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.

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.

1

2

3

4

5

6

7

8

9

10

11

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:

12 13		Minimum Lot Area	Maximum Lot Coverage
		Lot III cu	Loi Coverage
14	Bed and breakfast	500 0	
15 16	homes	500 sq. ft. per	
10		guest room	
17			
18	Cemeteries	5 acres	
19			
20	Governmental		
21	services	As Board requires	
22			
22 23	Health and medical institutions	10,000 6	Per FAR
23	institutions	10,000 sq. ft.	Perrak
24	Helistops	As Board requires	
25	Housing for the	245	D E4D
26 27	elderly	245 sq. ft. per efficiency unit and	Per FAR
28		370 sq. ft. per	
29		other dwelling unit	
2.0			
30 31	Parking, open off-street areas		
32	and off-street garages	As ordinance requires	
32	and on street garages	713 ordinance requires	
33	[Physicians' or dentists'		
34	professional offices	As Board requires]	
35	Planned unit		
36	developments:		
37	residential	As in Title 9	
38	Dublic utility uses	As Board requires	
30	Public utility uses	As Board requires	
39	Swimming pools	15,000 sq. ft.	

§ 4-1007. Yards. 1 2 (c) Conditional uses. 3 Principal conditional uses in an R-7 District must comply with the yard requirements for single-family detached dwellings, except as follows: 4 5 Front Interior Street Rear 6 Side Corner 7 Side8 Cemeteries No requirements 9 Governmental 10 services As Board requires 11 Health and medical 30 ft. 12 institutions 15 ft. 20 ft. 30 ft. 13 Helistops As Board requires 14 Housing for the 20 ft. 10 ft. 25 ft. 15 elderly 15 ft. 16 Parking, off-street 17 garages As ordinance requires 18 Parking, open 19 off-street areas No requirements 20 [Physicians' or dentists' 21 professional offices 10 ft. 15 ft. 25 ft.] 22 [for detached 23 and semi-detached 24 structures and for ends of groups] 25 Planned unit 26 developments: 27 As in Title 9 residential 28 Public utility uses As Board requires 29 Swimming pools As Board requires Subtitle 11. R-8 General Residence District 30 § 4-1103. Conditional uses — Board approval required. 31 In an R-8 District, conditional uses that require Board approval are as follows: 32 33 (1) As in an R-7 District (unless it is a permitted use under § 4-1101).

1 § 4-1106. Lot area and coverage.

(c) Conditional uses.

2

5

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:

6 7		Minimum Lot Area	Maximum Lot Coverage
8	Cemeteries	5 acres	
9 10	Governmental services	As Board requires	
11 12	Health and medical institutions	7,500 sq. ft.	Per FAR
13	Helistops	As Board requires	
14 15 16 17	Housing for the elderly	165 sq. ft. per efficiency unit and 245 sq. ft. per other dwelling unit	Per FAR
19 20 21	Parking, open off-street areas and parking garages	As ordinance requires	
22 23	[Physicians' or dentists' professional offices	As Board requires]	
24 25 26	Planned unit developments: residential	As in Title 9	
27	Public utility uses	As Board requires	
28 29 30 31	Rooming houses	375 sq. ft. per rooming unit and 750 sq. ft. per other dwelling unit	60%
32	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:
- 36 (1) As in an R-8 District (unless it is a permitted use under § 4-1201), except that cemeteries are not allowed.

33

34

35

§ 4-1206. Lot area and coverage.

(c) Conditional uses.

2

5

32

33

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:

6 7		Minimum Lot Area	Maximum Lot Coverage
8 9	Governmental services	As Board requires	
10 11	Health and medical institutions	5,000 sq. ft.	Per FAR
12	Helistops	As Board requires	
13 14 15 16 17	Housing for the elderly	135 sq. ft. per efficiency unit and 200 sq. ft. per other dwelling unit	Per FAR
18 19 20	Parking, open off-street areas and parking garages	As ordinance requires	
21 22	[Physicians' or dentists' professional offices	As Board requires]	
23 24 25	Planned unit developments: residential	As in Title 9	
26	Public utility uses	As Board requires	
27 28 29 30	Rooming houses	275 sq. ft. per rooming unit and 550 sq. ft. per other dwelling unit	Per FAR
31	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).

§ 4-1306. Lot area and coverage.

1

2 (c) Conditional uses. 3 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 4 as follows: 5 6 Minimum Maximum 7 Lot Area Lot Coverage 8 Governmental services As Board requires 10 Health and medical Per FAR 11 institutions 5,000 sq. ft. 12 Helistops As Board requires 13 Housing for the 14 80 sq. ft. per Per FAR elderly 15 efficiency unit and 16 120 sq. ft. per 17 other dwelling unit 18 Parking, open 19 off-street areas 20 and parking garages As ordinance requires 21 22 [Physicians' or dentists' professional offices As Board requires] 23 Planned unit 24 developments: 25 As in Title 9 residential 26 Public utility uses As Board requires 27 Per FAR Rooming houses 100 sq. ft. per 28 29 30 rooming unit and 200 sq. ft. per other dwelling unit 31 Swimming pools 15,000 sq. ft. Title 13. Nonconformance 32 Subtitle 4. Nonconforming Uses of Structures (Class III) 33 34 § 13-401. Scope of subtitle. This subtitle applies to Class III nonconforming uses, which comprise: 35 (3) any nonconforming use of land or structures not regulated as Class I or Class II. 36 37

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 30 th day
8	after the date it is enacted.