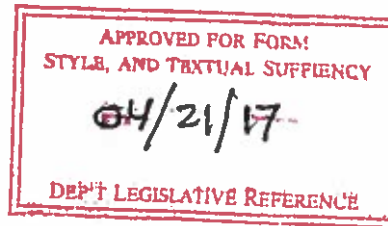


AMENDMENTS TO COUNCIL BILL 17-021
(1st Reader Copy)



By: Councilmember Clarke
{To be offered on the Council Floor}

Amendment No. 1 {Table 7-202 - Country Club}

On page 71, in line 21, strike "P" and substitute "CO".

ADOPTED

Amendment No. 2 {Table 7-203 - Accessory Structure}

On page 73, in line 11, after "Private", insert "or Public"; and, on the same page, strike line 12, in its entirety.

Amendment No. 3 {Table 10-301 - Fraternity, Sorority House}

On page 85, in line 11, in the column for the C-4 District, insert "CO".

Amendment No. 4 {Table 11-301 - Community ... Open-Space Farm}

On page 95, in line 22, in each of the columns for the OIC, BSC, and I-MU Districts, strike "P" and substitute "CB".

Amendment No. 5 {Table 11-301 - Motor Vehicle Service and Repair}

On page 96, in line 25, strike "Major or".

Amendment No. 6 {Table 12-502 - EC Front and Corner-Side Yards Abutting Other Districts}

On page 113, in line 9, after the first "None", insert the footnote designator "¹", and after the second "None", insert the footnote designator "²"; and, in line 11, strike footnote designators "¹" and "²", respectively, and substitute footnote designators "³" and "⁴", respectively; and, in line 13, after the first "None", insert the footnote designator "⁵", and after the second "None", insert the footnote designator "⁶"; and, in line 15, strike footnote designators "³" and "⁴", respectively, and substitute footnote designators "⁷" and "⁸", respectively; and, before line 17, insert:

¹ However, if the front lot line abuts any other zoning district (including another EC District), a minimum front yard of 40 feet is required.

² However, if the front lot line abuts any other zoning district (including another EC District), a minimum front yard of 20 feet is required.”;

and, in line 17 and line 19, strike footnote designators “1” and “2”, respectively, and substitute footnote designators “3” and “4”, respectively; and, after line 20, insert:

⁵ However, if the corner-side lot line abuts any other zoning district (including another EC District), a minimum corner-side yard of 20 feet is required.

⁶ However, if the corner-side lot line abuts any other zoning district (including another EC District), a minimum corner-side yard of 20 feet is required.”;

and, in line 21 and line 22, strike footnote designators “3” and “4”, respectively, and substitute footnote designators “2” and “3”, respectively.

Amendment No. 4 {Table 11-401 - Industrial Rear Yards}

On page 101, in the unnumbered line following line 21, in the first column, insert "All Uses"; and, on page 102, in line 9, strike "20 feet" and substitute "15 feet"; and, in line 11, strike "20 feet" and substitute "30 feet".

Amendment No. 5 {Table 12-302 - O-R Lot Area for M-F Dwellings}

On page 105, in line 5, strike "500" and substitute "550".

Amendment No. 6 {Ord. 16-581, Section 3}

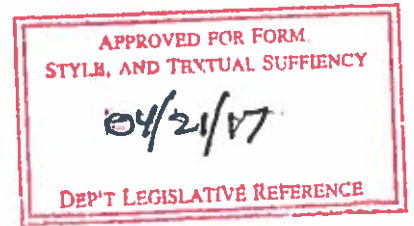
On page 4, after line 5, insert:

"BY repealing and reordaining, with amendments
Ordinance 16-581 {"TransForm Baltimore – Zoning"}
Section 3";

and, on page 69, after line 15, insert:

"Ordinance 16-581 {"TransForm Baltimore – Zoning"}

"SECTION 3. AND BE IT FURTHER ORDAINED, That the Zoning Map dated [October 22, 2012] OCTOBER 24, 2016, and accompanying this Ordinance. AS THAT MAP WAS SIGNED AND APPROVED BY THE MAYOR AND CO-SIGNED BY THE PRESIDENT OF THE CITY COUNCIL. BOTH UNDER DATE OF DECEMBER 5, 2016, is enacted as a part of new City Code Article 32 - Zoning."



**AMENDMENTS TO COUNCIL BILL 17-021
(1st Reader Copy)**

By: President Young
{To be offered on the Council Floor}

ADOPTED

Amendment No. 1 {Electric Substations}

On page 1, in line 11, after “1-305(p)”, strike the comma and substitute “and”, and at the end of that line, strike “and (bb),”; and, on page 8, strike lines 6 through 11, in their entireties; and, on page 43, in line 25 and in line 29, in each instance, strike the brackets before and after “any; and, in line 29, strike the brackets before and after “right-of-way”; and strike beginning with “VIEW” in line 29 through “MANUAL” in line 30; and, on page 72, strike line 2, in its entirety; and, on page 88, in lines 25 and 26, strike “, Indoor, or Outdoor”; and, in line 25, in the column for the C-4 District, strike “CB” and substitute “P”; and, after line 26, insert the following two new rows:

<u>Electric Substation: Indoor</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>Per § 14-340</u>
<u>Electric Substation: Outdoor</u>	<u>CB</u>	<u>CB</u>	<u>CB</u>	<u>CB</u>	<u>CB</u>	<u>CB</u>	<u>CB</u>	<u>Per § 14-340</u>

and, on page 98, in lines 20 and 21, strike “, Indoor, or Outdoor” and substitute “or Indoor”; and, in line 20, in each of the District columns, strike “CB” and substitute “P”; and, after line 21, insert the following new row:

<u>Electric Substation: Outdoor</u>	<u>CB</u>	<u>CB</u>	<u>CB</u>	<u>CB</u>	<u>P</u>	<u>P</u>	<u>Per § 14-340</u>
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Amendment No. 2 {Table 10-301 - Live-Work Dwelling}

On page 85, in line 7, in the column for the C-1 District, insert “P”.

Amendment No. 3 {Table 10-401 - C-4 Front Yard}

On page 92, in line 21, after “storage areas”, insert “and parking areas”.

APPROVED FOR FORM
STYLE, AND TEXTUAL SUFFICIENCY

4/6/17

DMT LEGISLATIVE REFERENCE

AMENDMENTS TO COUNCIL BILL 17-021
(1st Reader Copy)

By: Land Use and Transportation Committee
{To be offered on the Council Floor}

TEXT CORRECTIONS

ADOPTED

Amendment No. 1 {§ 3-204}

On page 17, in line 11, after “Planning”, strike the closing bracket and substitute an opening bracket.

Amendment No. 2 {§ 5-409}

On page 20, in line 26, and on page 45, in line 25, in each instance, strike “§ 9-207” and substitute “§ 19-207”.

Amendment No. 3 {§ 7-202}

On page 1, in line 17, after “5-901,” insert “7-202.”; and, on page 22, after line 18, insert:

“§ 7-202. Use regulations.

Only those uses of land listed in Table 7-202: Open-Space Districts – Permitted and Conditional Uses are allowed within [the] AN Open-Space Zoning District.”

Amendment No. 4 {§ 11-301}

On page 1, in line 19, after “11-202(a),” insert “11-301.”; and, on page 25, after line 23, insert:

“Subtitle 3. Use Regulations

§ 11-301. As listed in Table 11-301.

Only those uses of land listed [under] IN Table 11-301: Industrial Districts – Permitted and Conditional Uses are allowed within these zoning districts.”

Amendment No. 5 {§ 12-301}

On page 29, in line 3, after “listed”, strike “under” and substitute “IN”.

Amendment No. 6 {§ 12-402}

On page 1, in line 21, after “and (i),” insert “12-402.”; and, on page 29, after line 25, insert:

“§ 12-402. Use regulations.

Only those uses of land listed [under] IN Table 12-402: Transit-Oriented Development Districts – Permitted and Conditional Uses are allowed within [the] A TOD Zoning [Districts] DISTRICT.”

Amendment No. 7 {§ 16-601}

On page 2, in line 5, after “16-601(b)”, strike “(2)(i)(intro)”;

and, on page 53, after line 24, insert:

FAILED
“(1) [The] IN THE C-1, C-1-E, AND C-1-VC DISTRICTS, THE FIRST 3 DWELLING UNITS AND ANY RESTAURANTS, RETAIL GOODS ESTABLISHMENTS, PERSONAL SERVICES ESTABLISHMENTS, FINANCIAL INSTITUTIONS, AND CARRY-OUT FOOD SHOPS ARE EXEMPT FROM THE OFF-STREET PARKING REQUIREMENTS OF TABLE 16-406: REQUIRED OFF-STREET PARKING.”

“(2) [and] THE C-5 [Districts] SUBDISTRICTS and all non-residential uses in the R-MU and D-MU Overlay Districts are exempt from THE OFF-STREET parking requirements OF TABLE 16-406: REQUIRED OFF-STREET PARKING.”;

and, on the same page, in line 25, strike “(2)” and substitute “(3)”.

Amendment No. 8 {§ 19-211}

On page 63, in line 32, strike “§ 19-2134” and substitute “§ 19-214”.

TABLE CORRECTIONS

Amendment No. 9 {Table 7-203}

On page 73, in the unnumbered row after line 12, in the 1st column, insert "MINIMUM YARDS"; and, in line 14, strike "MINIMUM YARDS" and substitute "Interior-Side Yard"; and, in line 15, strike "Corner Side" and substitute "Corner-Side".

Amendment No. 10 {Table 8-401}

On page 77, in line 27, in columns for R-1A through R-1E Districts, in each instance, strike "25%" and substitute "40%"; and, in the same line, in the columns for R-1 through R-4 Districts, strike "30%" or "35%", as the case may be, and, in each instance, substitute "50%".

Amendment No. 11 {Table 9-401}

On page 83, in line 5, in the column for the R-7 District, strike "21 feet" and substitute "15 feet".

Amendment No. 12 {Tables 10-301 & 11-301}

On page 85, in line 8, and on page 95, in line 7, in each instance, strike "Per § 14-327".

Amendment No. 13 {Table 10-301}

On page 85, in line 22, in the column for the C-2 District, strike "CB" and substitute "P".

Amendment No. 14 {Table 12-301}

On page 104, in line 5, after "Establishment", insert footnote designator "1"; and, in the same line, strike "CB" and substitute "CB, P"; and, in line 11 and line 13, strike footnote designators "1" and "2", respectively, and substitute footnote designators "2" and "3", respectively; and, before line 15, insert:

"1 A Neighborhood Commercial Establishment is a permitted use only if: (i) the structure has 50 or more dwelling units; and (ii) non-residential uses are limited to 10% of the structure's gross floor area.";

and, in line 15 and line 17, strike footnote designators “¹” and “²”, respectively, and substitute footnote designators “²” and “³”, respectively.

Amendment No. 15 {Table 12-602}

On page 115, in line 20, strike “20 feet” and substitute “10 feet”; and, on the same page, in line 22, strike “10 feet” and substitute “15 feet”.

Amendment No. 16 {Tables 12-903(1) and (3)}

On page 118, in line 1, and, on page 126, in the “Height Limitations” table, in the 4th and 5th lines of the last paragraph of the listing for Area 2, in each instance, strike “shall not” and substitute “may not”.

Amendment No. 17 {Table 12-903(1)}

On page 118, in the “Height Limitations” table, in the 1st line of the of the listing for Area 1, after “45 feet”, insert a period and a paragraph return; and, in the same line, strike “may be” and substitute “shall be”; and, in the same line, after “50 feet”, insert a period; and, in the next 4 lines of the listing for Area 1, in each instance, strike “may” and substitute “shall”; and, in the listing for Area 2, in the 1st, 2nd, and 4th lines of the last paragraph, in each instance, strike “may” and substitute “shall”; and, in the listing for Area 3, in the 1st, 3rd, and 4th lines, in each instance, strike “may” and substitute “shall”; and, in the listing for Area 4, in the 1st line, after “50 feet”, insert a period; and, in the 3rd line, strike “may” both times it appears and substitute “shall”; and, on page 119, strike “may” and substitute “shall” in each of lines 1, 3, 5, 6, and 9, in the unnumbered line preceding line 10, in line 11, and (twice) in line 16.

Amendment No. 18 {Table 12-903(2)}

On page 122, in line 11 and in the second-to-last line on the page, in each instance, strike “Subject ton” and substitute “seen”; and, on the same page, strike “may” and substitute “shall” in each of lines 1, 4, 7, and 8, in each of the last 2 lines of the listing for Area 6, in each of the last 2 lines of the listing for Area 7, and in the 1st, 2nd, 3rd, and 5th lines of the listing for Area 8; and, on page 123, strike “may” and substitute “shall” in each of lines 2, 3, 4, 16, and 22.

Amendment No. 19 {Table 12-1303}

On page 135, in the unnumbered row after line 3, strike the column headings “TOD-1”, “TOD-2”, “TOD-3”, and “TOD-4”, and substitute “PC-1”, “PC-2”, “PC-3”, and “PC-4”, respectively.

**EDUCATIONAL AND HOSPITAL CAMPUS DISTRICTS –
TEXT-TO-TABLE TRANSFERS**

Amendment No. 20 {Title Function Paragraphs}

On page 1, in line 22, before “12-502(a)(2)”, insert “12-501.”; and, in the same line, before “12-602(a)(2)”, insert “12-601.”; and, on page 2, in line 15, strike “12-601(a)(6).”.

Amendment No. 21 {§ 12-501}

On page 30, after line 16, insert:

“§ 12-501. Use Regulations.

[(a) EC-1 Educational Campus: Primary or Secondary.]

[(1) Permitted uses.]

[In an EC-1 Educational Campus District, the following uses are permitted:

- (i) Community-managed open-space gardens (See § 14-307 for use standards).**
- (ii) Day-care centers: Child (See § 14-309 for use standards).**
- (iii) Educational facilities: Primary or secondary, including ancillary dormitory and residential uses.**
- (iv) Parking garages (principal use) (See § 14-331 for use standards).**
- (v) Parking lots (See § 14-331 for use standards).**
- (vi) Places of worship (See § 14-332 for use standards).**
- (vii) Telecommunications base stations – Stealth design (See § 14-338 for use standards).**
- (viii) Urban agriculture (See § 14-339 for use standards).**
- (ix) Utilities (See § 14-340 for use standards).**
- (x) Wireless communications services – as modification to, but without substantial change in physical dimensions of, an existing telecommunications facility (See § 14-338 for use standards).]**

[(2) Conditional uses.]

[In an EC-1 Educational Campus District, the following uses are conditional uses, requiring approval by the Board of Municipal and Zoning Appeals:

- (i) Community-managed open-space farms (See § 14-307 for use standards).**
- (ii) Telecommunications facilities not otherwise permitted (See § 14-338 for use standards).]**

[(b) EC-2 Educational Campus: Post-Secondary.]

[(1) Permitted uses.]

[In an EC-2 Educational Campus District, the following uses are permitted:

- (i) Community-managed open-space gardens (See §14-307 for use standards).
- (ii) Day-care centers: Adult or Child (See §14-309 for use standards).
- (iii) Educational facilities: Post-secondary, including ancillary dormitory and residential uses.
- (iv) Educational facilities: Primary or secondary, including ancillary dormitory and residential uses.
- (v) Fraternity or sorority houses (See § 14-313 for use standards).
- (vi) Parking garages (principal use) (See §14-331 for use standards)
- (vii) Parking lots (See §14-331 for use standards).
- (viii) Personal services establishments.
- (ix) Places of worship (See §14-332 for use standards).
- (x) Retail goods establishments – no alcoholic beverage sales.
- (xi) Restaurants.
- (xii) Telecommunications base stations – Stealth design (See § 14-338 for use standards).
- (xiii) Urban Agriculture (See § 14-339 for use standards).
- (xiv) Utilities (See § 14-340 for use standards).
- (xv) Wireless communications services – as modification to, but without substantial change in physical dimensions of, an existing telecommunications facility (See § 14-338 for use standards).]

[(2) Conditional uses.]

[In an EC-2 Educational Campus District, the following uses are conditional uses, requiring approval by the Board of Municipal and Zoning Appeals:

- (i) Community-managed open-space farms (See § 14-307 for use standards).
- (ii) Telecommunications facilities not otherwise permitted (See § 14-338 for use standards).]

ONLY THOSE USES OF LAND LISTED IN TABLE 12-501: EDUCATIONAL CAMPUS DISTRICTS – PERMITTED AND CONDITIONAL USES ARE ALLOWED WITHIN AN EDUCATIONAL CAMPUS ZONING DISTRICT.”

Amendment No. 22 §§ 12-601}

On page 31, strike lines 11 through 15, in their entireties, and substitute:

“(a) Permitted uses.]

[In a Hospital Campus District, the following uses are permitted:

- (1) Day-care centers: Adult or Child (See § 14-309 for use standards).**
- (2) Educational facilities: Post-secondary, including ancillary dormitory and residential uses.**
- (3) Health-care clinics.**

- (4) Hospitals, including ancillary dormitory and residential uses.
- (5) {Reserved}
- (6) Medical support facilities.
- (7) Offices.
- (8) Parking garages (Principal use) (See §14-331 for use standards).
- (9) Parking lots (See § 14-331 for use standards).
- (10) Personal services establishments.
- (11) Places of Worship (See §14-332 for use standards).
- (12) Recreation - Indoor and outdoor.
- (13) Research and development.
- (14) Residential-care facilities (See § 14-334 for use standards).
- (15) Restaurants.
- (16) Retail goods establishments – no alcoholic beverage sales.
- (17) Telecommunications base stations – Stealth design (See § 14-338 for use standards).
- (18) Utilities (See § 14-340 for use standards).
- (19) Wireless communications services – as modification to, but without substantial change in physical dimensions of, an existing telecommunications facility (See § 14-338 for use standards).]

[(b) Conditional uses.]

[In a Hospital Campus District, the following uses are conditional uses, requiring approval by the Board of Municipal and Zoning Appeals:

- (1) Helistop.
- (2) Hotels, motels, and rooming houses.
- (3) Telecommunications facilities not otherwise permitted (See § 14-338 for use standards).]

ONLY THOSE USES OF LAND LISTED IN TABLE 12-601: HOSPITAL CAMPUS DISTRICTS – PERMITTED AND CONDITIONAL USES ARE ALLOWED WITHIN A HOSPITAL CAMPUS ZONING DISTRICT.”.

Amendment No. 23 {New Tables 12-501 and 12-601}

After page 112, insert new Table 12-501: *Educational Campus Districts – Permitted and Conditional Uses* and, after page 114, insert new Table 12-601: *Hospital Campus Districts – Permitted and Conditional Uses*, to read as shown on the following pages:

**TABLE 12-501: EDUCATIONAL CAMPUS DISTRICTS –
PERMITTED AND CONDITIONAL USES**

USES	DISTRICTS		USE STANDARDS
	EC-1	EC-2	
RESIDENTIAL			
Dormitory (Ancillary to Educational Facility)	P	P	
Dwelling (Ancillary to Educational Facility)	P	P	Per § 14-327
Fraternity or Sorority House		P	Per § 14-313
Rooming House (Ancillary to Educational Facility)		CB	
INSTITUTIONAL			
Community Center (Ancillary to Educational Facility)		CB	
Cultural Facility (Ancillary to Educational Facility)		CB	Per § 14-308
Educational Facility: Commercial-Vocational		P	
Educational Facility: Post-Secondary		P	
Educational Facility: Primary and Secondary	P	P	
Place of Worship	P	P	Per § 14-332
OPEN-SPACE			
Community-Managed Open-Space Farm	CB	CB	Per § 14-307
Community-Managed Open-Space Garden	P	P	Per § 14-307
Park or Playground	P	P	
Urban Agriculture	P	P	Per § 14-339
COMMERCIAL			
Broadcasting Station (TV or Radio)		P	
Carry-Out Food Shop		P	
Day-Care Center: Adult or Child	P	P	Per § 14-309
Entertainment: Indoor		P	Per § 14-312

<i>Commercial (cont'd)</i>	<i>EC-1</i>	<i>EC-2</i>	
Office	P	P	
Personal Services Establishment		P	
Recreation: Indoor or Outdoor (Ancillary to Educational Facility)	P	P	Per § 14-312
Restaurant		P	
Retail Goods Establishment (No Alcoholic Beverages Sales)		P	
Stadium (Ancillary to Educational Facility)		CB	
INDUSTRIAL			
Research and Development Facility		P	
OTHER			
Electric Substation: Enclosed, Indoor, or Outdoor	CB	CB	Per § 14-340
Parking Garage (Principal Use)	P	P	Per § 14-331
Parking Lot (Principal Use)	P	P	Per § 14-331
Telecommunications Facility ¹	CB, P	CB, P	Per § 14-338
Utilities	CB	CB	Per § 14-340
Wireless Communications Services ²	CB, P	CB, P	Per § 14-338

¹ Only telecommunications base stations that comply with the stealth design standards of § 14-338 are considered permitted uses.

² 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.

**TABLE 12-601: HOSPITAL CAMPUS DISTRICTS –
PERMITTED AND CONDITIONAL USES**

USES	DISTRICTS	USE STANDARDS
	H	
RESIDENTIAL		
Dormitory (Ancillary to Hospital or Educational Facility: Post-Secondary)	P	
Dwelling (Ancillary to Hospital or Educational Facility: Post-Secondary)	P	
Residential-Care Facility	P	Per §14-334
Rooming House	CB	
INSTITUTIONAL		
Community Center (Ancillary to Educational Facility: Post-Secondary)	CB	
Cultural Facility (Ancillary to Educational Facility: Post-Secondary)	CB	Per § 14-308
Educational Facility: Post-Secondary	P	
Hospital	P	
Place of Worship	P	Per §14-332
COMMERCIAL		
Carry-Out Food Shop	P	
Day-Care Center: Adult or Child	P	Per §14-309
Health-Care Clinic	P	
Health Center	P	
Helistop	CB	
Hotel or Motel	CB	
Office	P	
Personal Services Establishment	P	

<i>Commercial (cont'd)</i>	<i>H</i>	
Recreation: Indoor and Outdoor (Ancillary to Hospital or Educational Facility: Post-Secondary)	P	Per §14-312
Restaurant	P	
Retail Goods Establishment (No Alcoholic Beverages Sales)	P	
INDUSTRIAL		
Research and Development Facility	P	
OTHER		
Electric Substation: Enclosed, Indoor, or Outdoor	CB	Per § 14-340
Parking Garage (Principal Use)	P	Per § 14-331
Parking Lot (Principal Use)	P	Per § 14-331
Telecommunications Facility ¹	CB, P	Per § 14-338
Utilities	CB	Per § 14-340
Wireless Communications Services ²	CB, P	Per § 14-338

¹ Only telecommunications base stations that comply with the stealth design standards of § 14-338 are considered permitted uses.

² 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.

Subtitle 10(caption), 12-1001(a), 12-1002(intro), 12-1003(a)(intro) and (7) and (b)(intro), 12-1004(a), 12-1005(a) and (b)(1), Subtitle 11(caption), 12-1101(a), 12-1102(intro), 12-1103(a)(intro) and (b)(intro), 12-1104, 12-1105(a), 12-1301, 12-1302, 12-1303(a), 12-1304(a), (c) and (e), 13-102(a), 13-201(a), 13-202(b), 13-501, 13-503(b), 14-307(b)(2), 14-309(a), 14-310(a), 14-311(g), 14-313(a)(2)(ii), 14-316(b), 14-318(e), 14-324(b)(1), 14-325(a), 13-326(a) and (d)(2), 14-327(c)(intro), 14-331(a)(2) and (b)(5), 14-333(b)(1), 14-334(a)(3) and (b)(2), 14-338(d)(2)(i) and (k)(3)(i), 14-339(b), 14-340, 14-401(a) through (d) and (e)(3), (4)(ii), and (5), 15-201(a), 15-301(b)(5), 15-401(a), 15-403(c), 15-502(c), 15-503, 15-504(intro), 15-506, 15-508(b), 15-509(f) and (g), 15-510(b)(4), 15-511(b)(3)(intro), (4) through (6), and (c)(3), 15-515(c) through (e), 15-516(c)(2)(iii) and (3)(iii), 15-517(d), 15-518(c)(2), 15-701, 15-702(a)(intro), 16-201(b), 16-203(b), 16-401(e), 16-402(b), 16-404(a) and (c), 16-405(a) and (b)(1), 16-601(b)(2)(i)(intro) and (f), 16-602(b) and (e), 16-701(h)(4) and (8), (i), (j)(3), and (k), 16-705(a) through (d), 16-901(b)(2) and (g), 16-902(a)(1) and (c), 18-201(b), (c), and (d), 18-202, 18-206(b)(1)(i), 18-311(a), 18-401(a), 18-406, 18-411(e)(2), 18-412(a)(2)(i), 18-413, 18-601(b), 18-701(a), (b)(2) and (3)(i)(intro), and Title 19 in its entirety.

Baltimore City Code
(Edition 2000)

BY repealing

Article 32 - Zoning

Section(s) 1-302(p) and (s), 1-306(u), 1-309(j) and (u), 1-310(s), and (w), and (x), 1-311(w), 1-312(c) and (e), 1-314(e), 2-201(f), 3-202(b)(3), 12-601(a)(6), 15-514(1), 16-411, and 18-301.

Baltimore City Code
(Edition 2000)

BY adding

Article 32 - Zoning

Section 1-302(k), 1-305(q-1), 1-306(z), 1-310(i), 1-311(q-1), 1-312(s), 1-315(f) and (g), 4-203(9), 12-102, 12-505, and 12-605

Baltimore City Code
(Edition 2000)

BY repealing and reordaining, without amendments

Article 32 - Zoning

Section 1-305(o), (q), (t), and (u)

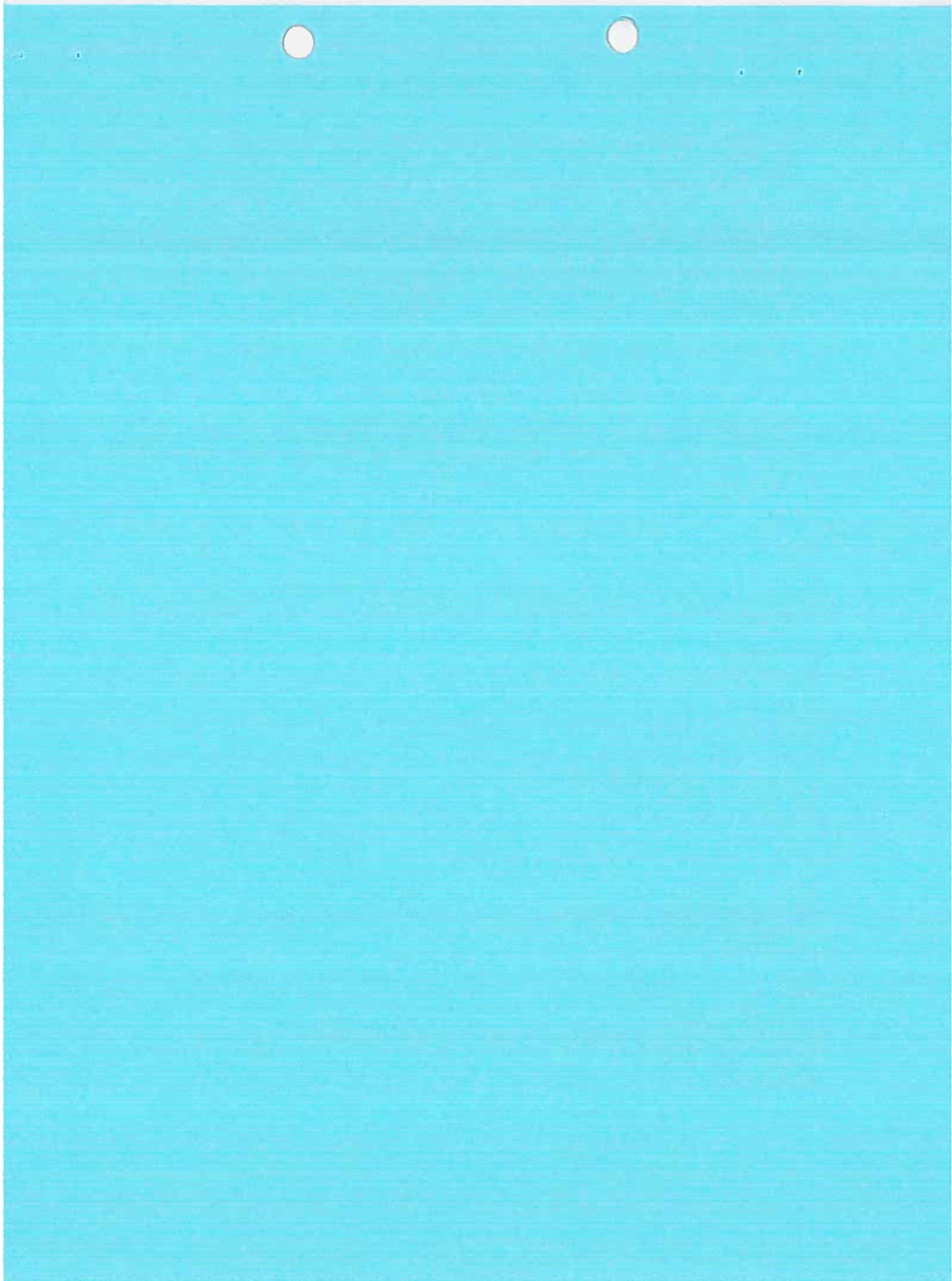
Baltimore City Code
(Edition 2000)

BY repealing

Article 32 - Zoning

In Title 6, the subtitle designation "Subtitle 4. Exempt Essential Services"

Baltimore City Code
(Edition 2000)



BY renumbering, with amendments

Article 32 - Zoning
Section 6-401
to be
Section 2-202
and
Section 2-202
to be
Section 2-203
Baltimore City Code
(Edition 2000)

BY repealing

Article 32 - Zoning
Tables 7-202 through 17-812
Baltimore City Code
(As enacted by Ordinance 16-581))

BY adding

Article 32 - Zoning
Tables 7-202 through 17-812
Baltimore City Code
(Edition 2000)

BY repealing

Article 1 - Mayor, City Council, and Municipal Agencies
Section 40-14(e)(8) and 41-14(7)
Baltimore City Code
(Edition 2000)

BY renumbering

Article 1 - Mayor, City Council, and Municipal Agencies
Section 40-14(e)(5) and (5a)
to be
Section 40-14(e)(5a) and 5(c), respectively
Baltimore City Code
(Edition 2000)

BY adding

Article 1 - Mayor, City Council, and Municipal Agencies
Section 40-14(e)(5b) and 41-14(4a)
Baltimore City Code
(Edition 2000)



By repealing

**Article 19 - Police Ordinances
Section 71-2(i)(3)
Baltimore City Code
(Edition 2000)**

By renumbering

**Article 19 - Police Ordinances
Section 71-2(i)(3a)
to be
Section 71-2(i)(3)
Baltimore City Code
(Edition 2000)**

By adding

**Article 19 - Police Ordinances
Section 71-2(i)(5)
Baltimore City Code
(Edition 2000)**



BALTIMORE CITY COUNCIL LAND USE AND TRANSPORTATION COMMITTEE VOTING RECORD

DATE: April 5, 2017

BILL NUMBER: 17-0021

BILL TITLE: BALTIMORE CITY ZONING CODE – LEGALIZATION – CORRECTIONS

MOTION BY: Costello SECONDED BY: Pinkett

- FAVORABLE FAVORABLE WITH AMENDMENTS
 UNFAVORABLE WITHOUT RECOMMENDATION

NAME	YEAS	NAYS	ABSENT	ABSTAIN
Reisinger, Edward - Chairman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Middleton, Sharon - Vice Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Costello, Eric	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Clarke, Mary Pat	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Dorsey, Ryan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pinkett, Leon	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stokes, Robert	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
TOTALS	<u>6</u>			<u>1</u>

CHAIRPERSON: Edward Reisinger

COMMITTEE STAFF: Jennifer Coates Initials: JAC

The Daily Record

11 East Saratoga Street
Baltimore, MD 21202-2199
(443) 524-8100
<http://www.thedailyrecord.com>

PUBLISHER'S AFFIDAVIT

Order #: 11303582
Case #: EA #000204420
Description:

Bill No. 17-0021 The Land Use and Transportation Committee of the Baltimore City Council w

We hereby certify that the annexed advertisement was published in The Daily Record, a daily newspaper published in the State of Maryland 1 times on the following dates:

3/21/2017

Darlene Miller, Public Notice Coordinator
(Representative Signature)

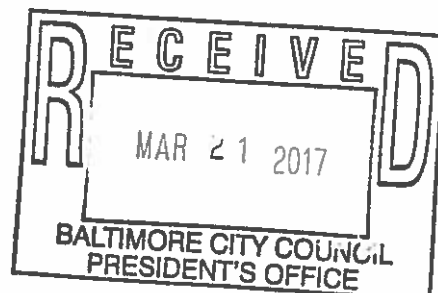
**BALTIMORE CITY COUNCIL
PUBLIC HEARING ON BILL NO. 17-0021**

The Land Use and Transportation Committee of the Baltimore City Council will meet on Wednesday, April 5, 2017 at 1:00 p.m. in the City Council Chambers, 4th floor, City Hall, 100 Holiday Street to conduct a public hearing on City Council Bill No. 17-0021.

CC 17-0021 ORDINANCE - Baltimore City Zoning Code - Legalization - Corrections - FOR the purpose of legalizing new City Code Article 32 ("Zoning"), as enacted by Ordinance 16-681 ("Transform Baltimore - Zoning") and edited, codified, and published by the Baltimore City Department of Legislative Reference; further amending new Article 32 to correct various technical errors, omissions, and inconsistencies and to correct, clarify, and conform various references and language; providing for a special effective date; and generally relating to the zoning and development laws of the City of Baltimore

NOTE: This bill is subject to amendment by the Baltimore City Council.
EDWARD REISINGER, Chair.

mh21



RECEIVED
PRESIDENTS OFFICE
BALTIMORE CITY COMMISSION

TO: Laurie Feinberg, Planning Department
FROM: Natawna B. Austin, Executive Secretary, Baltimore City Council
DATE: March 7, 2017

RE: INSTRUCTIONS FOR ADVERTISING A PUBLIC HEARING FOR ZONING

The Land Use and Transportation Committee has scheduled the following City Council Bill for public hearing:

Bill: City Council Bill No. 17-0021
Date: Wednesday, April 5, 2017
Time: 1:00 P.M.
Place: City Council Chambers, 4th floor of City Hall, 100 Holliday Street.

At the expense of the applicant, notice of this public hearing:

- 1) Must be published in one (1) newspaper of general circulation, 15 days prior to the date of the hearing.

Newspaper Advertisement

You may choose any of the following newspapers for advertising purposes: The Daily Record, Baltimore Sun, or Afro-American.

Wording for Newspaper Advertisement

The information that must be advertised and posted appears between the double lines on the attached page; the deadline date is indicated below.

If the required certifications are not received as specified above, the public hearing will be cancelled without notice to the applicant.

THE INFORMATION BETWEEN THE DOUBLE LINES (SEE BELOW) MUST BE ADVERTISED IN A
NEWSPAPER **BY TUESDAY, MARCH 21, 2017** AS OUTLINED ON THE PREVIOUS PAGE.

BALTIMORE CITY COUNCIL

PUBLIC HEARING ON BILL NO. 17-0021

The Land Use and Transportation Committee of the Baltimore City Council will meet on Wednesday, April 5, 2017 at 1:00 p.m. in the City Council Chambers, 4th floor, City Hall, 100 Holliday Street to conduct a public hearing on City Council Bill No. 17-0021.

CC 17-0021 **ORDINANCE - Baltimore City Zoning Code - Legalization - Corrections -** FOR the purpose of legalizing new City Code Article 32 {"Zoning"}, as enacted by Ordinance 16-581 {"TransForm Baltimore - Zoning"} and edited, codified, and published by the Baltimore City Department of Legislative Reference; further amending new Article 32 to correct various technical errors, omissions, and inconsistencies and to correct, clarify, and conform various references and language; providing for a special effective date; and generally relating to the zoning and development laws of the City of Baltimore.

BY repealing and reordaining, with amendments

Article 32 - Zoning

Sections 1-303(c)(1)(i), (f), and (t), 1-304(f) and (y), 1-305(p), (r) through (s), and (bb), 1-306(l), 1-307(a), (b), and (o)(2), 1-308(a)(3), (b)(3), (c)(2)(vi), and (q)(2), 1-310(c)(2), (m)(1), (n)(2), 1-312(q)(1) and (u), 1-311(c), (e), and (o)(4), 1-314(j), 2-201(a), 2-202(b), (h), (i), (j)(1), and (k)(1) and (2), 3-201(c)(intro), 3-202(a) and (l), 3-204(b)(intro) and (3)(iii), 3-205(intro), 4-203(3) through (8), 4-405(a)(13)(iii), 5-202(b)(1), 5-301(b), 5-302(b)(1)(v)(intro), 5-305(b)(3)(i), 5-308(b)(7), 5-406(a) and (b)(10), 5-409(d), 5-504(intro), 5-601(f), 5-602(e), 5-603(d), 5-604(e) and (f), 5-703, 5-705, 5-901, 7-204(c) and (e), 7-306(b), 8-603, 8-606, 9-703(c) and (d), 9-803, 9-806, 10-204(a), 10-207(c)(1), 10-502(b), 10-603, 10-606, 11-201(a), 11-202(a), 11-603, 11-606, 12-101(11), 12-201 through 12-211, Subtitle 3(caption), 12-301, 12-302(a), 12-303(a), (c), (f), and (i), 12-403(a), 12-405(a)(2) and (d), 12-406(c) and (f), Subtitle 5(caption), 12-502(a)(2), 12-503(b), 12-504(c) and (f), Subtitle 6(caption), 12-602(a)(2), 12-603(b)(1), 12-604(c) and (f), Subtitle 7(caption), 12-701(intro), Subtitle 9(caption), 12-901, 12-904(a)(1), 12-905(b)(4) and (c)(1), 12-906(a)(1), (3), and (6) and (b)(1), (3)(i)(intro), (5), and (12), Subtitle 10(caption), 12-1001(a), 12-1002(intro), 12-1003(a)(intro) and (7) and (b)(intro), 12-1004(a), 12-1005(a) and (b)(1), Subtitle 11(caption), 12-1101(a), 12-1102(intro), 12-1103(a)(intro) and (b)(intro), 12-1104, 12-1105(a), 12-1301, 12-1302, 12-1303(a), 12-1304(a), (c) and (e), 13-102(a), 13-201(a), 13-202(b), 13-501, 13-503(b), 14-307(b)(2), 14-309(a), 14-310(a), 14-311(g), 14-313(a)(2)(ii), 14-316(b), 14-318(e), 14-324(b)(1), 14-325(a), 13-326(a) and (d)(2), 14-327(c)(intro), 14-331(a)(2) and (b)(5), 14-333(b)(1), 14-334(a)(3) and (b)(2), 14-338(d)(2)(i) and (k)(3)(i), 14-339(b), 14-340, 14-401(a) through (d) and (e)(3), (4)(ii), and (5), 15-201(a), 15-301(b)(5), 15-401(a), 15-403(c), 15-502(c), 15-503,

15-504(intro), 15-506, 15-508(b), 15-509(f) and (g), 15-510(b)(4), 15-511(b)(3)(intro), (4) through (6), and (c)(3), 15-515(c) through (e), 15-516(c)(2)(iii) and (3)(iii), 15-517(d), 15-518(c)(2), 15-701, 15-702(a)(intro), 16-201(b), 16-203(b), 16-401(e), 16-402(b), 16-404(a) and (c), 16-405(a) and (b)(1), 16-601(b)(2)(i)(intro) and (f), 16-602(b) and (e), 16-701(h)(4) and (8), (i), (j)(3), and (k), 16-705(a) through (d), 16-901(b)(2) and (g), 16-902(a)(1) and (c), 18-201(b), (c), and (d), 18-202, 18-206(b)(1)(i), 18-311(a), 18-401(a), 18-406, 18-411(e)(2), 18-412(a)(2)(i), 18-413, 18-601(b), 18-701(a), (b)(2) and (3)(i)(intro), and Title 19 in its entirety.

Baltimore City Code
(Edition 2000)

BY repealing

Article 32 - Zoning

Section(s) 1-302(p) and (s), 1-306(u), 1-309(j) and (u), 1-310(s), and (w), and (x), 1-311(w), 1-312(c) and (e), 1-314(e), 2-201(f), 3-202(b)(3), 12-601(a)(6), 15-514(1), 16-411, and 18-301.

Baltimore City Code
(Edition 2000)

BY adding

Article 32 - Zoning

Section 1-302(k), 1-305(q-1), 1-306(z), 1-310(i), 1-311(q-1), 1-312(s), 1-315(f) and (g), 4-203(9), 12-102, 12-505, and 12-605

Baltimore City Code
(Edition 2000)

BY repealing and reordaining, without amendments

Article 32 - Zoning

Section 1-305(o), (q), (t), and (u)

Baltimore City Code
(Edition 2000)

BY repealing

Article 32 - Zoning

In Title 6, the subtitle designation "Subtitle 4. Exempt Essential Services"

Baltimore City Code
(Edition 2000)

BY renumbering, with amendments

Article 32 - Zoning

Section 6-401

to be

Section 2-202

and

Section 2-202

to be

Section 2-203

Baltimore City Code
(Edition 2000)

BY repealing

Article 32 - Zoning

Tables 7-202 through 17-812

Baltimore City Code
(As enacted by Ordinance 16-581))

BY adding
Article 32 - Zoning
Tables 7-202 through 17-812
Baltimore City Code
(Edition 2000)

NOTE: This bill is subject to amendment by the Baltimore City Council.

Edward Reisinger

Chair

SEND CERTIFICATION OF PUBLICATION TO:

Baltimore City Council
c/o Natawna B. Austin
Room 409, City Hall
100 N. Holliday Street
Baltimore, MD 21202
(410) 396-1697

SEND BILL FOR THIS ADVERTISEMENT TO:

Laurie Feinberg
Department of Planning
417 E. Fayette Street, 8th Floor
Baltimore, Maryland 21202
(410) 396-1275

CITY OF BALTIMORE

CATHERINE E. PUGH, Mayor



DEPARTMENT OF LAW

101 City Hall
Baltimore, Maryland 21202

March 30, 2017

The Honorable President and Members
of the Baltimore City Council
Attn: Natawna B. Austin, Executive Secretary
Room 409, City Hall
100 N. Holliday Street
Baltimore, Maryland 21202

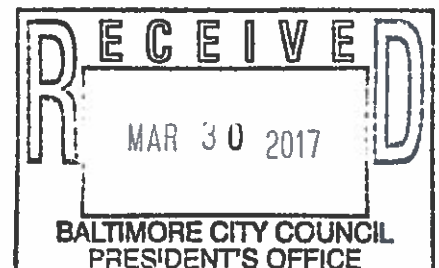
Re: City Council Bill 17-0021 – Baltimore City Zoning Code - Legalization -
Corrections

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 17-0021 and approves it for form and legal sufficiency. The bill performs two tasks: (1) It legalizes new City Code Article 32 as enacted by Ordinance 16-581; and (2) it amends Article 32 to correct various technical errors, omissions, and inconsistencies and corrects, clarifies and conforms various references and language. The bill provides for a special effective date.

The Law Department notes that the legislative procedures applicable to this bill are not addressed by the current zoning code or Article 32. Article 32 has yet to take effect. Therefore, the legislative procedures contained in the Article do not apply to Council Bill 17-0021. The legislative procedures provided by the City's current zoning code apply only to "legislative authorizations" or "zoning legislation." See Baltimore City Zoning Code ("ZC"), Article 16 generally. Amendments to the text of Article 32, however, are neither "legislative authorizations" nor "zoning legislation" as defined by Article 16. See ZC § 16-101(c). The procedures applicable to the bill are found in State law, which require only a public hearing advertised for at least 15 days. MD. Land Use Art. § 10-303.

Council Bill 17-0021 primarily is a corrective bill in that it intends to correct technical errors, omissions, and inconsistencies as well as clarifying and conforming various Article 32 references and language. In reviewing the bill, if the City Council concludes that any of its provisions are more substantive in nature than corrective, those provisions can be struck and offered in subsequent legislation. The Law Department points out, however, that whether a bill amending the text of Article 32 is corrective in nature or substantive, until Article 32 becomes effective, the legislative process for either type of bill is identical.



Sincerely,



Victor K. Terval
Chief Solicitor

cc: David Ralph, Acting City Solicitor
Karen Stokes, Director, Mayor's Office of Government Relations
Kyron Banks, Mayor's Legislative Liaison
Elena DiPietro, Chief Solicitor, General Counsel Division
Hilary Ruley, Chief Solicitor
Jennifer Landis, Assistant Solicitor

FROM	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 8 TH FLOOR, 417 EAST FAYETTE STREET
	SUBJECT	CITY COUNCIL BILL #17-0021 / BALTIMORE CITY ZONING CODE – LEGALIZATION – CORRECTIONS

CITY of
BALTIMORE
MEMO



DATE:

TO

The Honorable President and
Members of the City Council
City Hall, Room 400
100 North Holliday Street

March 24, 2017

At its regular meeting of March 23, 2017, the Planning Commission considered City Council Bill #17-0021, for the purpose of legalizing new City Code Article 32 {"Zoning"}, as enacted by Ordinance 16-581 {"TransForm Baltimore – Zoning"} and edited, codified, and published by the Baltimore City Department of Legislative Reference; further amending new Article 32 to correct various technical errors, omissions, and inconsistencies and to correct, clarify, and conform various references and language; providing for a special effective date; and generally relating to the zoning and development laws of the City of Baltimore.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report, which recommended amendment and approval of City Council Bill #17-0021 and adopted the following resolution; seven members being present (seven in favor).

RESOLVED, That the Planning Commission concurs with the recommendation of its departmental staff, and recommends that City Council Bill #17-0021 be amended and passed by the City Council.

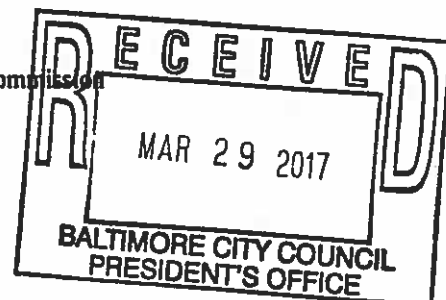
The Planning Commission would also like to recognize the Fells Point Area residents, Ms. Denise Whitman, Ms. Deborah Tempera and Ms. Carolyn Boitnott for bringing to our attention certain discrepancies in Tables 12-903 (1), 12-903 (2), 12-903 (3), and 12-903 (4).

If you have any questions, please contact Mr. Wolde Ararsa, Division Chief, Land Use and Urban Design Division at 410-396-4488.

TJS/WA

Attachments

cc: Mr. Pete Hammen, Chief Operating Officer
Mr. Jim Smith, Chief of Strategic Alliances
Ms. Karen Stokes, Mayor's Office
Mr. Colin Tarbert, Mayor's Office
The Honorable Edward Reisinger, Council Rep. to Planning Commission
Mr. David Tanner, BMZA
Mr. Geoffrey Veale, Zoning Administration
Ms. Sharon Daboin, DHCD
Mr. Patrick Fleming, DOT
Ms. Elena DiPietro, Law Dept.
Ms. Natawna Austin, Council Services
Mr. Francis Burnszynski, PABC



Fav w/ Anthony

RECEIVED
MAY 29 1977
BALTIMORE CITY COUNCIL
PRESIDENT'S OFFICE



Catherine E. Pugh
Mayor

PLANNING COMMISSION

Wilbur E. "Bill" Cunningham, Chairman

STAFF REPORT



Thomas J. Stosur
Director

March 23, 2017

REQUEST: City Council Bill #17-0021/ Baltimore City Zoning Code – Legalization – Corrections:

For the purpose of legalizing new City Code Article 32 {"Zoning"}, as enacted by Ordinance 16-581 {"TransForm Baltimore - Zoning"} and edited, codified, and published by the Baltimore City Department of Legislative Reference; further amending new Article 32 to correct various technical errors, omissions, and inconsistencies and to correct, clarify, and conform various references and language; providing for a special effective date; and generally relating to the zoning and development laws of the City of Baltimore.

RECOMMENDATION: Amendment and approval, with the following amendments:

- On page 53 of the corrective bill, after line 24, insert the following text, and in line 25 renumber paragraph (2) as (3):
"(1) IN the C-1, C-1-E, C-1-VC DISTRICTS, [and] THE FIRST THREE DWELLING UNITS, AND ANY RESTAURANTS, RETAIL GOODS ESTABLISHMENTS, PERSONAL SERVICES ESTABLISHMENTS, FINANCIAL INSTITUTIONS, AND CARRY-OUT FOOD SHOPS ARE EXEMPT FROM THE OFF-STREET PARKING REQUIREMENTS OF TABLE 16-406;
(2) THE C-5 [Districts] SUBDISTRICTS and all non-residential uses in the R-MU and D-MU Overlay Districts are exempt from parking requirements."
- On page 85, line 8 of the corrective bill (Table 10-301), strike "Per § 14-327" from the Use Standards reference for Dwelling: Multi-Family.
- On page 95, line 7 of the corrective bill (Table 11-301), strike "Per § 14-327" from the Use Standards reference for Dwelling: Multi-Family.
- On page 104 of the corrective bill (Table 12-301), in line 5 in the Districts column, amend the "CB" to read "CB, P¹". Then, before line 15, add text for the new footnote 1 as follows, renumbering the subsequent footnotes:
"¹ A Neighborhood Commercial Establishment is a permitted use only if: (i) the structure has 50 or more dwelling units; and (ii) non-residential uses are limited to 10% of the structure's gross floor area."
- The additional amendments proposed by the Department of Legislative Reference, Draft V, dated March 19, 2017.
- It has been brought to staff's attention that text changes in Tables 12-903 (1), 12-903 (2), 12-903 (3), and 12-903 (4), concerning substitution, at least, of "may" for "shall" in several places had been made prior to the Third Reader version of the bill. Staff recommends that the Department of Legislative Reference, Law Department and Council President's office make a recommendation to the Land Use and Transportation Committee on which usage is correct.

STAFF: Eric Tiso

PETITIONER: The Administration, on behalf of the Department of Legislative Reference

HISTORY

- On March 21, 2013, the Planning Commission reviewed and forwarded a comprehensive list of recommendations on CCB #12-0152 (later adopted as Ord. #16-581).
- On September 19, 2013, the Planning Commission reviewed additional amendments and forwarded its recommendation on CCB #12-0152.
- On December 5, 2016, CCB #12-0152 was signed by the Mayor as Ord. #16-581, to take effect on June 5, 2017.

ANALYSIS

Background and Bill Effects: After a number of years of effort to establish a comprehensive replacement of the Zoning Code, it was approved by the City Council on the last day of the Council session, and then signed by the Mayor. Given the volume of work done on the bill leading up to its enactment at the close of the session, there was not sufficient time for the staff of various commenting agencies to review and help ensure the various amendments would be sufficient, would achieve what was intended, and would be clear and easy to understand. As a result, there are a number of corrections required ranging from simple spelling and punctuation errors, to ensuring that the text is internally consistent, and that it correctly conveys the legislative intent as approved.

The first 65 pages of the bill make corrections to the text, and the balance of the bill are the corrections to the tables. A separate bill will be introduced for corrections to the zoning map approved with Ord. #16-581. A listing and explanation of each and every correction proposed would be unwieldy, but the corrections can be categorized into a several groups below:

Corrections to typographical and grammatical errors: These are simple fixes for misspelling, number, correct use of English, and correct legal phraseology. Examples include on page 5 for the addition of a hyphen for “on-site” (in §1-303.c), and on page 7 for the addition of a comma following the words “shared wall” (in §1-305(s)).

Corrections to references: These corrections are to conform references to other parts of law, or other documents. An example is on page 15, where “Baltimore City Building Code” becomes “Baltimore City Building, Fire, and Related Codes” (in §2-203(2)).

Conforming or coordinating language across the code: These are corrections to ensure that terms are used consistently throughout the code, and in the most current forms. An example of making text consistent is found at the top of page 9 in the bill (in §1-307(b)), where the term “Greenhouse” is used throughout the code, where a variety of terms had been used in the text, including high tunnel, hoop-house, and cold-frame. Another example is on page 52, in §16-402(b)(2), where is updated from an older term “Handicap van accessible floors” to the preferred terminology of “Floors accessible to ADA-compliant vans ...”.

Simplifying or rearranging the text or tables for readability: These corrections are for consolidating related text, making things more visible, or arranging the text for better readability. An example is relocating a reference that requires Site Plan Review for all development within the C-5-IH district from Table 10-401, to a more obvious place - in the list of when Site Plan Review is applicable on page 18 (in §4-203, as a new (9)). Similarly, the minimum district size required to establish an Office-Industrial Campus is relocated from Table 11-401, to the text on page 25, under §11-201(a)(2).

Rearranging, or grouping text for brevity: This is simply rearranging parts of the text or tables to use less space, and the grouping together of similar or related text. An example is on page 38, in §13-202(b), where item (4) that required a minimum of five acres could be joined to item (1) above with the same requirement to save space. Similarly, in the tables, where one or more uses are identically allowed in a given district, those uses can be grouped into only one line to save space. An example is on page 79, in Table 9-301, Dwelling: Detached and Dwelling: Semi-Detached are treated identically, and so can be consolidated into one line as Dwelling: Detached or Semi-Detached.

Amendments: Staff proposes six amendments to the bill. The first amendment inserts a missing amendment adopted by Council (T-807). The second and third amendments remove a reference to §14-327 in Tables 10-301 and 11-301. The fourth reinserts a dropped footnote to Table 12-301. The fifth adopts the additional amendments proposed by the Department of Legislative Reference, Draft V, dated March 19, 2017. The sixth amendment notes that there were text changes in Tables 12-903 (1), 12-903 (2), 12-903 (3), and 12-903 (4), concerning substitution of “may” for “shall” in several places. Staff recommends that the Law Department and Council President’s office make a recommendation to the Land Use and Transportation Committee on which usage is correct.

Staff believes that these changes correct errors in the final Ordinance, and that it improves the readability of the text so that it may be more easily understood and used. For these reasons, staff recommends approval of the bill.

Community Notification: Notice of this action was sent to 8,624 individuals via GovDelivery.



Thomas J. Stosur
Director

**AMENDMENTS TO COUNCIL BILL 17-021
(1st Reader Copy)**

Proposed By: Department of Legislative Reference
{To be offered to the Land Use and Transportation Committee}

ADDITIONAL TEXT CORRECTIONS

Amendment No. 1 {§ 7-202}

On page 1, in line 17, after “5-901,” insert “7-202,”; and, on page 22, after line 18, insert:

“§ 7-202. Use regulations.

Only those uses of land listed in Table 7-202: Open-Space Districts – Permitted and Conditional Uses are allowed within [the] AN Open-Space Zoning District.”.

Amendment No. 2 {§ 11-301}

On page 1, in line 19, after “11-202(a),” insert “11-301,”; and, on page 25, after line 23, insert:

“Subtitle 3. Use Regulations

§ 11-301. As listed in Table 11-301

Only those uses of land listed [under] IN Table 11-301: Industrial Districts – Permitted and Conditional Uses are allowed within these zoning districts.”.

Amendment No. 3 {§ 12-301}

On page 29, in line 3, after “listed”, strike “under” and substitute “IN”.

Amendment No. 4 {§ 12-402}

On page 1, in line 21, after “and (i),” insert “12-402,”; and, on page 29, after line 25, insert:

“§ 12-402. Use regulations.

Only those uses of land listed [under] IN Table 12-402: Transit-Oriented Development Districts – Permitted and Conditional Uses are allowed within [the] A TOD Zoning [Districts] DISTRICT.”.

ADDITIONAL TABLE CORRECTIONS

Amendment No. 5 {Table 7-203}

On page 73, in the unnumbered row after line 12, in the 1st column, insert “MINIMUM YARDS”; and, in line 14, strike “MINIMUM YARDS” and substitute “Interior-Side Yard”; and, in line 15, strike “Corner Side” and substitute “Corner-Side”.

Amendment No. 6 {Table 8-401}

On page 77, in line 27, in columns for R-1A through R-1E Districts, in each instance, strike “25%” and substitute “40%”; and, in the same line, in the columns for R-1 through R-4 Districts, strike “30%” or “35%”, as the case may be, and, in each instance, substitute “50%”.

Amendment No. 7 {Table 9-401}

On page 83, in line 5, in the column for the R-7 District, strike “21 feet” and substitute “15 feet”.

Amendment No. 8 {Table 10-301}

On page 85, in line 22, in the column for the C-2 District, strike “CB” and substitute “P”.

Amendment No. 9 {Table 12-602}

On page 115, in line 20, strike “20 feet” and substitute “10 feet”; and, on the same page, in line 22, strike “10 feet” and substitute “15 feet”.

Amendment No. 10 {Table 12-1303}

On page 135, in the unnumbered row after line 3, strike the column headings “TOD-1”, “TOD-2”, “TOD-3”, and “TOD-4”, and substitute “PC-1”, “PC-2”, “PC-3”, and “PC-4”, respectively.

EDUCATIONAL AND HOSPITAL CAMPUS DISTRICTS – TEXT-TO-TABLE TRANSFERS

Amendment No. 11 {Title Function Paragraphs}

On page 1, in line 22, before “12-502(a)(2)”, insert “12-501.”; and, in the same line, before “12-602(a)(2)”, insert “12-601.”; and, on page 2, in line 15, strike “12-601(a)(6).”.

Amendment No. 12 {§ 12-501}

On page 30, after line 16, insert:

“12-501. Use Regulations.

[(a) EC-1 Educational Campus: Primary or Secondary.]

[(1) Permitted uses.]

[In an EC-1 Educational Campus District, the following uses are permitted:

- (i) Community-managed open-space gardens (See § 14-307 for use standards).**
- (ii) Day-care centers: Child (See § 14-309 for use standards).**
- (iii) Educational facilities: Primary or secondary, including ancillary dormitory and residential uses.**
- (iv) Parking garages (principal use) (See § 14-331 for use standards).**
- (v) Parking lots (See § 14-331 for use standards).**
- (vi) Places of worship (See § 14-332 for use standards).**
- (vii) Telecommunications base stations – Stealth design (See § 14-338 for use standards).**
- (viii) Urban agriculture (See § 14-339 for use standards).**
- (ix) Utilities (See § 14-340 for use standards).**
- (x) Wireless communications services – as modification to, but without substantial change in physical dimensions of, an existing telecommunications facility (See § 14-338 for use standards).]**

[(2) Conditional uses.]

[In an EC-1 Educational Campus District, the following uses are conditional uses, requiring approval by the Board of Municipal and Zoning Appeals:

- (i) Community-managed open-space farms (See § 14-307 for use standards).**
- (ii) Telecommunications facilities not otherwise permitted (See § 14-338 for use standards).]**

[(b) EC-2 Educational Campus: Post-Secondary.]

[(1) Permitted uses.]

[In an EC-2 Educational Campus District, the following uses are permitted:

- (i) Community-managed open-space gardens (See §14-307 for use standards).
- (ii) Day-care centers: Adult or Child (See §14-309 for use standards).
- (iii) Educational facilities: Post-secondary, including ancillary dormitory and residential uses.
- (iv) Educational facilities: Primary or secondary, including ancillary dormitory and residential uses.
- (v) Fraternity or sorority houses (See § 14-313 for use standards).
- (vi) Parking garages (principal use) (See §14-331 for use standards)
- (vii) Parking lots (See §14-331 for use standards).
- (viii) Personal services establishments.
- (ix) Places of worship (See §14-332 for use standards).
- (x) Retail goods establishments – no alcoholic beverage sales.
- (xi) Restaurants.
- (xii) Telecommunications base stations – Stealth design (See § 14-338 for use standards).
- (xiii) Urban Agriculture (See § 14-339 for use standards).
- (xiv) Utilities (See § 14-340 for use standards).
- (xv) Wireless communications services – as modification to, but without substantial change in physical dimensions of, an existing telecommunications facility (See § 14-338 for use standards).]

[(2) Conditional uses.]

[In an EC-2 Educational Campus District, the following uses are conditional uses, requiring approval by the Board of Municipal and Zoning Appeals:

- (i) Community-managed open-space farms (See § 14-307 for use standards).
- (ii) Telecommunications facilities not otherwise permitted (See § 14-338 for use standards).]

ONLY THOSE USES OF LAND LISTED IN TABLE 12-501: EDUCATIONAL CAMPUS DISTRICTS – PERMITTED AND CONDITIONAL USES ARE ALLOWED WITHIN AN EDUCATIONAL CAMPUS ZONING DISTRICT.”

Amendment No. 13 {§ 12-601}

On page 31, strike lines 11 through 15, in their entirety, and substitute:

“[(a) Permitted uses.]

[In a Hospital Campus District, the following uses are permitted:

- (1) Day-care centers: Adult or Child (See § 14-309 for use standards).
- (2) Educational facilities: Post-secondary, including ancillary dormitory and residential uses.
- (3) Health-care clinics.
- (4) Hospitals, including ancillary dormitory and residential uses.

- (5) {Reserved}
- (6) Medical support facilities.
- (7) Offices.
- (8) Parking garages (Principal use) (See §14-331 for use standards).
- (9) Parking lots (See § 14-331 for use standards).
- (10) Personal services establishments.
- (11) Places of Worship (See §14-332 for use standards).
- (12) Recreation - Indoor and outdoor.
- (13) Research and development.
- (14) Residential-care facilities (See § 14-334 for use standards).
- (15) Restaurants.
- (16) Retail goods establishments – no alcoholic beverage sales.
- (17) Telecommunications base stations – Stealth design (See § 14-338 for use standards).
- (18) Utilities (See § 14-340 for use standards).
- (19) Wireless communications services – as modification to, but without substantial change in physical dimensions of, an existing telecommunications facility (See § 14-338 for use standards).]

[(b) Conditional uses.]

[In a Hospital Campus District, the following uses are conditional uses, requiring approval by the Board of Municipal and Zoning Appeals:

- (1) Helistop.
- (2) Hotels, motels, and rooming houses.
- (3) Telecommunications facilities not otherwise permitted (See § 14-338 for use standards).]

ONLY THOSE USES OF LAND LISTED IN TABLE 12-601: HOSPITAL CAMPUS DISTRICTS – PERMITTED AND CONDITIONAL USES ARE ALLOWED WITHIN A HOSPITAL CAMPUS ZONING DISTRICT.”.

Amendment No. 14 {Substituted Tables}

After page 112, insert new *Table 12-501: Educational Campus Districts – Permitted and Conditional Uses* and, after page 114, insert new *Table 12-601: Hospital Campus Districts – Permitted and Conditional Uses*, to read as shown on the following pages:

{PAGE LEFT INTENTIONALLY BLANK}

**TABLE 12-501: EDUCATIONAL CAMPUS DISTRICTS –
PERMITTED AND CONDITIONAL USES**

USES	DISTRICTS		USE STANDARDS
	EC-1	EC-2	
RESIDENTIAL			
Dormitory (Ancillary to Educational Facility)	P	P	
Dwelling (Ancillary to Educational Facility)	P	P	Per § 14-327
Fraternity or Sorority House		P	Per § 14-313
Rooming House (Ancillary to Educational Facility)		CB	
INSTITUTIONAL			
Community Center (Ancillary to Educational Facility)		CB	
Cultural Facility (Ancillary to Educational Facility)		CB	Per § 14-308
Educational Facility: Commercial-Vocational		P	
Educational Facility: Post-Secondary		P	
Educational Facility: Primary and Secondary	P	P	
Place of Worship	P	P	Per § 14-332
OPEN-SPACE			
Community-Managed Open-Space Farm	CB	CB	Per § 14-307
Community-Managed Open-Space Garden	P	P	Per § 14-307
Park or Playground	P	P	
Urban Agriculture	P	P	Per § 14-339
COMMERCIAL			
Broadcasting Station (TV or Radio)		P	
Carry-Out Food Shop		P	
Day-Care Center: Adult or Child	P	P	Per § 14-309
Entertainment: Indoor		P	Per § 14-312

Commercial (cont'd)	EC-1	EC-2	
Office	P	P	
Personal Services Establishment		P	
Recreation: Indoor or Outdoor (Ancillary to Educational Facility)	P	P	Per § 14-312
Restaurant		P	
Retail Goods Establishment (No Alcoholic Beverages Sales)		P	
Stadium (Ancillary to Educational Facility)		CB	
INDUSTRIAL			
Research and Development Facility ¹		P	
OTHER			
Electric Substation: Enclosed, Indoor, or Outdoor	CB	CB	Per § 14-340
Parking Garage (Principal Use)	P	P	Per § 14-331
Parking Lot (Principal Use)	P	P	Per § 14-331
Telecommunications Facility ¹	CB, P	CB, P	Per § 14-338
Utilities	CB	CB	Per § 14-340
Wireless Communications Services ²	CB, P	CB, P	Per § 14-338

¹ Only telecommunications base stations that comply with the stealth design standards of § 14-338 are considered permitted uses.

² 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.

**TABLE 12-601: HOSPITAL CAMPUS DISTRICTS –
PERMITTED AND CONDITIONAL USES**

USES	DISTRICTS	USE STANDARDS
	H	
RESIDENTIAL		
Dormitory (Ancillary to Hospital or Educational Facility: Post-Secondary)	P	
Dwelling (Ancillary to Hospital or Educational Facility: Post-Secondary)	P	
Residential-Care Facility	P	Per §14-334
Rooming House	CB	
INSTITUTIONAL		
Community Center (Ancillary to Educational Facility: Post-Secondary)	CB	
Cultural Facility (Ancillary to Educational Facility: Post-Secondary)	CB	Per § 14-308
Educational Facility: Post-Secondary	P	
Hospital	P	
Place of Worship	P	Per §14-332
COMMERCIAL		
Carry-Out Food Shop	P	
Day-Care Center: Adult or Child	P	Per §14-309
Health-Care Clinic	P	
Health Center	P	
Helistop	CB	
Hotel or Motel	CB	
Office	P	
Personal Services Establishment	P	

<i>Commercial (cont'd)</i>	<i>H</i>	
Recreation: Indoor and Outdoor (Ancillary to Hospital or Educational Facility: Post-Secondary)	P	Per §14-312
Restaurant	P	
Retail Goods Establishment (No Alcoholic Beverages Sales)	P	
INDUSTRIAL		
Research and Development Facility	P	
OTHER		
Electric Substation: Enclosed, Indoor, or Outdoor	CB	Per § 14-340
Parking Garage (Principal Use)	P	Per § 14-331
Parking Lot (Principal Use)	P	Per § 14-331
Telecommunications Facility ¹	CB, P	Per § 14-338
Utilities	CB	Per § 14-340
Wireless Communications Services ²	CB, P	Per § 14-338

¹ Only telecommunications base stations that comply with the stealth design standards of § 14-338 are considered permitted uses.

² 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.

CITY OF BALTIMORE

CATHERINE E. PUGH, Mayor



**BOARD OF MUNICIPAL AND
ZONING APPEALS**

DAVID C. TANNER, Executive Director
417 E. Fayette Street, Room 1432
Baltimore, Maryland 21202

March 6, 2017

The Honorable President and
Members of the City Council
City Hall
100 N. Holliday Street
Baltimore, MD 21202

Re: City Council Bill No. 17-0021: Zoning - Baltimore City Zoning Code - Legalization -
Corrections.

Ladies and Gentlemen:

City Council Bill No. 17-0021 has been referred by your Honorable Body to the Board of
Municipal and Zoning Appeals for study and report.

The purpose of City Council Bill No. 17-0021 is to legalize City Code Article 32 {"Zoning"}, as
enacted by Ordinance 16-581 {"TransForm Baltimore - Zoning"} and edited, codified, and
published by the Baltimore City Department of Legislative Reference; further amending new
Article 32 to correct various technical errors, omissions, and inconsistencies and to correct,
clarify, and conform various references and language; providing for a special effective date; and
generally relating to the zoning and development laws of the City of Baltimore.

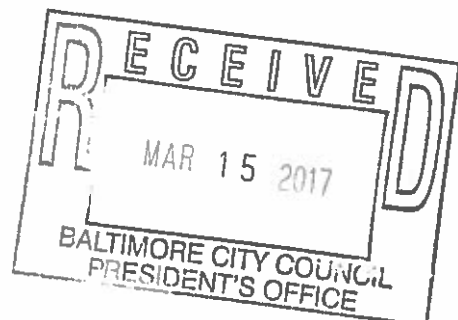
The BMZA has reviewed the legislation and recommends approval to the passage of Bill
Number 17-0021.

Sincerely,



David C. Tanner
Executive Director

DCT/rdh

CC: Mayors Office of Council Relations



F

FROM	NAME & TITLE	Frank J. Murphy, Acting Director	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	Department of Transportation (DOT) 417 East Fayette Street, Room 527		
	SUBJECT	City Council Bill 17-0021		

TO The Honorable President and
Members of the City Council
c/o Natawna Austin
Room 400 City Hall

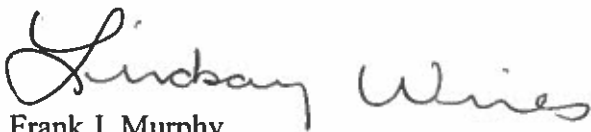
April 3, 2017

I am herein reporting on City Council Bill 17-0021 for the of legalizing new City Code Article 32 {"Zoning"}, as enacted by Ordinance 16-581 {"TransForm Baltimore – Zoning"} and edited, codified, and published by the Baltimore City Department of Legislative Reference; further amending new Article 32 to correct various technical errors, omissions, and inconsistencies and to correct, clarify, and conform various references and language; providing for a special effective date; and generally relating to the zoning and development laws of the City of Baltimore.

The Department of Transportation supports this bill as it provides technical corrections such as spelling, punctuation, textual consistency and ensuring legislative intent.

Thank you for this opportunity to comment.

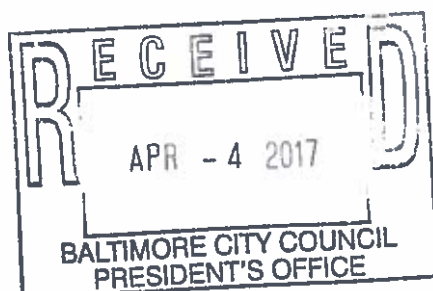
Respectfully,



Frank J. Murphy
Acting Director

FJM/PAF

Cc: Karen Stokes, Mayor's Office
Kyron Banks, Mayor's Office



F



BALTIMORE HOUSING

CATHERINE PUGH
Mayor

MICHAEL BRAVERMAN
Acting Executive Director, HABC
Acting Commissioner, HCD

MEMORANDUM

To: The Honorable President and Members of the Baltimore City Council
c/o Natawna Austin, Executive Secretary

From: Michael Braverman, Acting Commissioner *MB*

Date: March 31, 2017

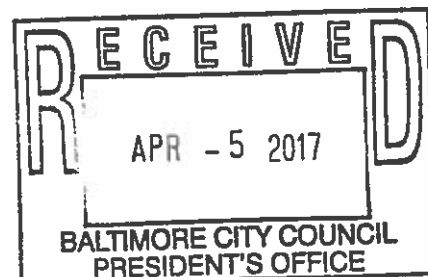
Re: **City Council Bill 17-0021 - Baltimore City Zoning Code – Legalization
– Corrections**

The Department of Housing and Community Development (HCD) has reviewed City Council Bill 17-0021, for the purpose of legalizing new City Code Article 32 {"Zoning"}, as enacted by Ordinance 16-581 {"TransForm Baltimore – Zoning"} and edited, codified, and published by the Baltimore City Department of Legislative Reference; further amending new Article 32 to correct various technical errors, omissions, and inconsistencies and to correct, clarify, and conform various references and language; providing for a special effective date; and generally relating to the zoning and development laws of the City of Baltimore.

The Department of Housing and Community Development encourages the passage of City Council Bill 17-0021.

MB:sd

cc: Ms. Karen Stokes, *Mayor's Office of Government Relations*
Mr. Kyron Banks, *Mayor's Office of Government Relations*



RECEIVED
BALTIMORE CITY COUNCIL
PRESIDENT'S OFFICE

Carolyn Boitnott
2105 E. Baltimore St.
Baltimore, Md. 21231

March 22, 2017

To the members of the Planning Commission:

re: CC Bill 17-0021

I just learned yesterday that wording in the Fells Point Waterfront Area height limitations was changed presumably during the amendment period of the TransForm Baltimore bill. There was a promise made to the community that the wording of the old Fells Point urban renewal bill that listed the height controls on various waterfront properties would remain the same. This was true when the first draft of TransForm Baltimore was introduced into the City Council on October 22, 2012.

I have been active in development issues in Fells Point and the surrounding area since the late 1980's. I also served on the Planning Commission's advisory committee for the TransForm bill. I followed closely the changes that would be made up until the bill was introduced into the City Council. I did not attend any of the amendment hearings. I can only assume that the change in the word "shall" to "may" in the height limitation section was changed during that time. As you are aware height has been a great concern in Fells Point and it was promised by the planning staff that the wording would remain the same as it had been in all of the urban renewal documents.

I ask that during this corrections period that the eight "mays" be removed and eight "shalls" be reinstated.

Sincerely yours

Carolyn Boitnott

Attached are pertinent pages from:

TransForm Baltimore first draft October 22, 2012

Fells Point Urban Renewal Plan April 11, 2006

Fells Point Urban Renewal Plan June 1, 1989

CITY OF BALTIMORE

CATHERINE E. PUGH, Mayor



OFFICE OF COUNCIL SERVICES

LARRY E. GREENE, Director
415 City Hall, 100 N. Holliday Street
Baltimore, Maryland 21202
410-396-7215 / Fax: 410-545-7596
email: larry.greene@baltimorecity.gov

HEARING NOTES

Bill: 17-0021

Ordinance - Baltimore City Zoning - Legalization - Corrections

Committee: Land Use and Transportation

Chaired By: Councilmember Edward Reisinger

Hearing Date: April 5, 2017
Time (Beginning): 1:00 PM
Time (Ending): 2:30 PM
Location: Clarence "Du" Burns Chamber
Total Attendance: ~ 50

Committee Members in Attendance:

- Edward Reisinger
- Sharon Green Middleton
- Mary Pat Clarke
- Eric Costello
- Ryan Dorsey
- Leon Pinkett
- Robert Stokes

Bill Synopsis in the file?	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> n/a
Attendance sheet in the file?	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> n/a
Agency reports read?	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> n/a
Hearing televised or audio-digitally recorded?	<input type="checkbox"/> yes	<input checked="" type="checkbox"/> no	<input type="checkbox"/> n/a
Certification of advertising/posting notices in the file?	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> n/a
Evidence of notification to property owners?	<input type="checkbox"/> yes	<input type="checkbox"/> no	<input checked="" type="checkbox"/> n/a
Final vote taken at this hearing?	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> n/a
Motioned by:	Councilmember Costello		
Seconded by:	Councilmember Pinkett		
Final Vote:	Fav. with Amendments		

Major Speakers
(This is not an attendance record.)

- Mr. Avery Aisenstark, Department of Legislative Reference
 - Mr. Eric Tiso, Department of Planning
 - Ms. Kara Kunst, Office of the President
 - Mr. Victor Tervalá, Department of Law
 - Mr. Douglass Armstrong, Resident
 - Ms. Christine McSherry, President, Roland Park Civic League
-

Major Issues Discussed

1. Councilman Reisinger introduced committee members and read into the record agency reports and communications received by April 5, 2017.
 2. Proposed amendments were presented by Councilwoman Clarke, Avery Aisenstark (Department of Legislative Reference), Eric Tiso (Department of Planning), Kara Kunst (Office of the President); and Christine McSherry (Roland Park Civic League).
 3. Mr. Eric Tiso presented the purpose of the corrective actions being requested by Bill 17-0021. He presented additional amendments.
 4. Councilwoman Clarke presented amendments.
 5. Mr. Avery Aisenstark explained the purpose of the corrective bill and provided information about the process and group that came together to review Ordinance 16-058 (Transform Baltimore – Zoning (formerly Bill 12-0152)). He presented additional amendments. He indicated that the corrective changes were not substantive.
 6. Ms. Kara Kunst discussed additional proposed amendments.
 7. Mr. Douglas Armstrong commented about certain items not being reflected on the agenda and certain actions regarding Port Covington.
 8. Ms. McSherry discussed amendments related to the minimum front yards as found in Table 12-502.
 9. A vote was taken on the bill and the hearing was adjourned.
-

Further Study

Was further study requested?

Yes No

If yes, describe.

Committee Vote:

Edward Reisinger: **Yea**
Sharon Green Middleton: **Yea**
Mary Pat Clarke: **Abstain**
Eric Costello: **Yea**
Ryan Dorsey: **Yea**
Leon Pinkett: **Yea**
Robert Stokes: **Yea**

Jennifer L. Coates, Committee Staff



Date: April 6, 2017

cc: Bill File
OCS Chrono File

OF BALTIMORE RING ATTENDANCE RECORD

Chairperson: **Edward Reisinger**

Place: **Clarence "Du" Burns Chambers**

Corrections

CC Bill Number: **17-0021**

PRINT

PLEASE CHECK HERE



ORGANIZATION NAME	ZIP	EMAIL ADDRESS		FOR	AGAINST	LOBBYIST: ARE YOU REGISTERED IN THE CITY
reet	21202	Johndoenbmore@yahoo.com	✓	✓	✓	✓
17	21218	jeanflayd@gmail.com	✓			✓
5 ST	21218	naalebofson@gmail.com	✓	✓		

