

**CITY OF BALTIMORE
COUNCIL BILL 18-0188
(First Reader)**

Introduced by: Councilmembers Dorsey, Henry, Burnett, Bullock, Cohen, Stokes, Sneed,
Reisinger, President Young, Councilmembers Costello, Schleifer, Middleton

Introduced and read first time: February 5, 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

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Zoning – Auxiliary Dwelling Units**

3 FOR the purpose of allowing, as a conditional use requiring approval by the Board of Zoning
4 Appeals, “auxiliary dwelling units” in certain districts; defining certain terms; imposing
5 certain use standards; and requiring compliance with certain additional bulk and yard
6 regulations.

7 BY adding

8 Article 32 - Zoning
9 Sections 1-302(w) and 14-301.2
10 Baltimore City Code
11 (Edition 2000)

12 BY redesignating

13 Article 32 - Zoning
14 Section 1-302(w)
15 to be
16 Section 1-302(x)
17 Baltimore City Code
18 (Edition 2000)

19 BY repealing and reordaining, with amendments

20 Article 32 - Zoning
21 Tables 8-301, 8-401, 9-301, 9-401, and 16-406
22 Baltimore City Code
23 (Edition 2000)

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

26 **Baltimore City Code**

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

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Article 32. Zoning

Title 1. General Provisions

Subtitle 3. Definitions

§ 1-302. “Abut” to “Awning”.

(w) *AUXILIARY DWELLING UNIT.*

“AUXILIARY DWELLING UNIT” MEANS A DETACHED SINGLE-FAMILY DWELLING THAT IS:

(1) LOCATED ON THE SAME LOT AS A PRINCIPAL STRUCTURE; AND

(2) SUBORDINATE IN LOT COVERAGE AND FLOOR AREA TO THAT PRINCIPAL STRUCTURE.

(x) [(w)] *Awning.*

“Awning” means an architectural projection that:

(1) comprises a lightweight frame structure over which a covering is attached;

(2) is designed to provide weather protection, identity, or decoration; and

(3) is partially or wholly supported by the building to which it is attached.

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

(L-1) *DWELLING: AUXILIARY DWELLING UNIT.*

SEE “AUXILIARY DWELLING UNIT”.

Title 14. Use Standards

Subtitle 3. Use Standards

§ 14-301.2. AUXILIARY DWELLING UNITS.

(A) *NUMBER OF ADUS ON A LOT.*

MORE THAN 1 AUXILIARY DWELLING UNIT MAY BE ALLOWED ON A LOT AS LONG AS, IN THE AGGREGATE, THE AUXILIARY DWELLING UNITS AND THE PRINCIPAL STRUCTURE COMPLY WITH THE APPLICABLE BULK AND YARD REGULATIONS OF THE DISTRICT IN WHICH THE PROPERTY IS LOCATED.

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1 (B) *MAXIMUM GROSS FLOOR AREA.*

2 (1) *IN GENERAL.*

3 THE GROSS FLOOR AREA OF AN AUXILIARY DWELLING UNIT MAY NOT EXCEED 750
4 SQUARE FEET.

5 (2) *MEASUREMENT INCLUSIONS AND EXCLUSIONS.*

6 THIS GROSS FLOOR AREA MEASUREMENT:

7 (I) INCLUDES GARAGE AND STORAGE AREAS; BUT

8 (II) EXCLUDES:

9 1. PORCHES AND DECKS, UP TO A MAXIMUM EXCLUSION OF NOT MORE
10 THAN 75 SQUARE FEET; AND

11 2. AREAS BELOW GRADE.

12 (C) *PLACEMENT IN FRONT YARD PROHIBITED.*

13 AN AUXILIARY DWELLING UNIT MAY NOT BE LOCATED IN THE FRONT YARD OF THE LOT.

Zoning Tables

Table 8-301: Detached and Semi-Detached Residential Districts – Permitted and Conditional Uses

USES	DISTRICTS										USE STANDARDS
	R-1A	R-1B	R-1C	R-1D	R-1E	R-1	R-2	R-3	R-4		
RESIDENTIAL											
...											
Day-Care Home: Adult or Child	P	P	P	P	P	P	P	P	P	P	Per §14-310
DWELLING: AUXILIARY DWELLING UNIT	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	PER §14-301.2
.....											

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Table 8-401: Detached and Semi-Detached Residential Districts – Bulk and Yard Regulations

CATEGORIES	SPECIFICATIONS (PER DISTRICT)								
	R-1A	R-1B	R-1C	R-1D	R-1E	R-1	R-2	R-3	R-4
MINIMUM LOT AREA									
Community ... Open-Space Garden or Farm	2 acres	None	None	None	None	None	None	None	None
DWELLING: AUXILIARY DWELLING UNIT	IN ACCORD W/ REQ'TS OF PRINCIPAL STRUCTURE	IN ACCORD W/ REQ'TS OF PRINCIPAL STRUCTURE	IN ACCORD W/ REQ'TS OF PRINCIPAL STRUCTURE	IN ACCORD W/ REQ'TS OF PRINCIPAL STRUCTURE	IN ACCORD W/ REQ'TS OF PRINCIPAL STRUCTURE	IN ACCORD W/ REQ'TS OF PRINCIPAL STRUCTURE	IN ACCORD W/ REQ'TS OF PRINCIPAL STRUCTURE	IN ACCORD W/ REQ'TS OF PRINCIPAL STRUCTURE	IN ACCORD W/ REQ'TS OF PRINCIPAL STRUCTURE
Dwelling: Detached or Semi-Detached	2 acres	1 acre	21,780 sq.ft.	14,520 sq.ft.	9,000 sq.ft.	7,300 sq.ft.	5,000 sq.ft.	5,000 sq.ft.	3,000 sq.ft.
...									
MINIMUM LOT WIDTH									
DWELLING: AUXILIARY DWELLING UNIT	IN ACCORD W/ REQ'TS OF PRINCIPAL STRUCTURE	IN ACCORD W/ REQ'TS OF PRINCIPAL STRUCTURE	IN ACCORD W/ REQ'TS OF PRINCIPAL STRUCTURE	IN ACCORD W/ REQ'TS OF PRINCIPAL STRUCTURE	IN ACCORD W/ REQ'TS OF PRINCIPAL STRUCTURE	IN ACCORD W/ REQ'TS OF PRINCIPAL STRUCTURE	IN ACCORD W/ REQ'TS OF PRINCIPAL STRUCTURE	IN ACCORD W/ REQ'TS OF PRINCIPAL STRUCTURE	IN ACCORD W/ REQ'TS OF PRINCIPAL STRUCTURE
Dwelling: Semi-Detached	100 feet	75 feet	75 feet	60 feet	60 feet	50 feet	30 feet	45 feet	30 feet
...									
MAXIMUM BUILDING HEIGHT									
DWELLING: AUXILIARY DWELLING UNIT	14 FEET	14 FEET	14 FEET	14 FEET	14 FEET	14 FEET	14 FEET	14 FEET	14 FEET
All OTHER Uses	35 feet	35 feet	35 feet	35 feet	35 feet	35 feet	35 feet	35 feet	35 feet
MAXIMUM LOT COVERAGE									
DWELLING: AUXILIARY DWELLING UNIT (TOGETHER W/ PRINCIPAL STRUCTURE)	50%	50%	50%	50%	50%	50%	50%	50%	50%
All OTHER Uses	25%	25%	25%	25%	25%	30%	30%	35%	35%

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MAXIMUM IMPERVIOUS SURFACE									
DWELLING: AUXILIARY DWELLING UNIT (TOGETHER W/ PRINCIPAL STRUCTURE)	55%	55%	55%	55%	55%	55%	55%	55%	55%
All OTHER Uses	40%	40%	40%	40%	40%	50%	50%	50%	50%
..... <i>{No Changes to Other Categories or to Any Footnotes}</i>									

Table 9-301: Rowhouse and Multi-Family Residential Districts – Permitted and Conditional Uses

USES	DISTRICTS						USE STANDARDS
	R-5	R-6	R-7	R-8	R-9	R-10	
RESIDENTIAL							
Day-Care Home: Adult or Child	P	P	P	P	P	P	Per § 14-310
DWELLING: AUXILIARY DWELLING UNIT	CB	CB	CB	CB	CB	CB	PER §14-301.2
.....							

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**Table 9-401: Rowhouse and Multi-Family Residential Districts –
Bulk and Yard Regulations**

CATEGORIES	SPECIFICATIONS (PER DISTRICT)					
	R-5	R-6	R-7	R-8	R-9	R-10
MINIMUM LOT AREA						
Community ... Open-Space Garden or Farm	None	None	None	None	None	None
DWELLING: AUXILIARY DWELLING UNIT	IN ACCORD W/ REQ'TS OF PRINCIPAL STRUCTURE	IN ACCORD W/ REQ'TS OF PRINCIPAL STRUCTURE	IN ACCORD W/ REQ'TS OF PRINCIPAL STRUCTURE	IN ACCORD W/ REQ'TS OF PRINCIPAL STRUCTURE	IN ACCORD W/ REQ'TS OF PRINCIPAL STRUCTURE	IN ACCORD W/ REQ'TS OF PRINCIPAL STRUCTURE
Dwelling: Detached	3,000 sq.ft.	3,000 sq.ft.	3,000 sq.ft.	3,000 sq.ft.	3,000 sq.ft.	3,000 sq.ft.
...						
MAXIMUM BLDG HEIGHT						
DWELLING: AUXILIARY DWELLING UNIT	14 FEET	14 FEET	14 FEET	14 FEET	14 FEET	14 FEET
Dwelling: Detached or Semi-Detached	35 feet	35 feet	35 feet	35 feet	35 feet	35 feet
...						
MAXIMUM LOT COVERAGE						
DWELLING: AUXILIARY DWELLING UNIT (TOGETHER W/ PRINCIPAL STRUCTURE)	60%	60%	60%	60% or 80% ⁴	60%	80%
Dwelling: Detached or Semi-Detached	35%	35%	35%	35%	35%	35%
Dwelling: Rowhouse	40%	45%	50%	60% or 80% ⁴	40%	80%
...						
MAXIMUM IMPERVIOUS SURFACE						
DWELLING: AUXILIARY DWELLING UNIT (TOGETHER W/ PRINCIPAL STRUCTURE)	65%	65%	65%	65%	65%	65%
Dwelling: Detached or Semi-Detached	60%	60%	60%	60%	60%	60%

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...						
..... <i>{No Changes to Other Categories or to Any Footnotes}</i>						

.....
⁴ For a lot with a depth of 80 feet or more, the maximum lot coverage is 60%. For a lot with a depth of less than 80 feet, the maximum lot coverage is 80%.

TABLE 16-406: REQUIRED OFF-STREET PARKING

USES	PARKING SPACES REQUIRED
...	
Dwelling: All unless otherwise specified	1 per dwelling unit
DWELLING: AUXILIARY DWELLING UNIT	NONE
Dwelling: Live-Work	1 per dwelling unit
Dwelling: Multi-Family – Age-Restricted Housing	1 per 2 dwelling units
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1 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the catchlines contained in this Ordinance
 2 are not law and may not be considered to have been enacted as a part of this or any prior
 3 Ordinance.

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

