

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 19-0449

Introduced by: Councilmember Clarke, President Scott, Councilmembers Henry, Cohen, Dorsey,
Burnett, Reisinger

Introduced and read first time: September 23, 2019

Assigned to: Land Use Committee

Committee Report: Favorable with amendments

Council action: Adopted

Read second time: April 27, 2020

AN ORDINANCE CONCERNING

1 **Zoning – Use ~~Regulations~~ Standards – Neighborhood Commercial Establishments**

2 FOR the purpose of prohibiting the sale of tobacco products and electronic smoking devices,
3 accessories, and related products by a retail goods establishment that is a neighborhood
4 commercial establishment.

5 BY repealing and reordaining, with amendments

6 Article 32 - Zoning
7 Section(s) ~~14-328(b)~~ 14-328
8 Baltimore City Code
9 (Edition 2000)

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

Baltimore City Code

Article 32. Zoning

Title 14. Use Standards

15 **§ 14-328. Neighborhood commercial establishments.**

16 (a) Minimum lot area requirements.

17 Because neighborhood commercial establishment uses apply only to certain already-
18 existing [structures] BUILDINGS, those uses are not subject to the minimum lot area
19 required for non-residential uses in Residential or Office-Residential Zoning Districts.

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.
Underlining indicates matter added to the bill by amendment.
~~Strike out~~ indicates matter stricken from the bill by
amendment or deleted from existing law by amendment.

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1 (b) *Non-residential uses allowed.*

2 A neighborhood commercial establishment may contain the following non-residential
3 uses:

4 (1) Art galleries – no live entertainment or dancing.

5 (2) Arts studios.

6 (3) Day care centers: adult or child.

7 (4) Offices.

8 (5) Personal services establishments.

9 (6) Restaurants – no live entertainment or dancing.

10 ~~(7) Retail goods establishments – no alcoholic beverage, TOBACCO PRODUCT, OR~~
11 ~~ELECTRONIC SMOKING DEVICE, ACCESSORIES, AND RELATED PRODUCTS sales.~~

12 (7) Retail goods establishments – no alcoholic beverage sales.

13 (c) *Pedestrian orientation.*

14 The development and the proposed use must be pedestrian-oriented and not oriented to
15 the automobile.

16 (d) *Principal entrance.*

17 The principal entrance must be a direct entry from the primary adjoining street.

18 (e) *{Vacant}*

19 (f) *Drive-through facilities prohibited.*

20 Drive-through facilities are prohibited.

21 (g) *Uses limited to building interior.*

22 (1) All business, servicing, processing, and storage uses must be located within the
23 building.

24 (2) Outside storage or display is prohibited.

25 (h) *Signs.*

26 Signs must comply with Title 17 {"Signs"} of this Code.

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1 (i) TOBACCO PRODUCTS SALES PROHIBITED.

2 THE SALE OF A TOBACCO PRODUCT, AS DEFINED BY STATE HEALTH-GENERAL ARTICLE, §
3 13-1001(U) {"DEFINITIONS: TOBACCO PRODUCT"}, IS PROHIBITED IN NEIGHBORHOOD
4 COMMERCIAL ESTABLISHMENTS.

5 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the catchlines contained in this Ordinance
6 are not law and may not be considered to have been enacted as a part of this or any prior
7 Ordinance.

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

Certified as duly passed this _____ day of _____, 20__

President, Baltimore City Council

Certified as duly delivered to His Honor, the Mayor,

this _____ day of _____, 20__

Chief Clerk

Approved this _____ day of _____, 20__

Mayor, Baltimore City