

**CITY OF BALTIMORE
COUNCIL BILL 22-0285
(First Reader)**

Introduced by: Councilmembers Dorsey, Cohen, Glover, Ramos, Burnett, Bullock

Introduced and read first time: September 19, 2022

Assigned to: Committee of the Whole

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

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Abundant Housing Act**

3 FOR the purpose of amending certain provisions of the Baltimore City Zoning Code to promote
4 increased development of low-density multi-family dwellings in certain residential districts;
5 establishing standards for the conversion of single-family dwellings into low-density multi-
6 family dwellings; establishing opportunities to increase density if a low-density multi-family
7 dwelling is a certain distance from certain City amenities; amending certain permitted and
8 conditional uses; amending certain bulk and yard standards; eliminating certain required off-
9 street parking requirements; and defining certain terms.

10 BY repealing and reordaining, with amendments

11 Article 32 - Zoning

12 Sections 1-305(p), 1-310(h), 4-405(a)(4), 8-201, 9-701, 9-703(b) to (g), 14-334(b),
13 Table 8-301, Table 8-401, Table 9-301, Table 9-401, Table 10-301, Table 10-401,
14 Table 11-301, Table 11-401, Table 12-301, Table 12-302, Table 12-402, Table 12-403,
15 Table 12-1302, Table 12-1303, and Table 16-406

16 Baltimore City Code

17 (Edition 2000)

18 BY adding

19 Article 32 - Zoning

20 Sections 1-305(p-1), 1-309(w), 8-609, and 9-809

21 Baltimore City Code

22 (Edition 2000)

23 BY adding

24 Article 32 - Zoning

25 New Sections 1-304(g) and 1-307(k)

26 Baltimore City Code

27 (Edition 2000)

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

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1 BY re-numbering current
2 Article 32 - Zoning
3 Current Sections 1-304(g) through (z), respectively, to be Sections 1-304(h) through (aa),
4 respectively, and, current Sections 1-307(k) through (w), respectively, to be Sections
5 1-307(l) through (x), respectively.
6 Baltimore City Code
7 (Edition 2000)

8 BY adding
9 Article 32 - Zoning
10 Sections 8-501 to 8-503, to be under the new subtitle,
11 "Subtitle 5. Residential Conversions"
12 Baltimore City Code
13 (Edition 2000)

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

16 **Baltimore City Code**

17 **Article 32. Zoning**

18 **Title 1. General Provisions**

19 *Subtitle 3*
20 *Definitions*

21 **§ 1-304. "Chimney" to "Day-care center: Child".**

22 (G) *COMMUNITY ACCESSIBLE TRANSIT.*

23 (1) *IN GENERAL.*

24 "COMMUNITY ACCESSIBLE TRANSIT" MEANS PUBLIC TRANSIT VEHICLES WITH ROUTE
25 SERVICE INTERVALS NO LONGER THAN 15 MINUTES DURING PEAK COMMUTE HOURS.

26 (2) *INCLUSIONS.*

27 "COMMUNITY ACCESSIBLE TRANSIT" INCLUDES:

28 (I) BUS ROUTES; AND

29 (II) PASSENGER RAILWAY ROUTES UTILIZED BY THE MARYLAND TRANSIT
30 ADMINISTRATION FOR MARYLAND AREA REGIONAL COMMUTER (MARC)
31 TRAIN SERVICE, LIGHT RAILLINK, AND METRO SUBWAYLINK.

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1 (H) [(g)] *Community center.*

2 (1) *In general.*

3 “Community center” means a facility in which people who live in the neighborhood
4 or community are able to meet and carry on cultural, social, or recreational activities.

5 (2) *Inclusions.*

6 “Community center” includes indoor or outdoor recreational facilities.

7 (I) [(h)] *Community-managed open-space garden.*

8 (1) *In general.*

9 “Community-managed open-space garden” means an open-space area that:

10 (i) is maintained by more than 1 household; and

11 (ii) is used for traditional community-garden activities of planting,
12 cultivating, harvesting, maintaining, and distributing fruits, flowers, vegetables, or
13 ornamental plants.

14 (2) *Inclusions.*

15 “Community-managed open-space garden” includes:

16 (i) accessory sheds, gazebos, and pergolas;

17 (ii) temporary greenhouses and similar structures to extend the
18 growing season; and

19 (ii) the provision of space for related open-air recreation, active
20 or passive, but not including playground equipment.

21 (J) [(i)] *Community-managed open-space farm.*

22 (1) *In general.*

23 “Community-managed open-space farm” means an open-space area that:

24 (i) is maintained by more than 1 household; and

25 (ii) in addition to the uses permitted in a community-managed
26 open-space garden, is used for 1 or more of the following:

27 (A) the keeping of livestock and animals;

28 (B) temporary farm stands, but no more than 1 per lot; and

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1 (C) the receipt and free redistribution of organic waste
2 material for composting.

3 (2) *Inclusions.*

4 “Community-managed open-space farm” includes on-site storage, including
5 storage for farmstands.

6 (K) [(j)] *Community-based alternative energy system.*

7 See “Alternative energy system: Community-based”.

8 (L) [(k)] *Composting.*

9 “Composting” means the processing of organic waste material, such as yard and food
10 waste, under controlled conditions to yield a nuisance-free humus-like product.

11 (M) [(l)] *Comprehensive Master Plan.*

12 “Comprehensive Master Plan” means the Master Plan adopted under City Charter Article
13 VII, § 74 {“Department of Planning: Master Plan”} and the State Land Use Article.

14 (N) [(m)] *Comprehensive rezoning.*

15 “Comprehensive rezoning” means an ordinance that is:

16 (1) initiated by City government to modify the zoning classifications of multiple
17 properties;

18 (2) based on considerations concerning the common needs of a substantial geographic
19 area, involving a considerable number of properties;

20 (3) designed to control and direct the use of land and structures according to present
21 and planned future conditions; and

22 (4) the product of:

23 (i) careful consideration and extensive study by the Planning Department;
24 and

25 (ii) review by the Planning Commission.

26 (O) [(n)] *Conditional use.*

27 See “Use: Conditional”.

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1 (P) [(o)] *Contractor storage yard.*

2 “Contractor storage yard” means land or structures used primarily for the storage of
3 equipment, vehicles, machinery, building materials, paint, piping, or electrical components
4 being used by the owner or occupant of the premises in the conduct of a building trade.

5 (Q) [(p)] *Convention center.*

6 (1) *In general.*

7 “Convention center” means an establishment that accommodates conventions,
8 conferences, seminars, product displays, recreation activities, and entertainment
9 functions.

10 (2) *Inclusions.*

11 “Convention center” includes accessory uses such as:

12 (i) temporary outdoor displays; and

13 (ii) food and beverage preparation and service for on-premise consumption.

14 (R) [(q)] *Corner lot.*

15 *See “Lot: Corner”.*

16 (S) [(r)] *Corner-side lot line.*

17 *See “Lot line: Corner-side”.*

18 (T) [(s)] *Cornice.*

19 “Cornice” means a continuous molded projection that:

20 (1) extends outward from an exterior wall at the roof line;

21 (2) crowns a wall; or

22 (3) divides a wall horizontally.

23 (U) [(t)] *Country club.*

24 “Country club” means a club organized and operated primarily for social and both indoor
25 and outdoor recreation purposes, with recreation facilities for members, their families, and
26 invited guests.

27 (V) [(u)] *Critical Area (CBCA).*

28 “Critical Area”, as it applies to the Chesapeake Bay Critical Area, has the meaning stated in
29 § 7-402 {“CBCA Overlay: Definitions”} of this Code.

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1 (W) [(v)] *Critical Area Management Program (CBCA).*

2 “Critical Area Management Program”, as it applies to the Chesapeake Bay Critical Area,
3 has the meaning stated in § 7-402 {“CBCA Overlay: Definitions”} of this Code.

4 (X) [(w)] *Crude oil terminal.*

5 (1) “Crude oil” defined.

6 (i) *In general.*

7 “Crude oil” means any naturally occurring liquid petroleum that is:

8 (A) extracted from geological formations beneath the earth’s surface; and

9 (B) requires further refinement before consumer use.

10 (ii) *Exclusions.*

11 “Crude oil” does not include finished products derived from petroleum including
12 asphalt.

13 (2) “Crude oil terminal” defined.

14 (i) *In general.*

15 “Crude oil terminal” means a facility that receives, stores, transfers, ships, or
16 processes crude oil.

17 (ii) *Exclusions.*

18 “Crude oil terminal” does not include facilities owned or operated by a rail carrier, as
19 defined in U.S. Code Title 49, Subtitle IV, Part A, Chapter 101, § 10102
20 {“Definitions”}.

21 (Y) [(x)] *Cultural facility.*

22 (1) *In general.*

23 “Cultural facility” means a facility that provides cultural services and facilities to the
24 public.

25 (2) *Illustrations.*

26 “Cultural facility” includes any of the following, whether operated by a public, non-
27 profit, or private entity:

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- 1 (i) a museum;
- 2 (ii) an historical society; or
- 3 (iii) a library.

4 (3) *Inclusions.*

5 “Cultural facility” includes the following accessory uses designed and intended primarily
6 for patrons of the facility:

- 7 (i) a gift or souvenir shop; and
- 8 (ii) a restaurant or refreshment stands.

9 (Z) [(y)] *Day-care center: Adult.*

10 (1) *In general.*

11 “Day-care center: Adult” means an establishment that provides care for 3 or more elderly
12 or functionally impaired adults on less than a 24-hour basis.

13 (2) *Exclusions.*

14 “Day-care center: Adult” does not include:

- 15 (i) a program that, as an accessory use to a place of worship, provides care
16 for elderly or functionally impaired adults; or
- 17 (ii) an adult day-care home.

18 (AA) [(z)] *Day-care center: Child.*

19 (1) *In general.*

20 “Day-care center: Child” means an establishment that provides care for 3 or more
21 children on less than a 24-hour basis.

22 (2) *Exclusions.*

23 “Day-care center: Child” does not include:

- 24 (i) a program that, as an accessory use to an educational facility or a place
25 of worship, provides care for children; or
- 26 (ii) a child day-care home.

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

(p) *Dwelling: Multi-family (HIGH DENSITY).*

(1) *In general.*

“Dwelling: Multi-family (HIGH DENSITY)” means a dwelling that contains [or] more THAN 4 dwelling units, EXCEPT AS OTHERWISE PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION.

(2) *Inclusions.*

“Dwelling: Multi-family (HIGH DENSITY)” includes common facilities for residents, such as laundry rooms.

(P-1) *DWELLING: MULTI-FAMILY (LOW DENSITY).*

(1) *IN GENERAL.*

“DWELLING: MULTI-FAMILY (LOW DENSITY)” MEANS A DWELLING THAT CONTAINS AT LEAST 2 BUT NO MORE THAN 4 DWELLING UNITS, EXCEPT AS OTHERWISE PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION.

(2) *INCLUSIONS.*

“DWELLING: MULTI-FAMILY (LOW DENSITY)” INCLUDES:

(I) COMMON FACILITIES FOR RESIDENTS, SUCH AS LAUNDRY ROOMS; AND

(II) 1 ADDITIONAL DWELLING UNIT, SUBJECT TO THE REQUIREMENTS OF § 8-503(D) {“OPPORTUNITY DENSITY”}.

§ 1-307. “Government facility” to “Industrial boat repair”.

(K) *HIGH-DENSITY MULTI-FAMILY DWELLING.*

SEE “DWELLING: MULTI-FAMILY (HIGH DENSITY)”.

(L) [(k)] *Holiday sales lot.*

See “Seasonal or holiday sales lot”.

(M) [(l)] *Home occupation.*

“Home occupation” means an occupation that:

(1) is carried on in a dwelling unit by a resident of the dwelling unit; and

(2) is secondary to the use of the dwelling unit for residential purposes.

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1 (N) [(m)] *Homeless shelter.*

2 (1) *In general.*

3 “Homeless shelter” means a facility that provides temporary housing to homeless or
4 transient individuals.

5 (2) *Inclusions.*

6 “Homeless shelter” includes accessory services such as counseling or vocational training.

7 (O) [(n)] *Horse stable.*

8 “Horse stable” means any structure or land within the City at or from which horses are
9 boarded, bred, sold, or rented for riding, driving, or other purposes.

10 (P) [(o)] *Hospital.*

11 (1) *In general.*

12 “Hospital” means an institution that provides health services, primarily inpatient
13 medical or surgical care for the sick or injured.

14 (2) *Inclusions.*

15 “Hospital” includes related facilities integral to the hospital, such as laboratories,
16 outpatient centers, health-care clinics, helistops, training facilities, classrooms, staff
17 offices, on-site medical waste and storage facilities, and central service facilities.

18 (Q) [(p)] *Hotel; Motel.*

19 (1) *“Guest unit” defined.*

20 In this section, “guest unit” means any room or group of rooms that forms a single
21 habitable unit occupied or designed or intended to be occupied for sleeping or living
22 purposes.

23 (2) *In general.*

24 “Hotel” or “motel” means a building that:

25 (i) is not a dwelling;

26 (ii) contains 3 or more guest units occupied or designed or intended to be
27 occupied by guests who, even though they might share common areas
28 and facilities, do not form a single housekeeping unit and do not provide
29 compensation under a single lease for occupancy of the facility; and

30 (iii) offers lodging in these guest units to members of the general public.

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1 (3) *Exclusions.*

2 “Hotel” or “motel” does not include a bed and breakfast or a rooming house.

3 (R) [(q)] *Housing Commissioner; Commissioner of Housing.*

4 “Housing Commissioner” or “Commissioner of Housing” means the Commissioner of
5 Housing and Community Development or the Commissioner’s designee.

6 (S) [(r)] *Impervious surface.*

7 (1) *In general.*

8 “Impervious surface” means any surface that does not allow stormwater to infiltrate into
9 the ground.

10 (2) *Inclusions.*

11 “Impervious surface” includes rooftops, driveways, sidewalks, and pavement.

12 (3) *Exclusions.*

13 “Impervious surface” does not include ballasted railroad tracks.

14 (T) [(s)] *Incinerator.*

15 (1) *In general.*

16 “Incinerator” means a combustion unit that uses controlled flame combustion for the
17 thermal destruction of solid waste, including municipal waste, industrial waste,
18 hazardous waste, special medical waste, or sewage sludge.

19 (2) *Inclusions.*

20 “Incinerator” includes any:

21 (1) infrared incinerator; or

22 (2) plasma arc incinerator.

23 (U) [(t)] *Indoor entertainment.*

24 *See “Entertainment: Indoor”.*

25 (V) [(u)] *Indoor recreation.*

26 *See “Recreation: Indoor”.*

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1 (w) [(v)] *Industrial arts studio.*

2 See “Arts studio: Industrial”.

3 (X) [(w)] *Industrial boat repair facility.*

4 (1) *In general.*

5 “Industrial boat repair facility” means a facility with 5 or more slips (wet or dry) used
6 solely for the manufacture, assembly, or repair of commercial or recreational watercraft.

7 (2) *Exclusions.*

8 “Industrial boat repair facility” does not include docking, storage, or sales of recreational
9 watercraft.

10 **§ 1-309. “Industrial: General” to [“Owner”] “LOW-DENSITY MULTI-FAMILY DWELLING”.**

11 (w) *LOW-DENSITY MULTI-FAMILY DWELLING.*

12 SEE “DWELLING: MULTI-FAMILY (LOW DENSITY)”.

13 **§ 1-310. “Motor vehicle” to “Owner”.**

14 (h) *Multi-family dwelling.*

15 [See § 1-305(p) {“Definitions: Dwelling: Multi-family”}]

16 “MULTI-FAMILY DWELLING” INCLUDES BOTH DWELLING: MULTI-FAMILY (HIGH DENSITY)
17 AND DWELLING: MULTI-FAMILY (LOW DENSITY).

18 **Baltimore City Code**

19 **Article 32. Zoning**

20 **Title 4. Development Reviews**

21 ***Subtitle 4***
22 ***Design Review***

23 **§ 4-405. Applicability.**

24 (a) *In general.*

25 Except as provided in subsection (b) of this section, design review is required for the
26 following types of development:

27 . . .

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1 (4) when exterior modifications are proposed for residential conversion in [the R-7, R-8,
2 R-9, and R-10] ANY RESIDENTIAL [Districts] DISTRICT;

3 **Baltimore City Code**

4 **Article 32. Zoning**

5 **Title 8. Detached and Semi-Detached Residential Districts**

6 *Subtitle 2*

7 *District Descriptions*

8 **§ 8-201. Common standards.**

9 [(a) *Residential development.*]

10 In the districts described in this subtitle, residential development is limited to EITHER 1
11 single-family dwelling unit per lot OR 1 LOW-DENSITY MULTI-FAMILY DWELLING.

12 [(b) *Residential conversions.*]

13 [In any of the districts subject to this title, the conversion of a single-family dwelling to a
14 multi-family dwelling is prohibited.]

15 **Baltimore City Code**

16 **Article 32. Zoning**

17 **Title 8. Detached and Semi-Detached Residential Districts**

18 *SUBTITLE 5*

19 *RESIDENTIAL CONVERSIONS*

20 **§ 8-501. WHERE ALLOWED.**

21 SUBJECT TO THE REQUIREMENTS OF THIS SUBTITLE, THE CONVERSION OF A SINGLE-FAMILY
22 DWELLING TO A LOW-DENSITY MULTI-FAMILY DWELLING IS ALLOWED IN THE FOLLOWING
23 DETACHED AND SEMI-DETACHED RESIDENCE DISTRICTS:

24 (1) R-1A;

25 (2) R-1B;

26 (3) R-1C;

27 (4) R-1D;

28 (5) R-1E;

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- 1 (6) R-1;
- 2 (7) R-2;
- 3 (8) R-3; AND
- 4 (9) R-4.

§ 8-502. DESIGN REVIEW.

(A) *IN GENERAL.*

DESIGN REVIEW APPROVAL IS REQUIRED IF EXTERIOR MODIFICATIONS ARE PROPOSED.

(B) *CONSTRUCTION DRAWINGS AND PLANS.*

CONSTRUCTION DRAWINGS AND PLANS THAT DESCRIBE THE PROPOSED CONVERSION IN
DETAIL ARE REQUIRED AS PART OF THE SUBMISSION FOR DESIGN REVIEW.

§ 8-503. CONVERSION STANDARDS.

(A) *IN GENERAL.*

ALL CONVERSIONS MUST MEET THE STANDARDS SET FORTH IN THIS SECTION.

(B) *EXISTING DWELLING.*

(1) THE EXISTING DWELLING MUST BE:

- (I) A STRUCTURE ORIGINALLY CONSTRUCTED AS A SINGLE-FAMILY DWELLING; AND
- (II) A MINIMUM OF 1,500 SQUARE FEET IN ENCLOSED GROSS FLOOR AREA.

(2) FOR PURPOSES OF THIS SUBSECTION, THE ENCLOSED GROSS FLOOR AREA DOES NOT
INCLUDE ANY BASEMENT AREA.

(C) *CONVERTED DWELLING.*

A LOW-DENSITY MULTI-FAMILY DWELLING CREATED UNDER THIS SUBTITLE MUST HAVE
THE ENCLOSED GROSS FLOOR AREA LISTED BELOW:

- (1) 1,500 SQUARE FEET, IF A 2-UNIT LOW-DENSITY MULTI-FAMILY DWELLING;
- (2) 2,250 SQUARE FEET, IF A 3-UNIT LOW-DENSITY MULTI-FAMILY DWELLING; OR
- (3) 3,000 SQUARE FEET, IF A 4-UNIT LOW-DENSITY MULTI-FAMILY DWELLING.

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1 (D) *OPPORTUNITY DENSITY.*

2 (1) *ADDITIONAL DWELLING UNIT.*

3 A LOW-DENSITY MULTI-FAMILY DWELLING CREATED UNDER THIS SUBTITLE MAY
4 CONTAIN 1 ADDITIONAL DWELLING UNIT IF:

5 (I) THE LOW-DENSITY MULTI-FAMILY DWELLING IS LESS THAN 750 FEET FROM:

6 (A) COMMUNITY ACCESSIBLE TRANSIT;

7 (B) A GROCERY STORE OF AT LEAST 10,000 SQUARE FEET; OR

8 (C) A MAIN STREET, AS DESIGNATED BY THE BALTIMORE MAIN STREETS
9 PROGRAM; OR

10 (II) THE LOW-DENSITY MULTI-FAMILY DWELLING IS LOCATED IN A CENSUS TRACT
11 WHERE THE HOUSEHOLD MEDIAN INCOME IS 200% OF THE AREA MEDIUM
12 INCOME FOR THE METROPOLITAN REGION THAT ENCOMPASSES THE CITY, AS
13 PUBLISHED AND ANNUALLY UPDATED BY THE UNITED STATES DEPARTMENT
14 OF HOUSING AND URBAN DEVELOPMENT.

15 (2) *MINIMUM ENCLOSED GROSS FLOOR AREA.*

16 A LOW-DENSITY MULTI-FAMILY DWELLING CREATED UNDER THIS SUBTITLE THAT
17 MEETS THE REQUIREMENTS OF PARAGRAPH (1) OF THIS SUBSECTION MUST HAVE A
18 MINIMUM ENCLOSED GROSS FLOOR AREA OF:

19 (I) 1,500 SQUARE FEET, IF A 3-UNIT LOW-DENSITY MULTI-FAMILY DWELLING;

20 (II) 2,250 SQUARE FEET, IF A 4-UNIT LOW-DENSITY MULTI-FAMILY DWELLING; OR

21 (III) 3,000 SQUARE FEET, IF A 5-UNIT LOW-DENSITY MULTI-FAMILY DWELLING.

22 (3) *USE DESIGNATION AND PERMITTING.*

23 A RESIDENTIAL CONVERSION TO A LOW-DENSITY MULTI-FAMILY DWELLING SEEKING 1
24 ADDITIONAL DWELLING UNIT, AS PERMITTED BY PARAGRAPH (1) OF THIS SUBSECTION:

25 (I) MUST EXPLICITLY MAKE THE REQUEST FOR 1 ADDITIONAL DWELLING UNIT
26 WHEN SUBMITTING THE CONSTRUCTION PERMIT APPLICATION AND THE USE
27 PERMIT APPLICATION; AND

28 (II) IF APPROVED, THE DWELLING WILL REMAIN CLASSIFIED AS A LOW-DENSITY
29 MULTI-FAMILY DWELLING AND DEEMED LEGALLY NON-CONFORMING.

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1 (E) *BULK AND YARD REGULATIONS.*

2 THE DWELLING MUST CONTINUE TO CONFORM TO THE APPLICABLE BULK AND YARD
3 REGULATIONS, INCLUDING LOT AREA PER DWELLING UNIT, FOR THE DISTRICT IN WHICH
4 THE DWELLING IS LOCATED.

5 (F) *RESIDENTIAL CHARACTER.*

6 FOLLOWING THE CONVERSION, THE EXTERIOR OF THE DWELLING MUST RETAIN ITS
7 EXISTING RESIDENTIAL CHARACTER.

8 **Baltimore City Code**

9 **Article 32. Zoning**

10 **Title 8. Detached and Semi-Detached Residential Districts**

11 *Subtitle 6*

12 *Other Applicable Standards*

13 **§ 8-609. NEW CONSTRUCTION - LOW-DENSITY MULTI-FAMILY DWELLING.**

14 (A) *IN GENERAL.*

15 NEW CONSTRUCTION OF A LOW-DENSITY MULTI-FAMILY DWELLING IN A DETACHED AND
16 SEMI-DETACHED RESIDENTIAL DISTRICT MUST MEET THE STANDARDS SET FORTH IN THIS
17 SUBTITLE.

18 (B) *MINIMUM ENCLOSED GROSS FLOOR AREA.*

19 (1) A NEWLY CONSTRUCTED LOW-DENSITY MULTI-FAMILY DWELLING CREATED UNDER
20 THIS SUBTITLE MUST HAVE A MINIMUM ENCLOSED GROSS FLOOR AREA OF:

21 (i) 1,500 SQUARE FEET, IF A 2-UNIT LOW-DENSITY MULTI-FAMILY DWELLING;

22 (ii) 2,250 SQUARE FEET, IF A 3-UNIT LOW-DENSITY MULTI-FAMILY DWELLING; OR

23 (iii) 3,000 SQUARE FEET, IF A 4-UNIT LOW-DENSITY MULTI-FAMILY DWELLING.

24 (2) FOR PURPOSES OF THIS SUBSECTION, THE ENCLOSED GROSS FLOOR AREA DOES NOT
25 INCLUDE ANY BASEMENT AREA.

26 (C) *OPPORTUNITY DENSITY.*

27 (1) *ADDITIONAL DWELLING UNIT.*

28 A LOW-DENSITY MULTI-FAMILY DWELLING CREATED UNDER THIS SUBTITLE MAY
29 CONTAIN 1 ADDITIONAL DWELLING UNIT IF:

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1 (I) THE LOW-DENSITY MULTI-FAMILY DWELLING IS LESS THAN 750 FEET FROM:

2 (A) COMMUNITY ACCESSIBLE TRANSIT;

3 (B) A GROCERY STORE OF AT LEAST 10,000 SQUARE FEET; OR

4 (C) A MAIN STREET DESIGNATED BY THE BALTIMORE MAIN STREETS
5 PROGRAM; OR

6 (II) THE LOW-DENSITY MULTI-FAMILY DWELLING IS LOCATED IN A CENSUS TRACT
7 WHERE THE HOUSEHOLD MEDIAN INCOME IS 200% OF THE OF THE AREA
8 MEDIUM INCOME FOR THE METROPOLITAN REGION THAT ENCOMPASSES THE
9 CITY, AS PUBLISHED AND ANNUALLY UPDATED BY THE UNITED STATES
10 DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.

11 (2) *MINIMUM ENCLOSED GROSS FLOOR AREA.*

12 A LOW-DENSITY MULTI-FAMILY DWELLING CREATED UNDER THIS SUBTITLE THAT
13 MEETS THE REQUIREMENTS OF PARAGRAPH (1) OF THIS SUBSECTION MUST HAVE A
14 MINIMUM ENCLOSED GROSS FLOOR AREA OF:

15 (I) 1,500 SQUARE FEET, IF A 3-UNIT LOW-DENSITY MULTI-FAMILY DWELLING;

16 (II) 2,250 SQUARE FEET, IF A 4-UNIT LOW-DENSITY MULTI-FAMILY DWELLING; OR

17 (III) 3,000 SQUARE FEET, IF A 5-UNIT LOW-DENSITY MULTI-FAMILY DWELLING.

18 (3) *USE DESIGNATION AND PERMITTING.*

19 NEW CONSTRUCTION OF A LOW-DENSITY MULTI-FAMILY DWELLING SEEKING 1
20 ADDITIONAL DWELLING UNIT AS PERMITTED UNDER PARAGRAPH (1) OF THIS
21 SUBSECTION:

22 (I) MUST EXPLICITLY MAKE THE REQUEST FOR 1 ADDITIONAL DWELLING UNIT
23 WHEN SUBMITTING THE CONSTRUCTION PERMIT APPLICATION AND THE USE
24 PERMIT APPLICATION; AND

25 (II) IF APPROVED, THE DWELLING WILL REMAIN CLASSIFIED AS A LOW-DENSITY
26 MULTI-FAMILY DWELLING AND DEEMED LEGALLY NON-CONFORMING.

27 **Baltimore City Code**

28 **Article 32. Zoning**

29 **Title 9. Rowhouse and Multi-Family Residential Districts**

30 ***Subtitle 7***

31 ***Residential Conversions***

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§ 9-701. Where allowed.

[In the Residence Districts, the conversion of a single-family dwelling to a multi-family dwelling is allowed only in the R-7, R-8, R-9, and R-10 Districts, subject to:]

[(1) the requirements of this subtitle; and]

[(2) in the R-7 and R-8 Districts, conditional-use approval by Ordinance of the Mayor and City Council.]

SUBJECT TO THE REQUIREMENTS OF THIS SUBTITLE THE CONVERSION OF A SINGLE-FAMILY DWELLING TO A LOW-DENSITY MULTI-FAMILY DWELLING IS ALLOWED IN THE FOLLOWING RESIDENCE DISTRICTS:

(1) R-5;

(2) R-6;

(3) R-7;

(4) R-8;

(5) R-9; AND

(6) R-10.

§ 9-703. Conversion standards.

(b) *Existing dwelling.*

(1) The existing dwelling must be:

(i) a structure originally constructed as a single-family dwelling; and

(ii) CONTAIN 1,500 square feet or more in ENCLOSED gross floor area.

(2) For purposes of this subsection, THE ENCLOSED gross floor area does not include any basement area.

(c) [*GFA per dwelling unit*] *CONVERTED DWELLING.*

[The converted dwelling must meet the following gross floor area per unit type:]

[(1) 1-bedroom unit: 750 square feet.]

[(2) 2-bedroom unit: 1,000 square feet.]

[(3) 3- or more bedroom unit: 1,250 square feet.]

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1 A LOW-DENSITY MULTI-FAMILY DWELLING CREATED UNDER THIS SUBTITLE MUST HAVE
2 THE ENCLOSED GROSS FLOOR AREA LISTED BELOW:

- 3 (1) 1,500 SQUARE FEET, IF A 2-UNIT LOW-DENSITY MULTI-FAMILY DWELLING;
- 4 (2) 2,250 SQUARE FEET, IF A 3-UNIT LOW-DENSITY MULTI-FAMILY DWELLING; OR
- 5 (3) 3,000 SQUARE FEET, IF A 4-UNIT LOW-DENSITY MULTI-FAMILY DWELLING.

6 (D) *OPPORTUNITY DENSITY.*

7 (1) *ADDITIONAL DWELLING UNIT.*

8 A LOW-DENSITY MULTI-FAMILY DWELLING CREATED UNDER THIS SUBTITLE MAY
9 CONTAIN 1 ADDITIONAL DWELLING UNIT IF:

10 (I) THE LOW-DENSITY MULTI-FAMILY DWELLING IS LESS THAN 750 FEET FROM:

- 11 (A) COMMUNITY ACCESSIBLE TRANSIT;
- 12 (B) A GROCERY STORE OF AT LEAST 10,000 SQUARE FEET; OR
- 13 (C) A MAIN STREET, AS DESIGNATED BY THE BALTIMORE MAIN STREETS
14 PROGRAM; OR

15 (II) THE LOW-DENSITY MULTI-FAMILY DWELLING IS LOCATED IN A CENSUS TRACT
16 WHERE THE HOUSEHOLD MEDIAN INCOME IS 200% OF THE OF THE AREA
17 MEDIUM INCOME FOR THE METROPOLITAN REGION THAT ENCOMPASSES THE
18 CITY, AS PUBLISHED AND ANNUALLY UPDATED BY THE UNITED STATES
19 DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.

20 (2) *MINIMUM ENCLOSED GROSS FLOOR AREA.*

21 A LOW-DENSITY MULTI-FAMILY DWELLING CREATED UNDER THIS SUBTITLE THAT
22 MEETS THE REQUIREMENTS OF PARAGRAPH (1) OF THIS SUBSECTION MUST HAVE A
23 MINIMUM ENCLOSED GROSS FLOOR AREA OF:

- 24 (I) 1,500 SQUARE FEET, IF A 3-UNIT LOW-DENSITY MULTI-FAMILY DWELLING;
- 25 (II) 2,250 SQUARE FEET, IF A 4-UNIT LOW-DENSITY MULTI-FAMILY DWELLING; OR
- 26 (III) 3,000 SQUARE FEET, IF A 5-UNIT LOW-DENSITY MULTI-FAMILY DWELLING.

27 (3) *USE DESIGNATION AND PERMITTING.*

28 A RESIDENTIAL CONVERSION TO A LOW-DENSITY MULTI-FAMILY DWELLING SEEKING 1
29 ADDITIONAL DWELLING UNIT AS PERMITTED BY PARAGRAPH (1) OF THIS SUBSECTION:

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(I) MUST EXPLICITLY MAKE THE REQUEST FOR 1 ADDITIONAL DWELLING UNIT WHEN SUBMITTING THE CONSTRUCTION PERMIT APPLICATION AND THE USE PERMIT APPLICATION; AND

(II) IF APPROVED, THE DWELLING WILL REMAIN CLASSIFIED AS A LOW-DENSITY MULTI-FAMILY DWELLING AND DEEMED LEGALLY NON-CONFORMING.

(E) [(d)] *Bulk and yard regulations.*

The dwelling must continue to conform to the applicable bulk and yard regulations, including lot area per dwelling unit, for the district in which the building is located.

[(e) *Occupancy regulations.*]

[No residential conversion may violate any dwelling unit occupancy regulations or restrictions of the City Code.]

[(f) *Off-street parking.*]

[At least 1 off-street parking space must be provided for each dwelling unit.]

(F) [(g)] *Residential character.*

Following the conversion, the exterior of the dwelling must retain its existing residential character.

Baltimore City Code

Article 32. Zoning

Title 9. Rowhouse and Multi-Family Residential Districts

Subtitle 8

Other Applicable Standards

§ 9-809. NEW CONSTRUCTION - LOW-DENSITY MULTI-FAMILY DWELLING.

(A) *IN GENERAL.*

NEW CONSTRUCTION OF A LOW-DENSITY MULTI-FAMILY DWELLING IN A ROWHOUSE AND MULTI-FAMILY RESIDENTIAL ZONING DISTRICT MUST MEET THE STANDARDS SET FORTH IN THIS SUBTITLE.

(B) *MINIMUM ENCLOSED GROSS FLOOR AREA.*

(1) A NEWLY CONSTRUCTED LOW-DENSITY MULTI-FAMILY DWELLING CREATED UNDER THIS SUBTITLE MUST HAVE A MINIMUM ENCLOSED GROSS FLOOR AREA OF:

(i) 1,500 SQUARE FEET, IF A 2-UNIT LOW-DENSITY MULTI-FAMILY DWELLING

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1 (II) 2,250 SQUARE FEET, IF A 3-UNIT LOW-DENSITY MULTI-FAMILY DWELLING; OR

2 (III) 3,000 SQUARE FEET, IF A 4-UNIT LOW-DENSITY MULTI-FAMILY DWELLING.

3 (2) FOR PURPOSES OF THIS SUBSECTION, THE ENCLOSED GROSS FLOOR AREA DOES NOT
4 INCLUDE ANY BASEMENT AREA.

5 (C) *OPPORTUNITY DENSITY.*

6 (1) *ADDITIONAL DWELLING UNIT.*

7 A LOW-DENSITY MULTI-FAMILY DWELLING CREATED UNDER THIS SUBTITLE MAY
8 CONTAIN 1 ADDITIONAL DWELLING UNIT IF:

9 (I) THE LOW-DENSITY MULTI-FAMILY DWELLING IS LESS THAN 750 FEET FROM:

10 (A) COMMUNITY ACCESSIBLE TRANSIT;

11 (B) A GROCERY STORE OF AT LEAST 10,000 SQUARE FEET; OR

12 (C) A MAIN STREET DESIGNATED BY THE BALTIMORE MAIN STREETS
13 PROGRAM; OR

14 (II) THE LOW-DENSITY MULTI-FAMILY DWELLING IS LOCATED IN A CENSUS TRACT
15 WHERE THE HOUSEHOLD MEDIAN INCOME IS 200% OF THE OF THE AREA
16 MEDIUM INCOME FOR THE METROPOLITAN REGION THAT ENCOMPASSES THE
17 CITY, AS PUBLISHED AND ANNUALLY UPDATED BY THE UNITED STATES
18 DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.

19 (2) *MINIMUM ENCLOSED GROSS FLOOR AREA.*

20 A LOW-DENSITY MULTI-FAMILY DWELLING CREATED UNDER THIS SUBTITLE THAT
21 MEETS THE REQUIREMENTS OF PARAGRAPH (1) OF THIS SUBSECTION MUST HAVE A
22 MINIMUM ENCLOSED GROSS FLOOR AREA OF:

23 (I) 1,500 SQUARE FEET, IF A 3-UNIT LOW-DENSITY MULTI-FAMILY DWELLING;

24 (II) 2,250 SQUARE FEET, IF A 4-UNIT LOW-DENSITY MULTI-FAMILY DWELLING; OR

25 (III) 3,000 SQUARE FEET, IF A 5-UNIT LOW-DENSITY MULTI-FAMILY DWELLING.

26 (3) *USE DESIGNATION AND PERMITTING.*

27 (I) WHEN SUBMITTING THE CONSTRUCTION PERMIT APPLICATION AND THE USE
28 PERMIT APPLICATION THE PERSON CONSTRUCTING A NEW LOW-DENSITY
29 MULTI-FAMILY DWELLING AND SEEKING 1 ADDITIONAL DWELLING UNIT AS
30 PERMITTED UNDER PARAGRAPH (1) OF THIS SUBSECTION MUST EXPLICITLY
31 MAKE THE REQUEST FOR 1 ADDITIONAL DWELLING UNIT.

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1 (II) IF THE REQUEST FOR 1 ADDITIONAL DWELLING UNIT IS APPROVED THE NEWLY
2 CONSTRUCTED DWELLING WILL REMAIN CLASSIFIED AS A LOW-DENSITY
3 MULTI-FAMILY DWELLING AND DEEMED LEGALLY NON-CONFORMING.

4 **Baltimore City Code**

5 **Article 32. Zoning**

6 **Title 14. Use Standards**

7 *Subtitle 3*
8 *Use Standards*

9 **§ 14-334. Residential-care facilities.**

10 (b) *Multi-family dwelling.*

11 A residential-care facility may locate where multi-family dwellings are allowed as
12 permitted or conditional uses under this Code , if the facility:

- 13 (1) complies with [§ 1-305(p) {"Definitions: Dwelling: Multi-family"} § 1-310(H)
14 {"DEFINITIONS: MULTI-FAMILY DWELLING"}, § 1-305(u) {"Definitions: Dwelling
15 unit"}], and § 1-306(g) {"Definitions: Family"}] of this Code; and
- 16 (2) meets the general requirements, the bulk and yard regulations, and all other
17 requirements of this Code applicable to dwellings in the zoning district within
18 which the facility is located.

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ZONING TABLES

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**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											
Bed and Breakfast	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	
Day-Care Home: Adult or Child	P	P	P	P	P	P	P	P	P	P	Per §14-310
Dwelling: Detached	P	P	P	P	P	P	P	P	P	P	
DWELLING: MULTI-FAMILY (LOW DENSITY)	P	P	P	P	P	P	P	P	P	P	
Dwelling: Semi-Detached							P		P		
Home Occupation	P	P	P	P	P	P	P	P	P	P	Per §15-507
Residential-Care Facility	P	P	P	P	P	P	P	P	P	P	Per §14-334
INSTITUTIONAL											
Community Center	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	
Cultural Facility	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	Per §14-308
Educational Facility: Post-Secondary	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	
Educational Facility: Primary and Secondary	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	
Government Facility	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	
Place of Worship	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	Per §14-332
OPEN-SPACE											
Community-Managed ... Farm	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	Per §14-307
Community-Managed ... Garden	P	P	P	P	P	P	P	P	P	P	Per §14-307
Park or Playground	P	P	P	P	P	P	P	P	P	P	
Urban Agriculture	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	Per §14-339
COMMERCIAL											
Country Club	P	P	P	P	P	P	P	P	P	P	
Day-Care Center: Adult or Child	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	Per §14-309
Lodge or Social Club	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	Per §14-320

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1		<i>R-1A</i>	<i>R-1B</i>	<i>R-1C</i>	<i>R-1D</i>	<i>R-1E</i>	<i>R-1</i>	<i>R-2</i>	<i>R-3</i>	<i>R-4</i>	
2	OTHER										
3	Alternative Energy System:	CB, P	CB, P	CB, P	CB, P	CB, P	CB, P	CB, P	CB, P	CB, P	Per §14-306
4	Community-Based ¹										
5	Electric Substation: Enclosed,	CB	CB	CB	CB	CB	CB	CB	CB	CB	Per §14-340
6	Indoor, or Outdoor										
7	Telecommunications Facility	CB	CB	CB	CB	CB	CB	CB	CB	CB	Per §14-338
8	Utilities	CB	CB	CB	CB	CB	CB	CB	CB	CB	Per §14-340
9	Wireless Communications	CB, P	CB, P	CB, P	CB, P	CB, P	CB, P	CB, P	CB, P	CB, P	Per §14-338
10	Services 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: 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.
DWELLING: MULTI-FAMILY (LOW DENSITY)	7,000 SQ.FT/DU	7,000 SQ.FT/DU	5,500 SQ.FT/DU	3,600 SQ.FT/DU	2,250 SQ.FT/DU	1,825 SQ.FT/DU	1,750 SQ.FT/DU	1,750 SQ.FT/DU	750 SQ.FT/DU
Park or Playground	2 acres	None	None	None	None	None	None	None	None
Urban Agriculture	2 acres	None	None	None	None	None	None	None	None
All Other Uses	2 acres	1 acre	20,000 sq.ft.	20,000 sq.ft.	20,000 sq.ft.	20,000 sq.ft.	20,000 sq.ft.	5,000 sq.ft.	3,000 sq.ft.
MINIMUM LOT WIDTH									
DWELLING: MULTI-FAMILY (LOW DENSITY)	75 FEET	75 FEET	75 FEET	50 FEET	50 FEET	40 FEET	40 FEET	40 FEET	40 FEET
Dwelling: Semi-Detached	100 feet	75 feet	75 feet	60 feet	60 feet	50 feet	30 feet	45 feet	30 feet
All Other Uses	100 feet	75 feet	75 feet	60 feet	60 feet	50 feet	50 feet	45 feet	45 feet
MAXIMUM BUILDING HEIGHT									
All Uses	35 feet	35 feet	35 feet	35 feet	35 feet	35 feet	35 feet	35 feet	35 feet
MAXIMUM LOT COVERAGE									
All Uses	25%	25%	25%	25%	25%	30%	30%	35%	35%
MAXIMUM IMPERVIOUS SURFACE									
All Uses	40%	40%	40%	40%	40%	50%	50%	50%	50%

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	R-1A	R-1B	R-1C	R-1D	R-1E	R-1	R-2	R-3	R-4
1 MINIMUM FRONT									
2 YARD									
3 All Uses ¹	40 feet	40 feet	40 feet	40 feet	30 feet	30 feet	30 feet	25 feet	25 feet
4 MINIMUM									
5 INTERIOR- SIDE									
6 YARD									
7 Dwelling: Detached	20 feet	20 feet	15 feet	15 feet	10 feet	10 feet	10 feet	10 feet	10 feet
8 Dwelling: Semi-	20 feet	20 feet	15 feet	15 feet	10 feet	10 feet	15 feet	10 feet	15 feet
9 Detached ²									
10 All Other Uses	20 feet	20 feet	15 feet	15 feet	10 feet	10 feet	15 feet	10 feet	15 feet
11 MINIMUM									
12 CORNER- SIDE									
13 YARD									
14 All Uses	25 feet	25 feet	20 feet	20 feet	20 feet	20 feet	20 feet	20 feet	20 feet
15 MINIMUM REAR									
16 YARD									
17 All Uses	40 feet	40 feet	40 feet	30 feet	30 feet	30 feet	30 feet	25 feet	25 feet

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**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: Detached or Semi-Detached	P	P	P	P	P	CB	
DWELLING: MULTI-FAMILY (HIGH DENSITY)	P	P	P	P	P	P	Per § 14-327
Dwelling: Multi-Family (LOW DENSITY)	P	P	P	P	P	P	[Per § 14-327]
Dwelling: Rowhouse	P	P	P	P	P	P	
Fraternity or Sorority House					CO	CO	Per § 14-313
Home Occupation	P	P	P	P	P	P	Per § 15-507
Residential-Care Facility (16 or Fewer Residents)	P	P	P	P	P	P	Per § 14-334
Residential-Care Facility (17 or More Residents)	CB	CB	CB	CB	CB	CB	Per § 14-334
Rooming House (10 or Fewer Units)				CB	CB	CB	
Rooming House (11 or More Units)					CB	CB	
INSTITUTIONAL							
Community Center	CB	CB	CB	CB	CB	CB	
Cultural Facility	CB	CB	CB	CB	CB	CB	Per § 14-308
Educational Facility: Post-Secondary	CB	CB	CB	CB	CB	CB	
Educational Facility: Primary and Secondary	P	P	P	P	P	P	
Government Facility	CB	CB	CB	CB	CB	CB	
Hospital	CB	CB	CB	CB	CB	CB	
Place of Worship	P	P	P	P	P	P	Per § 14-332

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	<i>R-5</i>	<i>R-6</i>	<i>R-7</i>	<i>R-8</i>	<i>R-9</i>	<i>R-10</i>	
OPEN-SPACE							
Community-Managed Open-Space Farm	CB	CB	CB	CB	CB	CB	Per § 14-307
Community-Managed Open-Space Garden	P	P	P	P	P	P	Per § 14-307
Park or Playground	P	P	P	P	P	P	
Urban Agriculture	CB	CB	CB	CB	CB	CB	Per § 14-339
COMMERCIAL							
Day-Care Center: Adult or Child	CB	CB	CB	CB	CB	CB	Per § 14-309
Lodge or Social Club	CB	CB	CB	CB	CB	CB	Per § 14-320
Neighborhood Commercial Establishment	CB	CB	CB	CB	CB	CB	Per § 14-328
OTHER							
Alternative Energy System: Community-Based ¹	CB, P	CB, P	CB, P	CB, P	CB, P	CB, P	Per § 14-306
Electric Substation: Enclosed, Indoor, or Outdoor	CB	CB	CB	CB	CB	CB	Per § 14-340
Parking Garage (Principal Use)	CO	CO	CO	CO	CO	CO	Per § 14-331
Parking Lot (Principal Use)	CO	CO	CO	CO	CO	CO	Per § 14-331
Telecommunications Facility	CB	CB	CB	CB	CB	CB	Per § 14-338
Utilities	CB	CB	CB	CB	CB	CB	Per § 14-340
Wireless Communications Services ²	CB, P	CB, P	CB, P	CB, P	CB, P	CB, P	Per § 14-338

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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: 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.
Dwelling: Semi-Detached	2,500 sq.ft.	2,000 sq.ft.	2,000 sq.ft.	2,000 sq.ft.	2,500 sq.ft.	2,000 sq.ft.
Dwelling: Rowhouse	2,500 sq.ft.	1,500 sq.ft.	1,100 sq.ft.	750 sq.ft.	750 sq.ft.	500 sq.ft.
Dwelling: Multi-Family (HIGH DENSITY)	2,500 sq.ft./du	1,500 sq.ft./du	1,100 sq.ft./du	750 sq.ft./du	550 sq.ft./du	200 sq.ft./du
DWELLING: MULTI-FAMILY (LOW DENSITY)	750 SQ.FT/DU	750 SQ.FT/DU	500 SQ.FT/DU	300 SQ.FT/DU	300 SQ.FT/DU	300 SQ.FT/DU
Dwelling: Multi-Family (Age-Restricted)	1,875 sq.ft./du	1,125 sq.ft./du	825 sq.ft./du	575 sq.ft./du	550 sq.ft./du	200 sq.ft./du
Park or Playground	None	None	None	None	None	None
Residential-Care Facility	Lot area to be comparable to that for a like-sized M-FD	Lot area to be comparable to that for a like-sized M-FD	Lot area to be comparable to that for a like-sized M-FD	Lot area to be comparable to that for a like-sized M-FD	Lot area to be comparable to that for a like-sized M-FD	Lot area to be comparable to that for a like-sized M-FD
Residential-Care Facility (Age-Restricted)	Lot area to be comparable to that for a like-sized M-FD (Age-Restrctd)	Lot area to be comparable to that for a like-sized M-FD (Age-Restrctd)	Lot area to be comparable to that for a like-sized M-FD (Age-Restrctd)	Lot area to be comparable to that for a like-sized M-FD (Age-Restrctd)	Lot area to be comparable to that for a like-sized M-FD (Age-Restrctd)	Lot area to be comparable to that for a like-sized M-FD (Age-Restrctd)
Rooming House	N/A	N/A	N/A	375 sq.ft./ru	275 sq.ft./ru	100 sq.ft./ru
Urban Agriculture	None	None	None	None	None	None
All Other Uses	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: Detached or Semi-Detached	35 feet	35 feet	35 feet	35 feet	35 feet	35 feet
Dwelling: Rowhouse	35 feet	35 feet	35 feet	35 or 45 feet ¹	35 or 45 feet ¹	35 or 45 feet ¹
Dwelling: Multi-Family (HIGH DENSITY)	35 or 45 feet ²	35 or 45 feet ²	35 or 45 feet ²	45 or 60 feet ³	3.0 FAR	6.0 FAR
DWELLING: MULTI-FAMILY (LOW DENSITY)	35 FEET	35 FEET	35 FEET	35 OR 45 FEET¹	35 OR 45 FEET¹	35 OR 45 FEET¹
All Other Uses	35 or 45 feet ²	35 or 45 feet ²	35 or 45 feet ²	45 or 60 feet ³	45 feet	45 feet

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	<i>R-5</i>	<i>R-6</i>	<i>R-7</i>	<i>R-8</i>	<i>R-9</i>	<i>R-10</i>
MAXIMUM LOT COVERAGE						
Dwelling: Detached or Semi-Detached	35%	35%	35%	35%	35%	35%
Dwelling: Rowhouse	40%	45%	50%	60% or 80% ⁴	40%	80%
Dwelling: Multi-Family (HIGH DENSITY)	40%	45%	70%	80%	40%	80%
DWELLING: MULTI-FAMILY (LOW DENSITY)	40%	45%	50%	60% OR 80% ⁴	40%	80%
All Other Uses	40%	40%	70%	70%	40%	70%
MAXIMUM IMPERVIOUS SURFACE						
Dwelling: Detached [or], Semi-Detached, OR MULTI-FAMILY (LOW DENSITY)	60%	60%	60%	60%	60%	60%
Dwelling: Rowhouse (Rear Yard)	65%	65%	65%	65%	65%	65%
MINIMUM FRONT YARD						
Dwelling: Detached or Semi-Detached	Lesser of 25ft. or blockface average ⁵	Lesser of 20ft. or blockface average ⁵	Lesser of 20ft. or blockface average ⁵	Lesser of 20ft. or blockface average ⁵	Lesser of 40ft. or blockface average ⁵	Lesser of 20ft. or blockface average ⁵
Dwelling: Rowhouse	25 feet	20 feet	10 feet	None	25 feet	None
Dwelling: Multi-Family (HIGH DENSITY)	25 feet	20 feet	10 feet	None	45 or 65 feet ⁶	None
DWELLING: MULTI-FAMILY (LOW DENSITY)	25 FEET	20 FEET	10 FEET	NONE	LESSER OF 40FT. OR BLOCKFACE AVERAGE ⁵	LESSER OF 20FT. OR BLOCKFACE AVERAGE ⁵
All Other Uses	25 feet	20 feet	10 feet	None	25 feet	None

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	<i>R-5</i>	<i>R-6</i>	<i>R-7</i>	<i>R-8</i>	<i>R-9</i>	<i>R-10</i>
1 MINIMUM INTERIOR- 2 SIDE YARD						
3 Dwelling: Detached	10 feet	10 feet	10 feet	10 feet	10 feet	10 feet
4 Dwelling: Semi- 5 Detached ⁷	15 feet	15 feet	10 feet	10 feet	10 feet	10 feet
6 Dwelling: Rowhouse	None	None	None	None	None	None
7 Dwelling: Multi-Family 8 (HIGH DENSITY)	15 feet	15 feet	10 feet	10 feet	10 feet	10 feet
9 DWELLING: MULTI- 10 FAMILY (LOW DENSITY)	NO INTERIOR- SIDEYARD REQUIRED, BUT IF ONE IS PROVIDED, IT MUST BE A MINIMUM OF 10 FEET	NO INTERIOR- SIDEYARD REQUIRED, BUT IF ONE IS PROVIDED, IT MUST BE A MINIMUM OF 10 FEET	NO INTERIOR- SIDEYARD REQUIRED, BUT IF ONE IS PROVIDED, IT MUST BE A MINIMUM OF 10 FEET	NO INTERIOR- SIDEYARD REQUIRED, BUT IF ONE IS PROVIDED, IT MUST BE A MINIMUM OF 5 FEET	NO INTERIOR- SIDEYARD REQUIRED, BUT IF ONE IS PROVIDED, IT MUST BE A MINIMUM OF 10 FEET	NO INTERIOR- SIDEYARD REQUIRED, BUT IF ONE IS PROVIDED, IT MUST BE A MINIMUM OF 5 FEET
17 All Other Uses	15 feet	15 feet	15 feet	10 feet	10 feet	10 feet
18 MINIMUM CORNER- 19 SIDE YARD						
20 Dwelling: Detached or 21 Semi-Detached	20 feet	20 feet	15 feet	15 feet	15 feet	15 feet
22 Dwelling: Multi-Family 23 (HIGH DENSITY)	20 feet	20 feet	15 feet	None	25 feet	None
24 Dwelling: Rowhouse OR 25 MULTI-FAMILY (LOW 26 DENSITY)	20 feet	20 feet	15 feet	None	None	None
27 All Other Uses	20 feet	20 feet	15 feet	None	15 feet	None
28 MINIMUM REAR 29 YARD						
30 Dwelling: Detached or 31 Semi-Detached	25 feet	25 feet	25 feet	25 feet	10 feet	10 feet
32 Dwelling: Multi-Family 33 (HIGH DENSITY)	25 feet	25 feet	25 feet	25 feet	10 feet	10 feet
34 Dwelling: Rowhouse 35 OR MULTI-FAMILY (LOW 36 DENSITY)	25 feet	25 feet	25 feet	20 feet	10 feet	10 feet
37 All Other Uses	25 feet	25 feet	25 feet	25 feet	10 feet	10 feet

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TABLE 10-301: COMMERCIAL DISTRICTS – PERMITTED AND CONDITIONAL USES

USES	DISTRICTS							USE STANDARDS
	C-1	C-1-VC	C-1-E	C-2	C-3	C-4	C-5	
RESIDENTIAL								
Day-Care Home: Adult or Child	P	P	P	P	P		P	Per § 14-310
Dwelling (Above Non-Residential Ground Floor)	P	P	P	P	P	CB	P	
Dwelling: Live-Work	P	P	P	P	P	CB	P	
Dwelling: Multi-Family (HIGH DENSITY)	P	CB	P	P	P		P	
DWELLING: MULTI-FAMILY (LOW DENSITY)	P	P	P	P	P	CB		
Dwelling: Rowhouse	P	P	P	CB	CB		P	
Dormitory							P	
Fraternity or Sorority House	CO	CO	CO	CO	CO	CO	CO	Per § 14-313
Residential-Care Facility (16 or Fewer Residents)	P	P	P	P	P		P	Per § 14-334
Residential-Care Facility (17 or More Residents)	CO	CO	CO	CO	CB		CB	Per § 14-334
Rooming House	CB	CB	CB	CB	CB		CB	

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TABLE 10-401: COMMERCIAL DISTRICTS (C-1 TO C-4) – BULK AND YARD REGULATIONS

CATEGORIES	SPECIFICATIONS (PER DISTRICT)					
	C-1	C-1-VC ¹	C-1-E	C-2	C-3	C-4
MINIMUM LOT AREA						
Dwelling: Live-Work, Multi-Family (HIGH DENSITY) AND (LOW DENSITY), or Rowhouse	300 sq.ft	5,000 sq.ft	550 sq.ft	225 sq.ft	300 sq.ft	300 sq.ft
Residential-Care Facility (Age-Restricted)	200 sq.ft/du	200 sq.ft/du	200 sq.ft/du	120 sq.ft/du	120 sq.ft/du	120 sq.ft/du
Rooming House	None	2,500 sq.ft/ru	None	None	None	N/A
All Other Uses	None	None	None	None	None	None
MAXIMUM LOT AREA						
Restaurant	None	4,000 sq. ft.	None	None	None	None
Retail Goods Establishment (Food Store)	20,000 sq. ft.	15,000 sq. ft.	20,000 sq. ft.	None	None	None
All Other Uses	10,000 sq. ft.	2,000 sq. ft.	10,000 sq. ft.	None	None	None
MAXIMUM BLDG HEIGHT						
Dwelling: Multi-Family (HIGH DENSITY)	60 feet	40 feet	60 feet	60 or 100 feet ²	60 or 100 feet ²	60 feet
DWELLING: MULTI-FAMILY (LOW DENSITY)	45 FEET	40 FEET	45 FEET	45 FEET	45 FEET	45 FEET
Mixed-Use w/ Dwelling Above the Ground Floor	60 feet	40 feet	60 feet	60 or 100 feet ²	60 or 100 feet ²	60 feet
Residential Care Facility (Elderly)	60 feet	40 feet	60 feet	60 or 100 feet ²	60 or 100 feet ²	60 feet
All Other Uses	40 feet	40 feet	40 feet	60 feet	60 feet	60 feet
MINIMUM BLDG HEIGHT						
All Uses	20 feet	None	20 feet	20 feet	20 feet	None
MAXIMUM FLOOR AREA RATIO						
All Uses	None	0.8	None	None	None	None

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	<i>C-1</i>	<i>C-1-VC</i> ¹	<i>C-1-E</i>	<i>C-2</i>	<i>C-3</i>	<i>C-4</i>
1 2 3 MINIMUM / MAXIMUM FRONT YARD						
4 5 6 7 8 9 All Uses	No front yard required but, if one is provided, it may not exceed 5 feet	20 feet	No front yard required but, if one is provided, it may not exceed 5 feet	No front yard required but, if one is provided, it may not exceed 5 feet	None	None ³
10 11 MINIMUM INTERIOR- SIDE YARD						
12 13 14 15 16 17 18 19 All Uses	No interior-side yard required but, if one is provided, it must be a minimum of 10 feet	No interior-side yard required but, if one is provided, it must be a minimum of 10 feet	No interior-side yard required but, if one is provided, it must be a minimum of 10 feet	No interior-side yard required but, if one is provided, it must be a minimum of 10 feet	No interior-side yard required but, if one is provided, it must be a minimum of 10 feet	None ⁴
20 21 MINIMUM CORNER- SIDE YARD						
22 23 24 25 26 27 28 29 30 31 32 All Uses	For 1 st 25 ft. from front lot line: Where structure is to be located, must build to corner-side lot line. After 1 st 25 ft.: No yard requirement.	FOR 1ST 25 FT. FROM FRONT LOT LINE: WHERE STRUCTURE IS TO BE LOCATED, MUST BUILD TO CORNER-SIDE LOT LINE. AFTER 1ST 25 FT.: MINIMUM CORNER-SIDE YARD OF 25 FT.	For 1 st 25 ft. from front lot line: Where structure is to be located, must build to corner-side lot line. After 1 st 25 ft.: No yard requirement.	None	None	None ⁵
33 34 MINIMUM REAR YARD						
35 36 37 38 39 All Uses	If rear yard abuts an alley: None. Otherwise: 20 ft.	30 feet	If rear yard abuts an alley: None. Otherwise: 20 ft.	If rear yard abuts an alley: None. Otherwise: 20 ft.	20 feet	20 feet

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TABLE 11-301: INDUSTRIAL DISTRICTS – PERMITTED AND CONDITIONAL USES

USES	DISTRICTS							USE STANDARDS
	OIC	BSC	IMU-1	IMU-2	I-1	I-2	MI	
RESIDENTIAL								
Dwelling (Above Non-Residential Ground Floor)		P	P					
Dwelling: Live-Work			P		CB			
Dwelling: Multi-Family (HIGH DENSITY)		P	P					
DWELLING: MULTI-FAMILY (LOW DENSITY)		P						
Dwelling: Rowhouse		P						
Residential-Care Facility (16 or Fewer Residents)		P	P					Per § 14-334
Residential-Care Facility (17 or More Residents)		CB	CB					Per § 14-334
Rooming House			CB					

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TABLE 11-401: INDUSTRIAL DISTRICTS – BULK AND YARD REGULATIONS

CATEGORIES	SPECIFICATIONS (PER DISTRICT)					
	OIC	BSC	IMU	I-1	I-2	MI
MINIMUM LOT AREA						
Dwelling: Live-Work, Multi-Family (HIGH DENSITY) AND (LOW DENSITY), or Rowhouse	N/A	300 sq.ft.	IMU-1: 300 sq. ft. IMU-2: N/A	10,000 sq. ft.	N/A	N/A
All Other Uses	None	None	5,000 sq. ft.	10,000 sq. ft.	20,000 sq. ft.	20,000 sq. ft.
MAXIMUM BLDG HEIGHT						
All Uses	60 feet	150 feet ¹	60 feet	60 feet	None ²	None ²
MINIMUM FRONT YARD						
All Uses	None	None	None ³	10 feet	10 feet	10 feet
MINIMUM INTERIOR-SIDE YARD						
All uses	None ⁴	None ⁴	No interior-side yard required but, if one is provided, it must be a minimum of 10 feet	None ⁵	None ⁶	None ⁶
MINIMUM CORNER-SIDE YARD						
All Uses	None	None	None ⁷	10 feet	10 feet	10 feet
MINIMUM REAR YARD						
All Uses	None ⁸	None ⁸	None ⁸	None ⁹	None ⁹	None ⁹

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1		OIC	BSC	IMU	I-1	I-2	MI
2	BUFFER YARD						
3	REQ'T						
4	All Uses	None	None	Where the Landscape Manual requires a landscaped buffer yard			
5				between an industrial use and a non-industrial use, that buffer yard			
6				must be provided by the more recent use.			

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TABLE 12-301: OFFICE-RESIDENTIAL DISTRICTS – PERMITTED AND CONDITIONAL USES		
USES	DISTRICTS	USE STANDARDS
	OR	
RESIDENTIAL		
Bed and Breakfast	CB	
Day-Care Home: Adult or Child	P	Per §14-310
Dwelling: Detached	P	
Dwelling: Semi-Detached	P	
Dwelling: Multi-Family (HIGH DENSITY)	P	Per § 14-327
DWELLING: MULTI-FAMILY (LOW DENSITY)	P	
Dwelling: Rowhouse	P	
Fraternity or Sorority House	CO	Per § 14-313
Residential-Care Facility (16 or Fewer Residents)	P	Per § 14-334
Residential-Care Facility (17 or More Residents)	CO	Per § 14-334
Rooming House	CO	

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TABLE 12-302: OFFICE-RESIDENTIAL DISTRICTS – BULK AND YARD REGULATIONS		
CATEGORIES	SPECIFICATIONS (PER SUBDISTRICT)	
	OR-1	OR-2
MINIMUM LOT AREA		
Dwelling: Multi-Family (HIGH DENSITY) AND (LOW DENSITY)	550 sq.ft./du	200 sq.ft./du
All Other Uses	None	None
MAXIMUM BLDG HEIGHT		
All Uses	40 or 60 feet ¹	100 feet
MINIMUM FRONT YARD		
All Uses	None	None
MINIMUM INTERIOR-SIDE YARD		
All Uses	No interior-side yard required but, if one is provided, it must be a minimum of 10 feet	No interior-side yard required but, if one is provided, it must be a minimum of 10 feet
MINIMUM CORNER-SIDE YARD		
All Uses	10 feet	None
MINIMUM REAR YARD		
All Uses	10 feet	10 feet

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**TABLE 12-402: TRANSIT-ORIENTED DEVELOPMENT DISTRICTS –
PERMITTED AND CONDITIONAL USES**

USES	DISTRICTS				USE STANDARDS
	TOD-1	TOD-2	TOD-3	TOD-4	
RESIDENTIAL					
Dwelling (Above Non-Residential Ground Floor)	P	P	P	P	
Dwelling: Multi-Family (HIGH DENSITY)	P	P	P	P	Per § 14-327
DWELLING: MULTI-FAMILY (LOW DENSITY)	P	P	P	P	
Dwelling: Rowhouse	P	P	P	P	
Residential-Care Facility (16 or Fewer Residents)	P	P	P	P	Per § 14-334
Residential-Care Facility (17 or More Residents)	CB	CB	CB	CB	Per § 14-334

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**TABLE 12-403: TRANSIT-ORIENTED DEVELOPMENT DISTRICTS –
BULK AND YARD REGULATIONS**

CATEGORIES	SPECIFICATIONS (PER DISTRICT)			
	TOD-1	TOD-2	TOD-3	TOD-4
MINIMUM LOT AREA				
Dwelling: Multi-Family (HIGH DENSITY AND LOW DENSITY)	300 sq.ft/du	None	None	None
All Other Uses	None	None	None	None
MAXIMUM BUILDING HEIGHT				
DWELLING: MULTI-FAMILY (LOW DENSITY)	35 FEET AND NO MORE THAN 3 STORIES	35 FEET AND NO MORE THAN 3 STORIES ¹	35 FEET ²	35 FEET ²
All OTHER Uses	60 feet and no more than 5 stories	60 feet and no more than 5 stories ¹	100 feet ²	100 feet ²
MINIMUM BUILDING HEIGHT				
All Uses	24 feet and no less than 2 stories	24 feet and no less than 2 stories	24 feet and no less than 2 stories	24 feet and no less than 2 stories
MINIMUM / MAXIMUM FRONT YARD				
All Uses	No front yard required but, if one is provided, it may not exceed 5 feet ³	No front yard required but, if one is provided, it may not exceed 5 feet ³	No front yard required but, if one is provided, it may not exceed 5 feet ³	No front yard required but, if one is provided, it may not exceed 5 feet ³
MINIMUM INTERIOR-SIDE YARD				
All Uses	None	None	None	None
MINIMUM CORNER-SIDE YARD				
All Uses	None	None	None	None
MAXIMUM REAR YARD				
All Uses	15 feet	15 feet	None	None

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TABLE 12-1302: PORT COVINGTON DISTRICT – PERMITTED AND CONDITIONAL USES

USES	SUBDISTRICTS				USE STANDARDS
	PC-1	PC-2	PC-3	PC-4	
RESIDENTIAL					
Day-Care Home: Adult or Child	P	P	P		Per § 14-310
Dwelling (Above Non-Residential Ground Floor)	P	P	P		
Dwelling: Multi-Family (HIGH DENSITY)	P	P	P		Per § 14-327
DWELLING: MULTI-FAMILY (LOW DENSITY)	P	P	P		
Dwelling: Rowhouse			P		
Dwelling: Live-Work	P	P	P		
Fraternity or Sorority House		P	P		
Residential-Care Facility (16 or Fewer Residents)	P	P	P		Per § 14-334
Residential-Care Facility (17 or More Residents)	P	CB	P		Per § 14-334

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TABLE 12-1303: PORT COVINGTON DISTRICT – BULK AND YARD REGULATIONS

CATEGORIES	SPECIFICATIONS (PER SUBDISTRICT)			
	PC-1	PC-2	PC-3	PC-4
MINIMUM LOT AREA				
All Uses	None	None	None	None
MAXIMUM BUILDING HEIGHT				
DWELLING: MULTI-FAMILY (LOW DENSITY)	35 FEET AND NO MORE THAN 3 STORIES	35 FEET AND NO MORE THAN 3 STORIES	35 FEET²	35 FEET²
All OTHER Uses	100 feet	None	200 feet	None
MINIMUM BUILDING HEIGHT				
All Uses	None	20 feet ¹	20 feet ¹	None
MINIMUM FRONT YARD				
All Uses	None	None	None	None
MINIMUM INTERIOR-SIDE YARD				
All Uses	None	None	None	None
MINIMUM CORNER-SIDE YARD				
All Uses	None	None	None	None
MAXIMUM REAR YARD				
All Uses	None	None	None	None

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TABLE 16-406: REQUIRED OFF-STREET PARKING

USES	PARKING SPACES REQUIRED
...	
[Dwelling: All unless otherwise specified]	[1 per dwelling unit]
[Dwelling: Live-Work]	[1 per dwelling unit]
[Dwelling: Multi-Family – Age-Restricted Housing]	[1 per 2 dwelling units]

SECTION 2. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.