

**CITY OF BALTIMORE
COUNCIL BILL 06-0547
(First Reader)**

Introduced by: Councilmembers Clarke, Mitchell, Holton, Kraft, D'Adamo

Introduced and read first time: November 13, 2006

Assigned to: Land Use and Transportation Committee

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

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Zoning – Physician’s and Dentists’ Offices**

3 FOR the purpose of deleting certain physicians’ and dentists’ offices from among the uses
4 allowed in certain Residence Districts; conforming certain language; and generally relating
5 to the zoning of physicians’ and dentists’ offices.

6 BY repealing

7 Article - Zoning

8 Section(s) 14-1003(5)

9 Baltimore City Revised Code

10 (Edition 2000)

11 BY repealing and reordaining, with amendments

12 Article - Zoning

13 Section(s) 4-1006(c), 4-1007(c), 4-1106(c), 4-1206(c), and 4-1306(c)

14 Baltimore City Revised Code

15 (Edition 2000)

16 BY repealing and reordaining, without amendments

17 Article - Zoning

18 Section(s) 4-1103(1), 4-1203(1), 4-1303, 13-401(3), and 13-402

19 Baltimore City Revised Code

20 (Edition 2000)

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

23 **Baltimore City Revised Code**

24 **Article – Zoning**

25 **Title 4. Residence Districts**

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

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Subtitle 10. R-7 General Residence District

§ 4-1003. Conditional uses – Board approval required.

In an R-7 District, conditional uses that require Board approval are as follows:

[(5) Physicians' or dentists' professional (non-resident) offices, in a structure designed and erected for residential use, subject to the condition that the use is limited to no more than 4 physicians or dentists in the office.]

§ 4-1006. Lot area and coverage.

(c) *Conditional uses.*

Principal conditional uses in an R-7 District must comply with the minimum lot area and the maximum lot coverage requirements for single-family detached dwellings, except as follows:

	<i>Minimum Lot Area</i>	<i>Maximum Lot Coverage</i>
Bed and breakfast homes	500 sq. ft. per guest room	
Cemeteries	5 acres	
Governmental services	As Board requires	
Health and medical institutions	10,000 sq. ft.	Per FAR
Helistops	As Board requires	
Housing for the elderly	245 sq. ft. per efficiency unit and 370 sq. ft. per other dwelling unit	Per FAR
Parking, open off-street areas and off-street garages	As ordinance requires	
[Physicians' or dentists' professional offices	As Board requires]	
Planned unit developments: residential	As in Title 9	
Public utility uses	As Board requires	
Swimming pools	15,000 sq. ft.	

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§ 4-1007. Yards.

(c) Conditional uses.

Principal conditional uses in an R-7 District must comply with the yard requirements for single-family detached dwellings, except as follows:

	<i>Front</i>	<i>Interior Side</i>	<i>Street Corner Side</i>	<i>Rear</i>
Cemeteries	No requirements			
Governmental services	As Board requires			
Health and medical institutions	30 ft.	15 ft.	20 ft.	30 ft.
Helistops	As Board requires			
Housing for the elderly	20 ft.	10 ft.	15 ft.	25 ft.
Parking, off-street garages	As ordinance requires			
Parking, open off-street areas	No requirements			
[Physicians' or dentists' professional offices	20 ft.	10 ft.	15 ft.	25 ft.]
			[for detached and semi-detached structures and for ends of groups]	
Planned unit developments: residential	As in Title 9			
Public utility uses	As Board requires			
Swimming pools	As Board requires			

Subtitle 11. R-8 General Residence District

§ 4-1103. Conditional uses — Board approval required.

In an R-8 District, conditional uses that require Board approval are as follows:

- (1) As in an R-7 District (unless it is a permitted use under § 4-1101).

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§ 4-1106. Lot area and coverage.

(c) Conditional uses.

Principal conditional uses in an R-8 District must comply with the minimum lot area and the maximum lot coverage requirements for single-family detached dwellings, except as follows:

	<i>Minimum Lot Area</i>	<i>Maximum Lot Coverage</i>
Cemeteries	5 acres	
Governmental services	As Board requires	
Health and medical institutions	7,500 sq. ft.	Per FAR
Helistops	As Board requires	
Housing for the elderly	165 sq. ft. per efficiency unit and 245 sq. ft. per other dwelling unit	Per FAR
Parking, open off-street areas and parking garages	As ordinance requires	
[Physicians' or dentists' professional offices	As Board requires]	
Planned unit developments: residential	As in Title 9	
Public utility uses	As Board requires	
Rooming houses	375 sq. ft. per rooming unit and 750 sq. ft. per other dwelling unit	60%
Swimming pools	15,000 sq. ft.	

Subtitle 12. R-9 General Residence District

§ 4-1203. Conditional uses — Board approval required.

In an R-9 District, conditional uses that require Board approval are as follows:

- (1) As in an R-8 District (unless it is a permitted use under § 4-1201), except that cemeteries are not allowed.

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§ 4-1206. Lot area and coverage.

(c) Conditional uses.

Principal conditional uses in an R-9 District must comply with the minimum lot area and the maximum lot coverage requirements for single-family detached dwellings, except as follows:

	<i>Minimum Lot Area</i>	<i>Maximum Lot Coverage</i>
Governmental services	As Board requires	
Health and medical institutions	5,000 sq. ft.	Per FAR
Helistops	As Board requires	
Housing for the elderly	135 sq. ft. per efficiency unit and 200 sq. ft. per other dwelling unit	Per FAR
Parking, open off-street areas and parking garages	As ordinance requires	
[Physicians' or dentists' professional offices	As Board requires]	
Planned unit developments: residential	As in Title 9	
Public utility uses	As Board requires	
Rooming houses	275 sq. ft. per rooming unit and 550 sq. ft. per other dwelling unit	Per FAR
Swimming pools	15,000 sq. ft.	

Subtitle 13. R-10 General Residence District

§ 4-1303. Conditional uses — Board approval required.

In an R-10 District, conditional uses that require Board approval are the same as those in an R-9 District (unless it is a permitted use under § 4-1301).

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§ 4-1306. Lot area and coverage.

(c) Conditional uses.

Principal conditional uses in an R-10 District must comply with the minimum lot area and the maximum lot coverage requirements for single-family detached dwellings, except as follows:

	<i>Minimum Lot Area</i>	<i>Maximum Lot Coverage</i>
Governmental services	As Board requires	
Health and medical institutions	5,000 sq. ft.	Per FAR
Helistops	As Board requires	
Housing for the elderly	80 sq. ft. per efficiency unit and 120 sq. ft. per other dwelling unit	Per FAR
Parking, open off-street areas and parking garages	As ordinance requires	
[Physicians' or dentists' professional offices	As Board requires]	
Planned unit developments: residential	As in Title 9	
Public utility uses	As Board requires	
Rooming houses	100 sq. ft. per rooming unit and 200 sq. ft. per other dwelling unit	Per FAR
Swimming pools	15,000 sq. ft.	

Title 13. Nonconformance

Subtitle 4. Nonconforming Uses of Structures (Class III)

§ 13-401. Scope of subtitle.

This subtitle applies to Class III nonconforming uses, which comprise:

(3) any nonconforming use of land or structures not regulated as Class I or Class II.

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1 **§ 13-402. Continuation of use.**

2 Except as specified in this article, Class III nonconforming uses of structures may be
3 continued, subject to the regulations of this subtitle.

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

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