES	DISTRICTS							USE STANDARDS
	OIC	BSC	[I-MU] IMU-1	IMU-2	I-1	I-2	MI	
RESIDENTIAL								
Dwelling (Above Non-Residential Ground Floor)		P	P					
Dwelling: Live-Work			P		CB			
Dwelling: Multi-Family		P	P					
Dwelling: Rowhouse		P						
Residential-Care Facility (16 or Fewer Residents)		P	P					Per § 14-334
Residential-Care Facility (17 or More Residents)		CB	CB					Per § 14-334
INSTITUTIONAL								
Cultural Facility			CB					Per § 14-308
Educational Facility: Commercial-Vocational	P	P	P	P	P	CB	CB	
Educational Facility: Post-Secondary	CB	CB	CB					
Educational Facility: Primary and Secondary		P	P					
Government Facility	P	P	P	P	P	P	P	
Homeless Shelter			CO					
Hospital		P	CO					
OPEN-SPACE								
Community-Managed Open-Space Farm	CB	CB	CB					Per § 14-307
Community-Managed Open-Space Garden	P	P	P					Per § 14-307
Park or Playground	P	P	P					
Urban Agriculture	P	P	P	P	P			Per § 14-339

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	<i>OIC</i>	<i>BSC</i>	<i>IMU-1</i>	<i>IMU-2</i>	<i>I-1</i>	<i>I-2</i>	<i>MI</i>	
COMMERCIAL								
Animal Clinic			P	P	P			Per § 14-317
Art Gallery			P	P				
Arts Studio			P	P				
Arts Studio: Industrial	P		P	P	P			
Banquet Hall	CB			P ²				Per § 14-302
Body Art Establishment			P	P				
Broadcasting Station (TV or Radio)	P		P	P	P			
Car Wash				P	P	P		Per § 14-304
Carry-Out Food Shop		P	P	P	CB	CB		
Day-Care Center: Adult or Child	P	P	P	P ¹	P ¹	P ¹	P ¹	Per § 14-309
Drive-Through Facility	CB			CB				Per § 14-311
Entertainment: Indoor		P	P	P				Per § 14-312
Entertainment: Live			CB	CB				Per § 14-319
Entertainment: Live (Accessory to Restaurant, Tavern, Art Studio, or Art Gallery)		CB		P				Per § 14-319
Financial Institution	P ²	P	P	P				
Gas Station				CB	CB	CB		Per § 14-314
Greenhouse		P	P	P	P			Per § 14-339
Health-Care Clinic	P	P	P					
Heavy Sales, Rental, or Service			CO	CB	CB			
Hotel or Motel	P	P	CB					
Kennel			CB	P	P			Per § 14-317
Lodge or Social Club			P	CB	CB	CB	CB	Per § 14-320
Motor Vehicle Service and Repair: Minor			CO	P	CO			Per § 14-326
Nursery		P	P	P	P			Per § 14-339
Office	P	P	P	P	CB ^{2,3}	CB ^{2,3}	CB ^{2,3}	

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Commercial (cont'd)	OIC	BSC	IMU-1	IMU-2	I-1	I-2	MI	
Outdoor Dining		P	P					Per § 14-329
Personal Services Establishment	P ²	P	P	P	CB			
Recreation: Indoor		P	P	P				Per § 14-312
Recreation: Outdoor			CB					Per § 14-312
Restaurant	P ²	P	P	P	CB	CB		
Retail Goods Establishment (No Alcoholic Beverages Sales)	CB	P	P	P ²	CB			
Retail Goods Establishment (With Alcoholic Beverages Sales)		P	CO	P ²	CB			Per § 14-336
Tavern		P	CO	P	CB	CB		Per § 14-337
Truck Repair				P	P	P		
INDUSTRIAL								
Alternative Energy System: Commercial	P	P	P	P	P	P		
Boat Manufacturing, Repair, and Sales			CB	P	P	P	CB	Per § 14-303
Commercial Composting Facility				CB	CB	P		Per § 14-305
Contractor Storage Yard				CB	P	P		Per § 14-330
Food Processing: Light	P		P	P	P			
Freight Terminal				P	P	P	P	
Heliport		CB			CB	CB		
Helistop		CB			CB	CB		
Industrial Boat Repair Facility						P	P	Per § 14-323
Industrial: General				P		P	CB	Per § 14-315
Industrial: Light	P	P	P	P	P	P		
Industrial: Maritime-Dependent				P		P	P	
Landfill: Industrial						CB		Per § 14-318
Marina: Dry Storage			CB		P	P		Per § 14-323
Marine Terminal						P	P	
Materials Recovery Facility						P		Per § 14-324
Mini-Warehouse			P	P	P			
Movie Studio	P		P	P	P	P		

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Industrial (cont'd)	OIC	BSC	IMU-1	IMU-2	I-1	I-2	MI	
Outdoor Storage Yard					P	P	P	Per § 14-330
Passenger Terminal			P	P	P	P	P	
Recyclable Materials Recovery Facility				P	P	P		Per § 14-333
Recycling Collection Station				CB	CB	CB		Per § 15-514
Recycling and Refuse Collection Facility				P	P	P		
Research and Development Facility	P	P	P	P	P	P	P	
Resource Recovery Facility						CB		Per § 14-335
Shipyards						P	P	
Truck Stop					P	P		
Truck Terminal					P	P		
Warehouse	P		P	P	P	P	P	
Waterfreight Terminal						P	P	
Wholesale Goods Establishment	P		P	P	P	P		
OTHER								
Alternative Energy System: Community-Based	P	P	P	P	P	P	P	Per § 14-306
Electric Substation: Enclosed or Indoor	P	P	P	P	P	P	P	Per § 14-340
Electric Substation: Outdoor	CB	CB	CB	CB	CB	P	P	Per § 14-340
Parking Garage (Principal Use)	P	P	CO	P	P	P	P	Per § 14-331
Parking Lot (Principal Use)	P	P	CO	CB	P	P	P	Per § 14-331
Telecommunications Facility ⁴	CB, P	CB, P	CB, P	CB, P	CB, P	CB, P	CB, P	Per § 14-338
Utilities	CB	CB	CB	CB	CB	CB	CB	Per § 14-340
Wireless Communications Services ⁵	CB, P	CB, P	CB, P	CB, P	CB, P	CB, P	CB, P	Per § 14-338

¹ Allowed only when (i) accessory to an office structure, research and development facility, or industrial use, and (ii) integrated into that structure, facility, or use to serve its employees.

² Allowed only when secondary to a primary industrial use.

³ Office uses legally established as of the effective date of this Code are deemed conforming and are not required to be secondary to a primary industrial use.

⁴ Only telecommunications base stations that comply with the stealth design standards of § 14-338 are considered permitted uses.

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⁵ 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.

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TABLE 11-401: INDUSTRIAL DISTRICTS – BULK AND YARD REGULATIONS

CATEGORIES	SPECIFICATIONS (PER DISTRICT)					
	OIC	BSC	[I-MU] IMU	I-1	I-2	MI
MINIMUM LOT AREA						
Dwelling: Live-Work, Multi-Family, or Rowhouse	N/A	300 sq.ft.	IMU-1: 300 sq. ft. IMU-2: N/A	10,000 sq. ft.	N/A	N/A
All Other Uses	None	None	5,000 sq. ft.	10,000 sq. ft.	20,000 sq. ft.	20,000 sq. ft.
MAXIMUM BLDG HEIGHT						
All Uses	60 feet	150 feet ¹	60 feet	60 feet	None ²	None ²
MINIMUM FRONT YARD						
All Uses	None	None	None ³	10 feet	10 feet	10 feet
MINIMUM INTERIOR-SIDE YARD						
All uses	None ⁴	None ⁴	No interior-side yard required but, if one is provided, it must be a minimum of 10 feet	None ⁵	None ⁶	None ⁶
MINIMUM CORNER-SIDE YARD						
All Uses	None	None	None ⁷	10 feet	10 feet	10 feet
MINIMUM REAR YARD						
All Uses	None ⁸	None ⁸	None ⁸	None ⁹	None ⁹	None ⁹
BUFFER YARD REQ'T						
All Uses	None	None	Where the Landscape Manual requires a landscaped buffer yard between an industrial use and a non-industrial use, that buffer yard must be provided by the more recent use.			

¹ For a residential use, the Zoning Board may allow a height higher than 150 feet as a conditional use.

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² However, if any part of the building is within 50 feet of an R, OR, C-1, C -1-E, C-1-VC, C-2, or C-3 Zoning District, that part of the building is limited to a maximum height of 60 feet.

³ All outdoor storage areas must be set back 10 feet from the front lot line.

⁴ However, if the interior-side lot line abuts an R Zoning District, a minimum interior-side yard of 10 feet is required.

⁵ However, if the interior-side lot line abuts an R or OR Zoning District, a minimum interior-side yard of 10 feet is required.

⁶ However, if the interior-side lot line abuts an R, OR, C-1, C -1-E, C-1-VC, C-2, or C-3 Zoning District, a minimum interior-side yard of 20 feet is required.

⁷ All outdoor storage areas must be set back 10 feet from the corner-side lot line and the front lot line.

⁸ However, if the rear lot line abuts an R Zoning District, a minimum rear yard of 15 feet is required.

⁹ However, if the rear lot line abuts an R, OR, C-1, C -1-E, C-1-VC, C-2, or C-3 Zoning District, a minimum interior rear yard of 30 feet is required.

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TABLE 17-804: FREESTANDING SIGN REGULATIONS

DISTRICTS	MONUMENT SIGN		POLE SIGN	
	MAXIMUM AREA	MAXIMUM HEIGHT	MAXIMUM AREA	MAXIMUM HEIGHT
...				
INDUSTRIAL				
OIC	50 sq. ft.	8'	50 sq. ft.	24'
BSC	50 sq. ft.	8'	50 sq. ft.	24'
[I-MU] IMU-1 AND IMU-2	50 sq. ft.	8'	50 sq. ft.	24'
I-1 and I-2	50 sq. ft.	8'	50 sq. ft.	24'
MI	50 sq. ft.	8'	50 sq. ft.	24'
....				

TABLE 17-812: PROJECTING SIGN REGULATIONS

DISTRICTS	MAXIMUM SIGN AREA	
	GROUND FLOOR	2 ND FLOOR
...		
INDUSTRIAL		
OIC	48 sq. ft.	Prohibited
BSC	48 sq. ft.	Prohibited
[I-MU] IMU-1 AND IMU-2	48 sq. ft.	Prohibited
I-1 and I-2	48 sq. ft.	Prohibited
MI	48 sq. ft.	Prohibited
....		

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Baltimore City Revised Code

Article – Health

Title 9. Noise Regulation

Subtitle 2. Basic Sound Level Standards

§ 9-201. Definitions.

(f) *Zone, commercial.*

“Zone, commercial” means any of the following zoning districts established under the Baltimore City Zoning Code:

- (1) all Commercial Zoning Districts;
- (2) all OIC Office-Industrial Campus Zoning Districts;
- (3) all BSC Bio-Science Campus Zoning Districts;
- (4) all [I-MU] IMU-1 AND IMU-2 Industrial Mixed-Use Zoning [District] DISTRICTS;
and
- (5) all TOD Transit-Oriented Development Zoning Districts.

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

SECTION 3. AND BE IT FURTHER ORDAINED, That:

- (a) on the effective date of this Ordinance, every then-designated “**I-MU** Industrial Mixed-Use Zoning District” shall automatically be redesignated as an “**IMU-1** Industrial Mixed-Use Zoning District”; and
- (b) as expeditiously as possible after the effective date of this Ordinance, all official zoning maps, profiles, and records shall be modified to reflect this redesignation.

SECTION 4. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.