

**CITY OF BALTIMORE
COUNCIL BILL 09-0368
(First Reader)**

Introduced by: Councilmembers Reisinger, Kraft, Curran, Middleton, Welch, Cole
At the request of: Baltimore Metal Recycling Association, LLC
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Introduced and read first time: July 13, 2009

Assigned to: Land Use and Transportation Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Board of Municipal and Zoning Appeals, Planning Commission, Baltimore Development Corporation, Commission on Sustainability

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Zoning – Junk or Scrap Storage and Yards – Critical Area Overlay District**

3 FOR the purpose of defining “junk or scrap storage and yards” to clarify the scope of that term;
4 expressly prohibiting the storage of junk or scrap on barges, docks, piers, and belt conveyor
5 systems in the Critical Area Overlay District, but excepting certain activities limited to
6 unloading and loading; prohibiting construction- and demolition-debris processing facilities
7 in the Critical Area Overlay District; and generally relating to prohibited and permitted uses
8 in the Critical Area Overlay District.

9 BY renumbering

10 Article - Zoning
11 Section(s) 1-153.1
12 to be
13 Section(s) 1-153.2
14 Baltimore City Revised Code
15 (Edition 2000)

16 BY adding

17 Article - Zoning
18 Section(s) 1-153.1, 8-310(a)(11)
19 Baltimore City Revised Code
20 (Edition 2000)

21 BY repealing and reordaining, without amendments

22 Article - Zoning
23 Section(s) 7-407(7)
24 Baltimore City Revised Code
25 (Edition 2000)

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

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1 BY repealing and reordaining, with amendments

2 Article - Zoning

3 Section(s) 8-310(a)(5)

4 Baltimore City Revised Code

5 (Edition 2000)

6 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That
7 Zoning Code § 1-153.1 {"Live entertainment"} is renumbered to be Zoning Code § 1-153.2
8 {"Live entertainment"}.

9 **SECTION 2. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the
10 Laws of Baltimore City read as follows:

11 **Baltimore City Revised Code**

12 **Article – Zoning**

13 **Title 1. Definitions; General Provisions**

14 **§ 1-153.1. JUNK OR SCRAP STORAGE AND YARDS.**

15 "JUNK OR SCRAP STORAGE AND YARDS" MEANS ANY PREMISES USED FOR ANY ONE OR MORE
16 OF THE FOLLOWING:

17 (1) THE COMMERCIAL OR INDUSTRIAL STORAGE, TEMPORARY OR OTHERWISE, OF SCRAP
18 METAL, WASTEPAPER, RAGS, OR OTHER JUNK;

19 (2) THE PURCHASE OR SALE, BY WEIGHT ACROSS AN ON-SITE SCALE, OF SCRAP METAL,
20 WASTEPAPER, RAGS, OR OTHER JUNK; OR

21 (3) THE SHREDDING, BALING, SHEARING, SORTING, OR TORCH PREPARATION OF SCRAP
22 METAL OR ANY OTHER FORM OF SCRAP-METAL PROCESSING, INCLUDING AUTOMOBILE
23 FLATTENING AND CRUSHING.

24 **Title 7. Industrial Districts**

25 **§ 7-407. {M-3} Conditional uses – Board approval required.**

26 In an M-3 District, conditional uses that require Board approval are as follows:

27 (7) Junk or scrap storage and yards.

28 **Title 8. Overlay Districts**

29 ***Subtitle 3. Critical Area Overlay District***

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1 **§ 8-310. Prohibited uses.**

2 (a) *Within Critical Area.*

3 Except as specified in subsection (c) of this section, the following uses are prohibited
4 within the Critical Area:

5 (5) Junk or scrap storage and yards, INCLUDING STORAGE ON BARGES, DOCKS, PIERS,
6 AND BELT CONVEYOR SYSTEMS USED FOR THE TRANSFER OF SCRAP METAL – BUT
7 THIS PROHIBITION DOES NOT APPLY TO THE CONTINUOUS PROCESS OF UNLOADING
8 OR LOADING SCRAP METAL FOR AND DURING ITS TRANSFER TO A DOCKED BARGE
9 OR VESSEL AWAITING SHIPMENT, AS LONG AS THAT PROCESS DOES NOT OTHERWISE
10 INCLUDE ANY OF THE ACTIVITIES DESCRIBED IN § 1-153.1 {“JUNK OR SCRAP
11 STORAGE AND YARDS”} OF THIS ARTICLE.

12 (11) CONSTRUCTION- AND DEMOLITION-DEBRIS PROCESSING FACILITIES.

13 **SECTION 3. AND BE IT FURTHER ORDAINED,** That the catchlines contained in this Ordinance
14 are not law and may not be considered to have been enacted as a part of this or any prior
15 Ordinance.

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