

**CITY OF BALTIMORE  
COUNCIL BILL 25-0114  
(First Reader)**

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Introduced by: Councilmember Blanchard

Cosponsored by: Councilmembers Parker, Dorsey, Conway, Gray, Bullock, Jones, Glover, Ramos, and President Cohen

Introduced and read first time: October 27, 2025

Assigned to: Land Use and Transportation Committee

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REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Department of Finance, Planning Commission, Board of Municipal and Zoning Appeals, Department of Transportation, Department of Housing and Community Development, Mayor's Office of Small and Minority Business Advocacy and Development

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**A BILL ENTITLED**

1      **AN ORDINANCE** concerning

2      **Zoning – Uses – Smoke Shop**

3      FOR the purpose of making smoke shops a conditional use by approval of the Board of Municipal  
4      and Zoning Appeals in all commercial zoning and mixed-use districts; setting use standards  
5      for smoke shops; clarifying a certain measurement methodology; making conforming  
6      changes; and defining certain terms.

7      BY renumbering

8              Article 32 - Zoning

9              Sections 1-313(m) to (w) and 14-337 to 14-340, respectively  
10              to be

11              Section 1-313(n) to (x) and 14-338 to 14-341, respectively

12              Baltimore City Code

13              (Edition 2000)

14      BY adding

15              Article 32 - Zoning

16              Sections 1-313(m), 14-337, and 15-305

17              Baltimore City Code

18              (Edition 2000)

19      BY repealing and re-ordinating

20              Article 32 - Zoning

21              Tables 7-202, 8-301, 9-301, 10-301, 11-301, 12-301, 12-402, 12-501, 12-601, 12-1302, and  
22              12-1403

23              Baltimore City Code

24              (Edition 2000)

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

1                   **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE**, That  
2 Sections 1-313(m) to (w) and 14-337 to 14-340, respectively, of Article 32 - Zoning of the  
3 Baltimore City Code be renumbered to be Sections 1-313(n) to (x) and 14-338 to 14-341,  
4 respectively.

5                   **SECTION 2. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE**, That the  
6 Laws of Baltimore City read as follows:

7                   **Baltimore City Code**

8                   **Article 32. Zoning**

9                   **Title 1. General Provisions**

10                   **Subtitle 3. Definitions**

11                   **§ 1-313. “Roofline” to “Substantial construction”.**

12                   (M) *SMOKE SHOP*.

13                   “SMOKE SHOP” MEANS A RETAIL ESTABLISHMENT THAT:

14                   (1) IS PRIMARILY ENGAGED IN THE RETAIL SALE OR ON-SITE CONSUMPTION OF  
15                   TOBACCO PRODUCTS, TOBACCO SMOKING ACCESSORIES, ANY DEVICE OR  
16                   PARAPHERNALIA THAT CAN BE USED TO DELIVER NICOTINE OR OTHER  
17                   SUBSTANCES, INCLUDING CANNABIS, TO THE INDIVIDUAL INHALING FROM THE  
18                   DEVICE, OR ANY CARTRIDGE, COMPONENT, OR ACCESSORY OF THE DEVICE; AND

19                   (2) OPERATES UNDER 1 OR MORE OF THE FOLLOWING LICENSES ESTABLISHED BY THE  
20                   STATE BUSINESS REGULATION ARTICLE:

21                   (I) OTHER TOBACCO PRODUCTS (OTP) RETAILERS, AS ESTABLISHED BY  
22                   § 16.5-201 {“LICENSES REQUIRED RELATING TO TOBACCO PRODUCTS”};

23                   (II) ELECTRONIC SMOKING DEVICES RETAILER, AS ESTABLISHED BY § 16.7-201  
24                   {“LICENSE REQUIRED”};

25                   (III) VAPE SHOP VENDOR, AS ESTABLISHED BY § 16.7-201 {“LICENSE  
26                   REQUIRED”}; OR

27                   (IV) A CIGARETTE BUSINESS LICENSE, AS ESTABLISHED BY TITLE 16  
28                   {“CIGARETTES”}; AND

29                   (3) DEVOTES 10% OR MORE OF ITS GROSS RETAIL FLOOR AREA TO THE COMBINED  
30                   TOTAL OF:

31                   (I) OTHER TOBACCO PRODUCTS, AS DEFINED BY § 16.7-101(C) OF THE STATE  
32                   BUSINESS REGULATION ARTICLE; AND

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(II) ELECTRONIC SMOKING DEVICES, AS DEFINED BY § 16.7-201 {"LICENSE REQUIRED"} OF THE STATE BUSINESS REGULATION ARTICLE.

## Title 14. Use Standards

### **Subtitle 3. Use Standards**

## § 14-337. SMOKE SHOPS.

**A SMOKE SHOP MAY NOT BE LOCATED:**

- (1) WITHIN 500 FEET OF ANY SCHOOL, RECREATION CENTER, OR PARK; AND
- (2) WITHIN 1,500 FEET FROM ANOTHER SMOKE SHOP.

## **Title 15. Site Development Standards**

### **Subtitle 3. Measurement Methodologies**

## § 15-305. MEASUREMENT OF DISTANCE BETWEEN PROPERTIES.

IN DETERMINING THE DISTANCE BETWEEN PROPERTIES, THE MEASUREMENT SHALL BE CALCULATED USING THE SHORTEST SEPARATION BETWEEN THE PROPERTY BOUNDARY LINES.

1

## Zoning Tables

2 *Table 7-202: Open-Space Districts – Permitted and Conditional Uses*

3 <i>Uses</i>	4 <i>Districts</i>	5 <i>Use Standards</i>
6	7 OS	8
9 <b>Open-Space</b>	10	11
12 ...	13	14
15 Park or Playground	16 P	17
18 Urban Agriculture	19 CB	20 Per § [14-339] 14-340
21 Zoo	22 CB	23
24 ...	25	26
27 <b>Other</b>	28	29
30 ...	31	32
33 Parking Lot (Accessory Use)	34 CO	35 Per § 14-331
36 Telecommunications Facility	37 CB	38 Per § [14-338] 14-339
39 Utilities	40 CB	41 Per § [14-340] 14-341
42 Wireless Communications Services <sup>1</sup>	43 CB, P	44 Per § [14-338] 14-339

18 <sup>1</sup> Only Wireless Communication Services that are modifications to – and do not substantially change the physical  
19 dimension of – an existing telecommunications facility, are considered permitted uses.

**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	
<b>Open Space</b>										
...										
Park or Playground	P	P	P	P	P	P	P	P	P	
Urban Agriculture	CB	CB	CB	CB	CB	CB	CB	CB	CB	Per § [14-339] 14-340
...										
<b>Other</b>										
...										
Electric Substation: Enclosed, Indoor, or Outdoor	CB	CB	CB	CB	CB	CB	CB	CB	CB	Per § [14-340] 14-341
Telecommunications Facility	CB	CB	CB	CB	CB	CB	CB	CB	CB	Per § [14-338] 14-339
Utilities	CB	CB	CB	CB	CB	CB	CB	CB	CB	Per § [14-340] 14-341
Wireless Communications Services <sup>2</sup>	CB, P	CB, P	CB, P	CB, P	CB, P	CB, P	CB, P	CB, P	CB, P	Per § [14-338] 14-339

<sup>1</sup> A Community-Based Alternative Energy System: (i) if on a lot less than 0.5 acre in lot area, requires conditional-use approval by the Zoning Board, and (ii) if on a lot 0.5 acres or more in lot area, is a permitted use.

<sup>2</sup> 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 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	
<b>Open-Space</b>							
...							
Park or Playground	P	P	P	P	P	P	
Urban Agriculture	CB	CB	CB	CB	CB	CB	Per § [14-339] 14-340
...							
<b>Other</b>							
Alternative Energy System: Community-Based <sup>1</sup>	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] 14-341
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] 14-339
Utilities	CB	CB	CB	CB	CB	CB	Per § [14-340] 14-341
Wireless Communications Services <sup>2</sup>	CB, P	CB, P	CB, P	CB, P	CB, P	CB, P	Per § [14-338] 14-339

<sup>1</sup> A Community-Based Alternative Energy System: (i) if on a lot less than 0.5 acre in lot area, requires conditional-use approval by the Zoning Board, and (ii) if on a lot 0.5 acres or more in lot area, is a permitted use.

<sup>2</sup> 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.

1  
2 **Table 10-301: Commercial Districts – Permitted and Conditional Uses**

2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33							2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33
	C-1	C-1-VC	C-1-E	C-2	C-3	C-4	C-5	
<b>Open-Space</b>								
...								
Marina: Recreational				CB	CB	P	P	Per § 14-323
Urban Agriculture	CB	CB	CB	CB	CB	CB	CB	Per § [14-339] 14-340
<b>Commercial</b>								
...								
Greenhouse or Nursery	P	P	P	P	P	P	P	Per § [14-339] 14-340
...								
Retail Goods Establishment (With Alcoholic Beverages Sales)	CO	CO	CO	CO	CO	P	P	Per § 14-336
SMOKE SHOP	CB	CB	CB	CB	CB	CB	CB	PER § 14-337
Stadium						CB	CB	
Tavern	CB	CB	P	P	P	P	P	Per § [14-337] 14-338
...								
<b>Other</b>								
Alternative Energy System: Community-Based	P	P	P	P	P	P	P	Per § 14-306
Electric Substation: Enclosed	CB	CB	CB	CB	CB	CB	CB	Per § [14-340] 14-341
Electric Substation: Indoor	P	P	P	P	P	P	P	Per § [14-340] 14-341

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	<i>Uses</i>	<i>Districts</i>							<i>Use Standards</i>
		C-1	C-1-VC	C-1-E	C-2	C-3	C-4	C-5	
1	Electric Substation: Outdoor	CB	CB	CB	CB	CB	CB	CB	Per § [14-340] 14-341
2	Parking Garage (Principal Use)				CB	P	P	CB <sup>2</sup>	Per § 14-331
3	Parking Lot (Principal Use)	CB	CB	CB	CB	P	P	CO	Per § 14-331
4	Telecommunications Facility <sup>3</sup>	CB, P	CB, P	CB, P	CB, P	CB, P	CB, P	CB, P	Per § [14-338] 14-339
5	Utilities	CB	CB	CB	CB	CB	CB	CB	Per § [14-340] 14-341
6	Wireless Communications Services <sup>4</sup>	CB, P	CB, P	CB, P	CB, P	CB, P	CB, P	CB, P	Per § [14-338] 14-339

<sup>1</sup> Allowed only in a structure lawfully existing as of June 5, 2017.

<sup>2</sup> However, along Pratt Street in the C-5 District, principal-use parking garages are prohibited. See § 10-503(c)(1).

<sup>3</sup> Only telecommunications base stations that comply with the stealth design standards of § [14-338] 14-339 are considered permitted uses.

<sup>4</sup> 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.

<sup>5</sup> Under § 14-329(a)(1) and (a)(2), both outdoor dining and rooftop dining, respectively, require approval as a conditional use by the Board of Municipal and Zoning Appeals if located in a C-1, C-1-E, C-1-VC, or C-2 zoning district.

**Table 11-301: Industrial Districts – Permitted and Conditional Uses**

	<i>Uses</i>	<i>Districts</i>							<i>Use Standards</i>
		OIC	BSC	IMU-1	IMU-2	I-1	I-2	MI	
29	<b>Open-Space</b>								
30	...								
31	Park or Playground	P	P	P					

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	<i>Uses</i>	<i>Districts</i>							<i>Use Standards</i>
		OIC	BSC	IMU-1	IMU-2	I-1	I-2	MI	
1	Urban Agriculture	P	P	P	P	P			Per § [14-339] 14-340
2									
3									
4	<b>Commercial</b>								
5	...								
6	Greenhouse		P	P	P	P			Per § [14-339] 14-340
7									
8	...								
9	Nursery		P	P	P	P			Per § [14-339] 14-340
10									
11	...								
12									
13									
14	Retail Goods Establishment (With Alcoholic Beverages Sales)		P	CO	P <sup>2</sup>	CB			Per § 14-336
15									
16									
17									
18	Tavern				P	P	P		Per § [14-337] 14-338
19									
20	...								
21	<b>Other</b>								
22	...								
23	Electric Substation: Enclosed or Indoor	P	P	P	P	P	P		Per § [14-340] 14-341
24									
25									
26	Electric Substation: Outdoor	CB	CB	CB	CB	CB	P	P	Per § [14-340] 14-341
27									
28									
29	Parking Garage (Principal Use)	P	P	CO	CB	P	P	P	Per § 14-331
30									
31	Parking Lot (Principal Use)	P	P	CO	CB	P	P	P	Per § 14-331
32									
33	Telecommunications Facility <sup>4</sup>	CB, P	CB, P	CB, P	CB, P	CB, P	CB, P	CB, P	Per § [14-338] 14-339
34									
35									

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	<i>Uses</i>	<i>Districts</i>							<i>Use Standards</i>
		OIC	BSC	IMU-1	IMU-2	I-1	I-2	MI	
1	Utilities	CB	CB	CB	CB	CB	CB	CB	Per § [14-340] 14-341
2	Wireless Communications Services <sup>5</sup>	CB, P	CB, P	CB, P	CB, P	CB, P	CB, P	CB, P	Per § [14-338] 14-339

<sup>1</sup> Allowed only when (i) accessory to an office structure, research and development facility, or industrial use, and (ii) integrated into that structure, facility, or use to serve its employees.

<sup>2</sup> Allowed only when secondary to a primary industrial use.

<sup>3</sup> Office uses legally established as of the effective date of this Code are deemed conforming and are not required to be secondary to a primary industrial use.

<sup>4</sup> Only telecommunications base stations that comply with the stealth design standards of § [14-338] 14-339 are considered permitted uses.

<sup>5</sup> 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 12-301: Office-Residential Districts – Permitted and Conditional Uses**

<b>Uses</b>	<b>Districts</b>	<b>Use Standards</b>
<b>OR</b>		
<b>Open-Space</b>		
...		
Park or Playground	P	
Urban Agriculture	CB	Per § [14-339] 14-340
...		
<b>Other</b>		
Electric Substation: Enclosed, Indoor, or Outdoor	CB	Per § [14-340] 14-341
Parking Garage (Principal Use)	CB	Per § 14-331
Parking Lot (Principal Use)	CB	Per § 14-331
Telecommunications Facility <sup>2</sup>	CB, P	Per § [14-338] 14-339
Utilities	CB	Per § [14-340] 14-341
Wireless Communications Services <sup>3</sup>	CB, P	Per § [14-338] 14-339

<sup>1</sup> [Thes] THESE are permitted uses 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.

<sup>2</sup> Only telecommunications base stations that comply with the stealth design standards of § [14-338] 14-339 are considered permitted uses.

<sup>3</sup> 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 12-402: Transit-Oriented Development – Permitted and Conditional Uses**

Uses	Districts				Use Standards
	TOD-1	TOD-2	TOD-3	TOD-4	
...					
<b>Commercial</b>					
...					
Retail Goods Establishment (With Alcoholic Beverages Sales)		P		P	Per § 14-336
Tavern	CB	P	CB	P	Per § [14-337] 14-338
<b>Other</b>					
Electric Substation: Enclosed, Indoor, or Outdoor	CB	CB	CB	CB	Per § [14-340] 14-341
Parking Garage (Principal Use)	CB	CB	CB	CB	Per § 14-331
Parking Lot (Principal Use)	CB	CB	CB	CB	Per § 14-331
Telecommunications Facility <sup>3</sup>	CB, P	CB, P	CB, P	CB, P	Per § [14-338] 14-339
Utilities	CB	CB	CB	CB	Per § [14-340] 14-341
Wireless Communications Services <sup>4</sup>	CB, P	CB, P	CB, P	CB, P	Per § [14-338] 14-339

1No recreation facilities are allowed, except for standard playground equipment and outdoor furniture.

<sup>2</sup>Not to exceed 5,000 sq. ft. of the structure's gross floor area.

<sup>3</sup>Only telecommunications base stations that comply with the stealth design standards of § [14-338] 14-339 are considered permitted uses.

<sup>4</sup>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.

1  
2 **Table 12-501: Educational Campus Districts – Permitted and  
Conditional Uses**

<b>Uses</b>	<b>Districts</b>		<b>Use Standards</b>
	<b>EC-1</b>	<b>EC-2</b>	
...			
<b>Open-Space</b>			
...			
Park or Playground	P	P	
Urban Agriculture	P	P	Per § [14-339] 14-340
...			
<b>Other</b>			
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 <sup>1</sup>	CB, P	CB, P	Per § 14-338
Utilities	CB	CB	Per § 14-340
Wireless Communications Services <sup>2</sup>	CB, P	CB, P	Per § 14-338

24  
25 <sup>1</sup> Only telecommunications base stations that comply with the stealth design standards of § [14-338] 14-339 are  
26 considered permitted uses.

27 <sup>2</sup> Only Wireless Communication Services that are modifications to – and do not substantially change the physical  
28 dimension of – an existing telecommunications facility, are considered permitted uses.

1  
2 **Table 12-601: Hospital Campus Districts – Permitted and  
3 Conditional Uses**

Uses	Districts	Use Standards
	H	
...		
<b>Other</b>		
Electric Substation: Enclosed, Indoor, or Outdoor	CB	Per § [14-340] 14-341
Parking Garage (Principal Use)	P	Per § 14-331
Parking Lot (Principal Use)	P	Per § 14-331
Telecommunications Facility <sup>1</sup>	CB, P	Per § [14-338] 14-339
Utilities	CB	Per § [14-340] 14-341
Wireless Communications Services <sup>2</sup>	CB, P	Per § [14-338] 14-339

14  
15 <sup>1</sup> Only telecommunications base stations that comply with the stealth design standards of § 14-338 are considered  
16 permitted uses.

17 <sup>2</sup> Only Wireless Communication Services that are modifications to – and do not substantially change the physical  
18 dimension of – an existing telecommunications facility, are considered permitted uses.

19 **Table 12-1302: Port Covington District – Permitted and Conditional Uses**

Uses	Districts				Use Standards
	PC-1	PC-2	PC-3	PC-4	
...					
<b>Open-Space</b>					
...					
Recreational Boat Launch	P	P	P	P	
Urban Agriculture	P	P	P	P	Per § [14-339] 14-340

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	<i>Uses</i>	<i>Districts</i>				<i>Use Standards</i>
		PC-1	PC-2	PC-3	PC-4	
1	Zoo	CB	CB	CB		
2	<b>Commercial</b>					
3	Funeral Home	P	P	P	P	
4	Greenhouse or	P	P	P	P	Per § [14-339] 14-340
5	Nursery					
6	Health-Care Clinic		P	P	P	
7	...					
8	Stadium	P	P	P	P	
9	Tavern	P	P	P	P	Per § [14-337] 14-338
10	Video Lottery Facility		P	P		
11	...					
12	<b>Other</b>					
13	Alternative Energy	P	P	P	P	Per § 14-306
14	System:					
15	Community-Based					
16	Electric Substation:	CB	CB	CB	CB	Per § [14-340] 14-341
17	Enclosed, Indoor, or					
18	Outdoor					
19	Parking Garage		P	P	P	Per § 14-331
20	(Principal Use)					
21	Parking Lot (Principal		P	P	P	Per § 14-331
22	Use)					
23	Telecommunications	CB, P	CB, P	CB, P	CB, P	Per § [14-338] 14-339
24	Facility <sup>2</sup>					
25	Utilities	CB	CB	CB	CB	Per § [14-340] 14-341
26	Wireless					
27	Communications					Per § [14-338] 14-339
28	Services <sup>3</sup>	CB, P	CB, P	CB, P	CB, P	

<sup>1</sup> Subject to conformance with the Marina Master Plan.

<sup>2</sup> Only telecommunications base stations that comply with the stealth design standards of § [14-338] 14-339 are considered permitted uses.

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<sup>3</sup> 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 12-1403: Harford Road Overlay District – Office, Commercial, and Industrial Districts – Permitted and Conditional Uses**

Uses	Districts					Use Standards
	OR-1	C-1	C-2	C-3	IMU-1	
...						
<b>Open-Space</b>						
...						
Park or Playground	P	P	P	P		
Urban Agriculture	CB	CB	CB	CB	P	Per § [14-339] 14-340
<b>Commercial</b>						
...						
Financial Institution		P	P	P	P	
Greenhouse or Nursery		P	P	P	P	Per § [ 14-339] 14-340
Health-Care Clinic	P		P	P	P	
...						
Retail Goods Establishment (With Alcoholic Beverages Sales)		P	P	P	P	Per § 14-336
Tavern	P	P	P	P	P	Per § [14-337] 14-338
...						
<b>Other</b>						
Alternative Energy System: Community-Based		P	P	P	P	Per § 14-306
Electric Substation: Enclosed, Indoor, or Outdoor	CB	CB	CB	CB	CB	Per § [14-340] 14-341

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	<i>Uses</i>	<i>Districts</i>					<i>Use Standards</i>
		<b>OR-1</b>	<b>C-1</b>	<b>C-2</b>	<b>C-3</b>	<b>IMU-1</b>	
1	Telecommunications Facility <sup>1</sup>	CB, P	CB, P	CB, P	CB, P	CB, P	Per § [14-338] 14-339
2	Utilities	CB	CB	CB	CB	CB	Per § [14-340] 14-341
3	Wireless Communications Services <sup>2</sup>	CB, P	CB, P	CB, P	CB, P	CB, P	Per § [14-338] 14-339
4							
5							
6							

<sup>1</sup> Only telecommunications base stations that comply with the stealth design standards of § [14-338] 14-339 are considered permitted uses.

<sup>2</sup> 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.

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