



MEMORANDUM

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

From: Alice Kennedy, Housing Commissioner

Date: July 14, 2023

Re: City Council Bill 23-0356 Zoning - Modifications to Research and Development Facility Use

The Department of Housing and Community Development (DHCD) has reviewed City Council Bill 23-0356 for the purpose of amending the definition of research and development establishment; creating use standards for research and development establishments; amending certain Tables of Uses to reflect revised use provisions for research and development establishments in certain Zoning Districts.

If enacted, City Council Bill 23-0356 would modify the definition of Research and Development Facility and make changes to the Use Standards in Title 14 of the Zoning Code. The Bill would also make changes to the Use Tables, where Research and Development Facility is moved from the Industrial use category to the Commercial use category, and then the use is added to the C-3 (as a Conditional Use to BMZA) and C-4 zones (as a permitted use). This modification, at the request of Baltimore Development Corporation (BDC), may help to recruit and retain bio-science companies in the City of Baltimore.

At its regular meeting of May 18, 2023, the Planning Commission concurred with the recommendation of its Departmental staff and recommended that City Council Bill 23-0356 be amended and approved by the City Council, with the following amendment:

That on page 2, in line 21, insert INDOORS after CONTAINED, to appear as follows:
“(1) ALL PROCESSING, FABRICATION, ASSEMBLY, TREATMENT, AND PACKAGING OF PRODUCTS MUST BE CONTAINED INDOORS ENTIRELY WITHIN A RESEARCH AND DEVELOPMENT FACILITY.”

DHCD is suggesting an additional amendment to further expand this use into C-2 Zoning Districts, conditional to BMZA approval. This amendment would help Baltimore become a more walkable City where residents can not only live and play but expands the options of the ways one can work. The C-2 zoning category is unique in that it supports very small scale “mainstreet” style properties, but also has larger properties that are more suitable for different types of office and commercial uses that compliment adjoining residential neighborhoods. This burgeoning industry change of needing mid-level wet lab space for those that have outgrown institutional incubator space but are much smaller than large scale manufacturers is perfect for larger scale C-

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2 zoned properties. The nature of some of the jobs that will be created are living wage jobs that do not require a college degree.

In addition, because the use is contained indoors and will have minimal traffic impact, it can be very suitable for reuse of existing large-scale buildings that are often harder to retrofit for residential or even retail uses. The addition of the research and development facilities as a Conditional Use to BMZA for properties 1 acre or larger in the C-2 zoning category will open the options for economic development in additional commercial areas and create stronger more walkable neighborhoods.

This amendment is in line with the intent of the Bill to increase the number of places where bio-science companies could be developed in small- to mid-sized spaces.

DHCD amendment to appear as follows:

1. In new Use Standards 14-333.1 of the bill add a new (C) that says “In the C-2 zoning district a minimum parcel size of at least 1 acre is required.”
2. Add use as “CB” under the C-2 zoning category on table 10-301.

Presently, *Research and Development Facility* is categorized in the industrial use section within the use tables in the zoning code, limiting where these types of facilities can be located. The Baltimore Development Corporation has found in their work with a variety of bio-science companies that there is a gap in facilities between small start-ups and the larger independent companies in the City today.

DHCD supports the Bill as amended and believes it is important to address the facilities-gap between the “*Laboratories: research & testing*” Land Use definition of the old Zoning code and the current limitations of “*Research and Development Facilities*” in the new Code, to continue to attract and incubate a variety of bio-science companies, as well as the jobs associated with them.

DHCD **supports** the amendment and passage of City Council Bill 23-0356.

AK/sm

cc: Ms. Nina Themelis, Mayor’s Office of Government Relations
Ms. Natawna Austin, Executive Secretary of the City Council