



BILL SYNOPSIS

Committee: Land Use

Bill: 19-0449

Zoning - Use Regulations - Neighborhood Commercial Establishments

Sponsor: Councilmember Clarke, et al.

Introduced: September 23, 2019

Purpose:

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

Effective: The 30th day after the date it is enacted

Agency Reports

Planning Commission	Favorable with Amendment
Board of Municipal and Zoning Appeals	
City Solicitor	Favorable with Comments
Department of Transportation	No Objection
Department of Housing and Community Development	
Baltimore Development Corporation	

Analysis

Current Law

Article 32 – Zoning, Section(s) 14-328(b). Baltimore City Code (Edition 2000).

Bill Summary and Background

Bill 19-0449 would amend section 14-328(b) of the Zoning Code to prohibit retail goods establishments that are Neighborhood Commercial Establishments (NCEs) from selling tobacco products and electronic smoking devices, accessories, and related products.

An NCE is normally established as a conditional use requiring Zoning Board approval in a structure that is non-residential in its construction and original use, or that has received prior zoning approval for a non-residential use. NCEs may contain only the following non-residential uses:

- 1) Art galleries – no live entertainment or dancing.
- 2) Arts studios.
- 3) Day care centers: adult or child.
- 4) Offices.
- 5) Personal services establishments.
- 6) Restaurants – no live entertainment or dancing.
- 7) Retail goods establishments – no alcoholic beverage sales.

Amendments

The Planning Commission recommended that the Council amend the bill to clarify its effect on the Zoning Code and proposed two options in its report.

The Law Department suggested that the Council amend the bill to elaborate on the meaning of “accessories and related products.”

Additional Information

Fiscal Note: Not Available

Information Source(s): Reporting Agencies, Bill 19-0449.

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