

Final City Agency Recommendations

Title & Item Number	Amendment requested	3/21 PC ID # or Agency	Detail Description - as needed	Text or Table
1-1	Add table games to the list of inclusions in the definition of a Video Lottery Facility. Ensure compatibility with state enabling legislation	229	Add Table Games to the definition of VLT as authorized by the Video Lottery Facility's Video Lottery Operation License. Page 63	Text
1-2	Make clear in 1-204 if there is a conflict overlay zone governs	296	Add language in either 1-204 or Title 12.9 to make it clear that if there is a conflict between overlay heights and dimensions and specific area guidelines, the specifics govern. Prefer this to be broad, therefore in 1-204, page 4	Text
1-3	Clarify definition of lot for vertical sub-division	Planning	"Lot area" means the area of a horizontal plane bounded by lot lines. For the purposes of calculating development rights for a new development proposal, no such horizontal plane can be counted towards the lot area of multiple properties. Development rights shall be calculated based on the lot area at the ground plane only. Is there an issue with definition of ground plane? defer to DLR. page 39	Text
1-4	In general, throughout the code there are references to "this code", the Law department found this confusing as it is unclear whether the reference is to Baltimore City Code or only the Zoning Code. Perhaps additional language could be added to article 1, Subtitle 2 to clarify this code means zoning code?	Law	Defer to DLR	Text
1-5	Page 8, line 34, there is an "and" at the end of the line with no additional text.	Law	Correct as noted	Text
1-6	Page 29, the definition of "government office" does not indicate whether the entire structure must be occupied by a government agency exclusively to fall under definition	Law	Defer to DLR, planning thinking is distinction may not be necessary	Text
1-7	Community Corrections (residential)- need to define in 1 and add to use tables	210	Create new use in Community Correction and make conditional in C-3 through 5 and I zones. Define same as existing code	Text & Table
1-8	Definition of a person	Law	Recommend that the current Zoning Code definition of "person" be added to the bill and, in addition, that § 2-202 be amended to somehow expressly reinforce the inclusion - defer to DLR. change the term "person" to "individual" when a provision is meant to affect only a human being and not an entity. again defer to DLR	Text
1-9	1-312 (S) Resource Recovery Facility - Specify that this use is not a Junk and Scrap Yard.	307	Add: (III) Is not a Junk or Scrap Storage and Yard. Page 55	Text
1-10	Clarify Neighborhood Commercial definition- review 1, page 44 and language in 14- Neighborhood Commercial is intended to allow for reuse of existing structures in residential zones that were built as something other than residential. The goal is to provide for specific types of uses generally compatible in residential neighborhoods in these buildings.	299	Because this isn't for new construction, there are no separate bulk and yard requirements. It is also intended for the re-use of existing buildings. Since different uses in these districts have different bulk and yard we would propose an amendment along the lines of. ' Where a district has different bulk and yard standards for different structures and uses (That is non-residential, detached residential and attached), the Board shall determine and include in its conditions which apply to this structure and they may vary bulk and lot if it determines the reuse will satisfy the conditions in Title 14-328. page 227. Also, delete Day care from neighborhood commercial since it is already a conditional use in the residential zones and clarify for OR - that permitted uses such as office stay permitted	text and Table
1-11	Neighborhood Commercial is intended to allow for reuse of existing non-residential structures in residential zones. The goal is to provide for specific types of uses generally compatible in residential neighborhoods in these buildings.	322	Yes, Clarify that a non-conforming retail-goods with alcohol sales may convert, this may need to be in Title 18.	Text
1-12	1-309(S) Materials Recovery Facility - Specify that this use does not include purchase of materials from the public on-site and that this use is not a Junk and Scrap Yard.	302	Page 41 Add: (C) Does not include the on-site purchase of materials from the public. (D) Is not a Junk or Scrap Storage and Yard	Text
1-13	1-312(N) Recyclable Materials Recovery Facility - Specify that this use is not a Junk and Scrap Yard.	305	Add to general provisions: Is not a Junk or Scrap Storage and Yard. Page 41	Text

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1-14	Definition (1-308(B)(1)) Should be amended to read "means the manufacturing or ASSEMBLY (strike repair) of finished products or parts from previously prepared materials, where:" OR to mirror the first portion of the definition of Industrial General "THE PROCESSING, MANUFACTURING OR COMPOUNDING OF MATERIALS, PRODUCTS OR ENERGY, where:"	265	Correct as noted, page 36	Text
1-15	Fix typo	Law	Title 1, Section 1-302(o)(2) has a typo- line 11 says "financial" and it should say "financially", page 11	Text

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2-1	Add language to confirm that existing conditional uses such as junk and scrap storage yards may continue as conditional uses and will not become nonconforming uses.	309	Not sure whether this needs to be in Title 2 or 18-311- defer to DLR. Add: Provided, however, that any change thereto, including extensions, enlargements, relocations, and structural alterations shall be subject to the same procedures and requirements applicable to conditional uses under this ordinance.	Text
2-2	Do we need a clearer transition rule for URP areas or is 1-204 adequate	Planning	Defer to DLR and law	text

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3-1	Need consistency in language between on page 71, line 5 and page 72 line 6-7 regarding rules and regulations	Law	Defer to DLR	Text
3-2	Page 72, line 31, references to parties of interest but no definition of parties of interest	Law	Law/planning- delete G-2	Text
3-3	Page 72, line 31/32 concern about no indication of how notice is given	Law	Defer to DLR - should there be a cross reference to Title 5	Text
3-4	page 74, line 16, after (4) insert 'unless otherwise specifically provided for' since there are other provisions in city code the have other provisions	Law	Defer to DLR	Text
3-5	Section 3-206 should be re-phrased to add In addition to powers and duties of other laws, the City Council...	Law	Defer to DLR	Text

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4-1	Concern about reference being made to administrative appeals throughout the title but no requirements for notice.	Law	Page 82- Since these are Planning Commission hearings add something in 4-407 , subject to Planning Commission Procedural Rules	Text
4-2	Edit §4-204(B)(1) to read: NO PERMITS HAVE BEEN ISSUED; AND	211	Correct as noted	Text
4-3	4-204(B)(1) – I think this should be reworded to “No permits have been issued; and”	226	Correct as noted	Text
4-4	little typo page 83 in section 4-503, line 5, should be TO	258	Correct as noted	Text
4-5	Design standards - if conflict CHAP governs - add to Title 4	295	Add language to Title 4 on design standards that say if there is a conflict between design standards and CHAP guidelines for a Landmark property or contributing property to a district then the CHAP provisions govern	Text
4-6	Section 4-203 – Site Plan Review is going to be required for all conditional uses. This seems like overkill for something like live entertainment in an art gallery, taverns, and liquor stores, which are conditional in the C1. You may want to add language such as: “(5) Conditional use, except when the conditional use can be accommodated by an existing structure.”	227	Page 203- Add phrase in 4-203 (5) except when the conditional use can be accommodated in an existing structure	Text
4-7	The language in §4-402(7) should be changed from “all exterior building modifications in the C-5 District” to “substantial rehabilitation of the façade of an existing structure in the C-5 district” in order to match language in §10-503(A)(1)(II).	239	Correct as noted- page 80	Text
4-8	Add to SPRC, the intent is provide guidance early in the design process for applicant convene and interagency review.	319	Page 76 Correct as noted 4-201 (a)	Text

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5-1	Law wants clarification that the City Council can introduce zoning legislation - regardless of Planning Process	Law	*See attached proposed amendments to various provisions of Title 5, which allow the City Council to introduce legislation at any time on the subjects contained in this article, while still following the preferred planning process	Text
5-2	5-405A - add sentence re: Koontz - recent Supreme Court Case page 95	Law	*See attached Law Department's revisions to Art 5. Law requires that any demand on the developer be reasonably related and roughly proportional to the impact a development has on the community	Text
5-3	These time limits create uncertainty and risk that could undermine already-challenging financing for City development projects, especially complex, mixed-use projects which can take many years to finance and complete. Ideally, these approvals would not have a time limit at all. Short of that, the Code should provide explicitly that all approvals may be extended without limitation, similar to that found in the BMZA's governing law.	247	Ok with adding language that BMZA may extend 5-309 and 5-407 and Planning may extend SPRC and Design approvals -4-2, 4-3, 4-4. Defer to DLR as to whether text change is necessary for this. Pages 93 and 96	Text
5-4	The City should have a process where such interpretations are formalized and can then be relied on as a guide for subsequent applications.	249	Clarify as duty of ZA in 5-801. Make it clear that ZA must establish a process for interpretations to file and keep and make available as part of their duties - This amendment ay be superceded by Amendment # 5-10 page 110 in text	Text
5-5	<b>Add</b> a corresponding exception for bills <i>initiated</i> to conform or otherwise make non-substantive corrections to the Zoning Code. § 5-502 and § 5-507(c)(2)(i) and (ii) might be amended to more clearly, and consistently, except: "any amendment that consists only of: (1) a non-substantive correction of punctuation, grammar, nomenclature, or spelling, or (ii) any other change that does not in any way alter the substance this Code	281	Make necessary changes, defer to leg. Reference on wording	Text
5-6	Clarify PC time frame for decision to make it clear decision is at a meeting	320	Correct as noted 5-505 a-3 page 99	Text
5-7	5-201(D) – Zoning applications for a conditional use, variance, or design review will require a site plan. This seems like overkill for something like live entertainment in an art gallery, taverns, and liquor stores, which are conditional in the C1. You may want to add language such as: "(1) Zoning applications for a conditional use (except those that can be accommodated by an existing structure) ...."	228	Page 87 - add phrase in 5-201 (D) (1) Zoning applications for a conditional use (except those that can be accommodated by an existing structure) ...."	Text
5-8	Variances: §5-301(B) - should be more then height and bulk but include signage, parking and loading	241	Yes, change text to clarify- Make clear the Board may vary height, bulk, signage, parking, and loading.	Text
5-9	5-803(B)(1) and (2) – B1 indicates that the Zoning Administrator has 30 days to review and render a written decision, not 35. decision on a request for a zoning interpretation, but B2 indicates that the time period is 35 days. This seems inconsistent.	220	yes, correct as to 30 days	Text

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5-10	Concern about the word interpretations used for a preliminary review, since when a permit is submitted the ZA has to do same process formally. Page 110	Law	<p>Re-titling Subtitle 8 as "Zoning Consultation" and re-wording as follows:                      5-801 and 5-802 remain the same except change "interpretation to "consultation."                      5-803 Procedure                      (A) Consultation with Administrator                      The Zoning administrator shall upon request provide zoning consultations.                      (B) Action by Administrator.                      (1) The ZA must review the request and provide a written summary of the results of the consultation within 30 days.                      (2) However, the ZA may request additional information before providing a summary of the results of the consultation, in which case the 30 –day period will be suspended pending receipt of additional information.                      (3) The ZA shall keep records of all consultations and refer to those records in order to provide consistency in its consultations.                      5-804 – Consultation Non-Binding.                      (A) Zoning Consultations are meant to provide preliminary non-binding information on the application of the Zoning Code. Results of consultations are not binding upon the Zoning Administrator, the Board of Municipal and Zoning Appeals, the Planning Commission or the City Council when deciding upon applications made under the provisions of this Zoning Code.                      (B) All written summaries of consultations shall include following Statement: The results of any Zoning Consultation provide under this subtitle are advisory only and are not binding on the Zoning Administrator, the Board of Municipal and Zoning Appeals, the Planning Commission or the City Council when making decisions on applications subject to their authority under this Zoning Code.                      3-201 Zoning Administrator                      In (C)(4) change "interpretations" to "consultations".</p>	text

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6-1	Page 115, line 6, should be Department of General Services not DPW	Law		Text



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9-1	looking for Fig. 9-506e - rooftop decks	204	Correct as noted - But superseded by item #266	Text
9-2	Reducing lot area for non-residential uses to encourage more reuse of lots and buildings	Planning	In R-7 through R-10 reduce lot area requirement from 3000 sqft to 2000 sqft only by conditional use	Table
9-3	Make clear the BMZA can waive lot area in neighborhood commercial conditional use. Similar to item 1-10	Planning	Note on table in 9 and in 14-321 standards	text and table
9-4	Minimum lot area for residential in R-10 should be 500 sqft not 1500.	Planning	Correct table to 500 Sqft	Table
9-5	does not want formstone banned	209	Correct as noted - But superseded by item #266	Text
9-6	Title 9, Subtitle 8, there's a numbering error: §9-701 et seq. need to be corrected to §9-801...	230	Correct as noted	Text
9-7	on standard brick add word size and to match existing block	253	Correct as noted - But superseded by item #266	Text
9-8	remove 9-503 E 4	254	Correct as noted - But superseded by item #266	Text
9-9	vary 9-602 d1 to be more flexible on shadow	255	Correct as noted - But superseded by item #266	Text
9-10	Remove Design Standards or put in manual for Planning to administer and review similar to Landscape manual	266	Title 2-202 C Add similar language for Design Manual , Title 3 3-203 Planning commision add power to adopt design manual, change 4-401 to refer to manual to be adopted by Planning commission, Add goals and objectives for Design manual similar to 4-503 through 4-509 of Landscape	Text
9-11	Objects to maximum impervious surface in the code	268	Yes- revise to clarify definition of percentage of REAR yard, not whole lot. Otherwise, it creates the appearance of permitted more lot coverage than maximum impermeable surface.	Table
9-12	R-8 Bulk and Yard Regulations Opposes the max. lot coverage moving from 60% to 80 %	286	Upon further review staff recommends changing the lot coverage max. to 60% for lots deeper than 80 feet and 80% for lots smaller then 80 feet deep.	Table
9-13	Clarify permissions and apply to OR as well as R zones	313	Page 151, Clarify that Residential conversions are only permitted for structures originally constructed as a single-unit dwellings in the R-7, R-8, R-9, R-10, OR-1, and OR-2 Districts. Dwellings in these districts that were originally constructed as single-unit dwellings but have already undergone a residential conversion prior to the effective date of this Code are subject to these standards for any further conversions. Residential conversions require design review when exterior modifications are proposed. Construction drawings and plans that describe the proposed conversion in detail are required as part of the application.	Text
9-14	Correct error	DPW	§ 9-204(b) when referring to the R-6 District, as this section is referring to the R-7 Mixed Residential District. The error appears on page 140 line 7.	text
9-15	Section 9-204. Section B (Line 7) should say 'R-7', not 'R-6' since it's describing the R-7 district	287	page 140, Correct as noted	Text
9-16	add OR zones to "Residential Conversions" section, specify applicability to rowhomes and include rowhomes that are already converted that want to add additional units	260	page 151, Make the change to add OR to the list of zones to be covered by conversion rules in title 9 in 9-7 and 12-3	Text

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10-1	Add Hospital to the permitted uses in C-5	282	Agree- add hospital to permitted uses in C-5	Table
10-2	restrict size of medical clinic in C-1	205	The correct title is health care facilities and recommend that in the R-MU, C-1 and OR1 these facilities less then 2000 sqft. be permitted and greater then 2000 sqft feet conditional	Table
10-3	Permit rental cars in C-1 and 2	206	Ok to add to C-1 as long as use is entirely inside the building, already allowed that way in C-2	Table
10-4	Table 10-401 footnote 1 refers to §10-403(f) that doesn't exist in text, for special building height provisions	214	pages 158, Correct as noted	Text
10-5	requests the following changes: restaurants to be a conditional use in C-1-VC	215	Recommend changing Restaurants to conditional use in C-1- VC	Table
10-6	adding TV and radio broadcasting in C-2 districts	218	ok as conditional	Table
10-7	Requests Multi-Family Dwellings to be permitted, not conditional in C-1 and C-1-E	231	Recommend that C-1 be revised to permit apartments on the ground floor in existing buildings, conditional for new construction	Table
10-8	One of these tenets is a height provision for "bump out" developments along the large sidewalks of Pratt Street. At present the regulations highlight a 45 foot maximum height; we ask this be changed to 50 feet maximum, and that a height minimum of 20 feet also be incorporated.	235	make the change - Table and text	Table and text
10-9	A visual indication of the setback overlay along Howard Street, as detailed in §10-503(J) "Special Building Heights" should be indicated on the maps.	237	page165, §10-503(J)(1) text should be amended to state that the setback provision applies from Franklin to Baltimore Streets, as opposed to Clay to Baltimore.	Text
10-10	10-503(A)(1)(I) should be amended to match language in §4-402(6) by adding "and additions"	240	page 162, Correct as noted	Text
10-11	Add to permitted in C-5 Age restricted housing; Dormitory; and Research and Development Facility.	242	Change table as noted	Table
10-12	The footnote for this table references 10-403(f), which no longer exists. This reference should be changed to 10-503(J).	243	Correct as noted	Text
10-13	10-501 d remove 4 on tinting and in 10-503 c6 and 7 and rather than required dark grilles it should be to blend	256	Correct as noted - But superseded by item #266	Text
10-14	Changes to C-1-VC. To address community concern about too much bulk while maintaining some flexibility for new development. One-two story height limit is too restrictive and not consistent to any new development	Planning	Eliminate the 60' allowance for a mixed-use MF building, and keep it at 40' for all buildings. And Eliminate the 0' rear setback for properties abutting an alley and require all properties to be setback at least 20' from rear property line	Text & Table
10-15	Typo on Page 165 , line 23– Bridge is spelled incorrectly	223	Correct as noted	Text

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11-1	would like technical/commercial schools permitted in OIC	216	Item 216 and 251 are the same - Add Technical Schools to permitted in OIC	Table
11-2	additional uses for OIC - we met with him about a month ago - TESST College	251	Item 216 and 251 are the same - Add Technical Schools to permitted in OIC	Table
11-3	11-204(B) and 11-205(B)(1) include office in the description but Table 11-301 indicates that office is permitted in the I-1, I-2 and MI zoning districts only when satisfying the footnotes. The descriptions should be edited to remove the implication that office is an intended primary use.	264	Page 168, Correct as noted. Clarify in text tables are ok . In both sections delete Office.	Text
11-4	gov't office should be permitted in IMU, not conditional	275	Add gov't offices to permitted rather than conditional in I-MU	Table
11-5	move banquet hall to conditional in I-MU	284	Table edit	Table
11-6	Make Vocational schools permitted in industrial zones except in MI and I-2	285	Table edit	Table

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12-1	Clarify p. 177 applies to new Adult entertainment	Law	Page 177, section 12-210 needs to be clarified that this applies to new Adult entertainment , not those on the map, delete the last sentence	Text
12-2	removing the 15 foot rear set back in TOD-4	217	ok, remove rear setback in TOD 3 and 4	Table
12-3	Clarify that when using Neighborhood commercial in OR it is for uses not already permitted such as office	planning	Put asterisk on OR use table	Table
12-4	RMU & Nghd. Commercial Uses should be consistent; restaurants should say no live entertainment	246	Live entertainment is its own use and if not mentioned is not permitted - no need to make a change	None
12-5	RMU districts are by definition built-out attached buildings and permits a mix of uses so they should not be subject to the minimum lot areas for non-residential of the underlying district	Planning	page 194, Section 12-1004 - write an exemption that the lot area for non residential is the same as residential in this overlay.	Text and Table
12-6	page 191 in the promenade section 12-906 in section (2) the reference to biking concerns me , is there a way that biking can be prohibited in areas that are not safe. I have always felt some of the promenade in the Canton and Fells Point area are not safe for biking.	259	Change language to delete mention of bicycles specifically since their use is time limited and zoning code does not need to speak to that.	Text
12-7	Clarify front in TOD district for a building with multiple entries	270	pages 179, 12-404 E-1 - Change to parking is prohibited in the front building area, between the building and the transit	Text
12-8	Exempt historic buildings from TOD design standards	271	Add language to make it clear Historic Landmark buildings should be exempt from design standards- various	Text
12-9	Add indoor and outdoor recreation to the permitted uses in H zone	283	Agree - Add recreation indoor and outdoor to permitted in H zone	Table
12-10	Residential density in TOD-1 and 3 appears too low for the height of buildings and compared to surroundings at 1,200 sqft lot area per DU	288	Change - probably more like 300 sqft per du	Table
12-11	12-405-D-1 add phrase that only lots and garages and portions thereof for transit riders is not subject to max.	290	Page 180, make clear that only exemptions from maximums are for transit riders - see cross reference to title 16	text
12-12	12-405 - suggest that the planning director could reduce parking in TOD	291	Page 180, idea not sure whether that goes here in 12-4 or in 16 - see notes for 16	Text
12-13	Review table, TOD 2 additional height by Conditional Use	292	correct the error	Table
12-14	12-905 B-6 add unless height is designated in overlay	294	page 190, Note- comment 291 and 293 may duplicate- Check. Add phrase after 12-905 B-6 unless height is designated in overlay	Text
12-15	Promenade width 30 feet or as designated in overlay	297	Page 191, Clarify where the promenade is 20 feet (Fells Point and Canton) and all other is 30 feet	Text
12-16	Add language that in H zones new buildings can be 150' or up to the highest existing building on the effective date of the code	Planning	Table 12-602 add note, Notwithstanding anything herein to the contrary, the greater of 150' or the height of the highest existing building in the immediate Hospital Campus District, as of the effective date of this Code.	Table
12-17	Concern that some of the existing campuses have buildings taller than 65 feet and those existing heights should be the threshold.	Planning	Delete 65' and insert the following: "The greater of 65' or the height of the highest existing building in the immediate Educational Campus District, as of the effective date of this Code	Table
12-18	Add language for H and EC zones that height is measured on the perimeter of the campus boundary not on a per building	Planning	Add an exception to measurement of building height for campus zones that makes the height measurements for buildings relative to the closest perimeter street. In other words, if the ground slopes downward from the curb the height could go up relative to ground since it is measured from the perimeter.	Table
12-19	office permitted in TOD 1 and 3	317	Yes, office use should be permitted in these zones	Table
12-20	Include O-R zoned properties in the provisions of 9-7 governing conversions	277	cross reference to comment in 9, page 177, add OR properties to the districts subject to the standards for conversions	Text
12-21	Make clear that the height is per overlay not underlying zone 12-903	293	Note- comment 291 and 293 may duplicate- Check. clarify in section 12-903 that height is determined by these tables	text
12-22	Revise requirements of educational and hospital master plans to make clear that only signs on the external part of campus are required, not internal campus signs.	Planning	page 183 and page 186, , Section 12-503(d)(2)(V), which should read "(V) a sign plan that shows the general location of site-access identification and directional signs" in order to clarify that only signage at the primary ingress/egress points to the campus need to be shown, rather than all internal campus signage.	Text

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13-1	13-203 Approval Standards- Clarify Council role in introducing PUD	Law	* See attached amendments to various provisions in Art 13, which allow the City Council to introduce legislation at any time and still follow the process preferred by Planning	Text
13-2	Change name of preliminary plan title to better reflect that the plan goes to the City Council for master plan approval and the second action is just Planning Commission design approval	Law	Preliminary Plan - change to Master Plan	Text
13-3	Law expressed concern about more clearly distinguishing between master plan that goes to council and final development plan which is design details approved by PC	Law	* See attached - add purpose to 13-304 Master Plan and 13-305 final development Plan	Text
13-4	PUD section on page 200 in 13-202 under minimum areas, line 23, line 25 and 26	257	Page 200, In line 23 substitute C-1 thru C-5 for the B-1 through 4 and BI. In line 25 substitute C-5 for B-5 and in line. In line 26 substitute OIC for OIP	Text
13-5	clarify language on amendments	312	Section 13-403, clarify that modification to the development phasing schedule may be approved by BMZA	Text
13-6	Correct error in item above, it should have been Planning Commission, not BMZA consistent with the rest of minor items	Planning	Page 211, Section 13-403(6) delete BMZA and substitute Planning Commission	Text

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14-1	Add retail to OR-2 similar to R-10	262	Page, 226, 14-327, Add retail options of R-10 to OR-2 and clarify retail may be over the entire ground floor or 10 % of building area whichever is greater - cross reference to title 9 and 12 ???	Text
14-2	Would like to see distance standards between new gas stations and residential areas	267	Pages 219-20, Reasonable request but distance from residential is difficult given the adjacencies. We recommend a limit of 8 pumps (Individual fueling stations) if adjacent to residential use	Text
14-3	14-324(A) Materials Recovery Facility - Remove references to a waste refuse disposal permit, as these facilities are not defined in State law, and add a section prohibiting the issuance of licenses intended for scrap processors only	303	Page 225, Revise to read: (1) A materials recovery facility must comply with all State regulations and obtain all applicable State permits. (2) A materials recovery facility is not eligible to receive either a local Junk Dealer's license or a State Scrap Metal Processor's license.	Text
14-4	14-324(C) change "may" to "shall"	304	Correct as noted- replace "may" with "shall"	Text
14-5	Create a new, separate use standard section for Recyclable Materials Recovery Facility to avoid confusion with Materials Recovery Facility	306	page 230, Add 14-333 Recyclable Materials Recovery Facility (and renumber 14-333 and all uses that follow): (A) Compliance with State and local laws (1) A recyclable materials recovery facility must comply with all State regulations and obtain all applicable state permits. (2) A recyclable materials recovery facility is not eligible to receive either a local Junk Dealer's license or a State Scrap Metal Processor's license (B) Operations to be Enclosed (1) All loading and unloading must be performed either within an enclosed building or within a screened area. (2) All other operations must be enclosed within an enclosed building	Text
14-6	14-316 Junk or Scrap Storage and Yards -(A)(1)and(2) reword stormwater and pollution prevention plan requirements to better reflect their relationship to industrial stormwater permit requirements	310	Page 221, (1) A junk or scrap storage yard must comply with all Federal, State and local environmental laws, rules, and regulations, including those involving the management of stormwater run-off and the development and maintenance of a pollution prevention plan.	Text
14-7	simplify and clarify and provide for new pop-ups	315	Define a Temporary outdoor sales to include arts and crafts, consignment, flea markets, holiday= sales etc., provide for standards and limit to 4 events per year with the exception of holiday sales, beyond that Board approve	Text
14-8	Provide for food trucks	316	add a temporary Mobile Food sales use with w standards	Text
14-9	add outdoor dining to Neighborhood commercial 14-321	261	Add outdoor table service to the list of uses under Neighborhood Commercial conditional Use	Text
14-10	I-MU Use Chart for Multi-family residential points to use standard 14-327. But 14-327 does not mention guidelines for I-MU at all. This should be removed as a ref from the chart or 14-327 should be modified to include I-MU.	279	Page 226, Modify 14-327 to include I-MU	Text
14-11	Add language "exclusive of tree wells" to 14- 329 (B) (2) to the outdoor dining criteria	278	Page 228, Make the change to clarify	Text
14-12	14-334 Resource Recovery Facilities - Remove references to a waste refuse disposal permit, and add a section prohibiting the issuance of licenses intended for scrap processors only	308	Page 230, Revise to read: (1) A resource recovery facility must comply with all State regulations and obtain all applicable State permits. State restrictions may apply to the location. (2) A resource recovery facility is not eligible to receive either a local Junk Dealer's license or a State Scrap Metal Processor's license.	Text
14-13	14-339 Wireless telecommunications, page 234	Law	Insert federal law requirements concerning modifications of existing facilities - see Law Dept. amendments on separate sheet	Text
14-14	Can we also add festivals, block parties, sidewalk sales, wine or beer tastings, and pop-up art shows (both visual and performing arts)?	221	Yes, either add the uses or delete 14-401 C and reworked to add food trucks, also expand the ZA authority on uses not listed	Text
14-15	Delete the statement about not enforcing easement agreements it is confusing	Law	Page 215, Remove - Section 14-306(c)(2) states that the City will not enforce any easement, agreement or management plan.	Text

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15-1	Make sure SWM pipes etc. are not considered structures so therefore they should be permitted in yards	DPW	Add language that SWM facilities are permitted and can be in any required yard	Text
15-2	§ 15-703(f), Environmental Performance Standards (page 261), indicates that the Department of Public Works must be notified at least 3 weeks prior to an operation beginning to produce radioactive or hazardous waste material.	DPW	Either delete because this notice is no longer needed or can from DPW to Health	Text
15-3	15-401 - add language that would allow additional height/density for transit dedication	289	Page 247, we could just say Major Highway, <b>Transit</b> and open space etc.	Text
15-4	delete definitions of roofline of make consistent with building height	318	246, Yes, make the change	Text
15-5	Either include the URP language which defines the height limits [to include mechanical], or lower the height limits by 10-15ft to reflect the change/omission.	276	page 248, Recommend adding the unique definition of height from Mount Vernon URP to the height map in the zoning code in title 15-405 - Add in text and on map?	text
15-6	prohibit new primary use surface parking lots in Mount Vernon (see area definition used in 15-504)	207	Page 248, This recommendation would be consistent with the area plan and Historic District, Add map referred to in 15-405 to the prohibition on new surface lots or add note in 15	Text
15-7	15-515 – This section requires refuse disposal containers to be placed on a minimum of a 10' x 10' concrete pad, which is appropriate for a dumpster but not for storage of regular trash cans. We recommend clarifying that (C) refers to dumpster enclosures and then adding another section for trash cans.	224	Page 256,, remove the specific size of concrete pad	Text
15-8	Remove or reduce residential density requirements for new construction only so there is sufficient density to build up to the height limits with 100% residential use (height limits from current URP/CHAP documents exceed underlying zoning in Mount Vernon per 15-504)	208	Page 248In the Mt vernon overlay area, Minimum Lot area per dwelling unit is to be 200 sqft per DU. For new construction only	Text
15-9	15-509 – This section deals with outdoor display of merchandise. We recommend putting some parameters on outdoor display of tires, mattresses, and used furniture and appliances.	222	Page 252, Prohibit outdoor display of tires, mattresses, and appliances.	Text

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16-1	Add C-1-VC to §16-601(B)	212	271,	Text
16-2	Edit §16-602 to remove reference to compact spaces. Replace with "alternate dimensions" or the like. I have a concern that this could be interpreted to allow smaller spaces than we like from ITE standards.	213	Page 272, Correct as noted	Text
16-3	16-401 at reference to Valet	Law	On pg. 266, strike lines 11-14 and substitute "A use may utilize valet services in accordance with Article 31, Subtitle 14 of the Baltimore City Code.	Text
16-4	There are no parking requirements in the C1 district, including for Places of Worship, Residential Care Facilities, Cultural Facilities, etc. We recommend including some parking requirements for these uses.	219	Page 271, Recommend in C-1 limiting parking exemption to restaurants, retail goods, personal services, financial institutions, carry-outs and the first three dwelling units all other uses must provide parking	Text
16-5	From these two paragraphs, it is unclear as to which portion of Title 16 the C-5 district is exempt. §10-503(l)(1) uses broad language "The C-5 District is exempt from the parking requirements of this Code"; whereas the placement of §16-601(B) suggests that C-5 is only exempt from Subtitle 6 – Required Off Street Parking. It should be made clear from which portions of Title 16 C-5 is exempt.	233	Concur, correct reference in §10-503.l.1 to Title 16, Subtitle 6 to clarify parking is not required in C-5 §10-503.l.1 appears to exempt the C-5 District from all parking requirements, where it meant only the amount of parking. This essentially duplicates §16-601.B, which more clearly exempts C-5 among others. This section may not be needed at all, but a reference for user's benefit may be helpful. If so, I recommend amending this section as follows: (1) THE C-5 DISTRICT IS EXEMPT FROM THE REQUIRED OFF-STREET PARKING REQUIREMENTS OF TITLE 16, SUBTITLE 6 OF THIS CODE.	Text
16-6	Loading requirements too stringent for downtown	245	Yes, we reviewed these numbers and recommended a reduction in loading requirement to one spaces for 20,000 to 100,000 sqft feet and two spaces for above 100,000. this may be waived by the Board if not possible to meet . Amend Table 16-902 to require one loading space for 20,000 to 100,000 sqft feet and two spaces for above 100,000 sqft on Commercial & Institutional properties.	Table
16-7	misc. text - remove shopping center from 16 bicycle parking, correct cross references p 199	263	Remove the word shopping center since it is not a use.	Table
16-8	Objects to curb radius in code, too prescriptive	269	Page 266, The references to driveway widths and radius requirements were taken from an existing source that may be outdated, and was inadvertently left in the draft. With 16-404.A referencing the DOT book of standards, §16-404.B and Table 16-404.B can be deleted.	Text
16-9	Clarify Land-banked parking may be used for open space activities	321	Page 270, Amend §16-502.D: (D) THE LAND-BANKED AREA MAY NOT BE USED FOR ANY OTHER PERMANENT USE AND MUST BE PART OF THE SAME LOT AND ALL UNDER THE SAME OWNERSHIP.	Text
16-10	After further discussion group believes it make sense to have some transition in C-2 districts that exempts small amount of du and some commercial parking to take into account the nature of these bus served corridors.	Parking Group	page 272 Exempt first 3 dwelling units similar to C-1 and increase the square ft exemption for parking from 2500 sqft to 3000 review.	Table
16-11	Would like more lenient parking for smaller Dwelling units but exemptions for 'studios' has been a problem	Parking Group	page 272, Reduce parking to .5 per dwelling unit for units under 500 sqft. in all districts except R-1 thru R-9	Table
16-12	Review §16-504 Fee-In-lieu parking on street, may need more clarity on how that would work. Parking Authority is very interested and supportive of this concept but would like more time to review and propose language. There are some concerns about the geography and also how the money will be used. Also, standards to be exempt from fees? Or is this just variance?	Parking group	Delete this section at this time. Though a progressive idea it is not fully resolved	Text
16-13	Review §16-503 on right-of-way bonus, this may be hard to manage and not have intended benefit. But generally worth keeping as a possible tool	Parking group	Strike section 16-503b.	Text



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16-14	Low income housing §16-602 – b Currently is drafted as 1 space per two low income units for Housing authority	Parking group	No more than 1 parking space need be provided for every 2 dwelling units in dwellings erected or rehabilitated with a restriction that the units be leased to residents with incomes at or below 60 percent of the Area Median Income, with such a restriction being recorded for a term of not less than 15 years from the date of the issuance of a use and occupancy permit. The Commissioner of the Department of Housing and Community Development must verify the use and term of the restriction with a letter to the Department of Planning.	Text
16-15	There were a few TOD concerns, the main one was to reword the limit on parking so it gives a range and some wiggle room and possibly to give more overall flexibility in TOD. Initially we suggested spaces can go 25% below required up to required and not over. After further discussion group thought 50% would be fine. We may also need a cross reference between Titles 12 and 16.	Parking group	page `80, Amend §12-405.D: (D) Lots and Garages. (1) Parking lots and garages <del>are not subject</del> <i>must provide at least 50%, but not more than 100% of the parking spaces required by Table 16-406A for each land use to maximum parking limitations.</i> (2) Parking lots must be located to the rear of buildings and may not exceed 1 acre in size. Parking lots are prohibited in front of structures. (NOTE: The reference to Table 16-406A may change, since the parking requirement moved to §16-602.A.)	Text
16-16		Parking group	In TOD zones Exempt principal lot garages for transit parking.	Text
16-17	The purpose of this amendment is to allow for SPRC to approve modified sizes of parking spaces without requiring a variance. Otherwise, if a variance is deemed the better process, this authority should be added to the Minor Variances list under §5-302.B.	Parking group	Page 266, § 16-402. Minimum dimension of off-street parking spaces. (a) Off-street parking spaces must be designed in accordance with Table 16-402: Off Street Parking Dimensions, <i>unless otherwise approved as part of Site Plan Review.</i>	Text
16-18	Elderly §16-602.C – Recommended having 1 space per four units for all elderly in the higher density zones and 1 per two units in low density, outer city zones. This should be R-1 thru R-4 which does not permit multi-family other than residential care facilities. May need to add R-5 and R-6 to those requiring 1 space per two units.	Parking group	Page 272,16-602 Elderly housing may have 1 space for every four units in R-7 through 10 and 1 space for every two units in R-5 and 6	Text
16-19	Update table 16-501	Parking group	substitute new table	Table
16-20	Concern that property owner may attempt to move their needed loading onto the public street	Parking Authority	Page 263, 16-201 a add at the end by adding on street loading areas	text
16-21	Concern that in a master planned area a given lot may go over its parking maximum but it is used by adjacent block	Parking Authority	Page 264, 16-205 add at the end -exception for PUDs	text
16-22	Add table reference for shared parking in 16-207	Parking Authority	add reference to Table 16-501	text
16-23	Clarify in 16-301 the SPRC is not needed for on-street parking	Parking Authority	Page 265, 16-301, line 14, add off-street before parking	text
16-24	Concern about improving the process of keeping track of agreements for parking spaces	Parking Authority	Page 265, 16-401(C)(2) - delte ii and replace with , by private easement agreement to be recorded with the permit application or similar, so address gets tagged in property records	text
16-25	Correct inconsistency with Table in 16-403	Parking Authority	16-403 B change 10 feet to 8 feet and in C change 15 feet to ten feet	text
16-26	Concern about the setback for driveways in Side yard, this is difficult and somewhat arbitrary	Parking Authority	16-404 D- delete line 6 after the words corner side yards	Text
16-27	make the distance for shared parking arranged areas the same as the basic distance in 16-401C	Parking Authority	Page 269, In 16-501B-4 change 300 feet to 600 feet	Text
16-28	References to fees should always say subject to Board of Estimates	Law	This is in 16-706 but may be elsewhere DLR to search	Text
16-29	In Title 16 (Off-Street Parking & Loading), Subtitle 7 (Required Bicycle Parking) the proposed code sets forth clear requirements for bicycle parking based on the square feet of different uses (Table 16-705). But, in Title 12 (Special Purpose Districts), Subtitle 4 (TOD) it appears that there is a separate standard of providing one bike parking space for every 15 vehicle parking spaces.	Planning	page 273, Delete the reference in title 12-405 F for consistency	Text

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17-1	Limiting real estate signs to the first floor of a building; and Treating these real estate signs like temporary wall signs: they may be up at the start of a vacancy and for 30 days, and may only appear 4 times per year.	234	Page 292, Change 17-513 -Limiting real estate signs to the first floor of a building; and Treating these real estate signs like temporary wall signs: they may be up at the start of a vacancy and for 30 days, and may only appear 4 times per year.	Text
17-2	This provision prohibits projecting signs from being secured by “wire, chains, strips of wood, or nails”. It is unclear to DPOB what this provision is trying to prevent. There are many existing projecting signs that are secured by one or more of these items that are attractive and safe. We suggest removing this paragraph.	236	Page 307,Delete, 17-812 (E)(12) too stringent	Text
17-3	In Title 17, there are two sign types that require design review which are not enumerated in §4-402. Scrolling newscast signs in C-5 (per §17-604(b)(5)); and Wall signs installed above the ground floor (per §17-815(H)(2)).	238	Add cross reference, these two items to section 4-402.	P
17-4	Parking access signs should be allowed to be internally illuminated.	244	Page 307, OK in C-5 - In 17-811(B) write and exemption that in C-5 illuminated is ok	Text
17-5	The terms “digital billboard” and “electronic billboard” are used interchangeably in Transform Baltimore. To avoid confusion, only the term “digital billboard” should be used	273	Search and replace with Digital Billboard	Text
17-6	Section 17-603(b)(3)(1) should be revised to state that, subject to conditional use approval, a new digital billboard may be erected but “must be accompanied by documentation demonstrating that at least 3 existing billboard faces have been removed for each new billboard to be placed or erected.”	274	295, Revise to make clear that the Board may authorize removing of three or more billboards to replace with one digital board in the location of a removed board	Text
17-7	add back in language from existing code that has limited permissions for Alcohol on Billboards - 11-207 in existing code that gives exemptions to prohibitions.	Law and planning	Add language from existing code section 11-207 for alcohol advertising on billboards.	Text
17-8	Update for new bike sharing advertising signs	Planning	Add language in existing code for bike sharing signs 11-425 if needed for bike sharing on private property - defer to DLR	Text
17-9	Add language that the restrictions of billboards in 17-602, 603 and 605 cannot be waived by PUD or special signage districts. We want to be clear that signs advertising a product not sold on the premises are generally not allowed- we don’t want people to think that a projecting sign, or an a-frame sign, or a classic sign, for example, can advertise a product not sold at the location.	Law	One in Section 17-601 (page 294, line 7) to delete the period at end of sentence, and add after “prohibited” “, AND MAY NOT BE MODIFIED AS PART OF A PLANNED UNIT DEVELOPMENT.”  The other in Section 13-202 (page 200, line 29) to delete the second comma, and add after “regulations” “OTHER THAN THOSE IN TITLE 17, SUBTITLE 6”  Define “Billboard” as used in Section 17-603 of the Sign Article. It is not defined in Section 17-102, but I see it is in Section 1-303(G). Can we move or copy the definition in Section 1-303(G) into Title 17? It would just need to be an insert in Section 17-102 between (E) and (F).	Text
17-10	removal of obsolete signs 17-203	314	Deem a sign obsolete when the use related to the sign has been discontinued for 180 days and sign and structure must be removed when obsolete, extensions may be granted by the Board	Text

Final City Agency Recommendations

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18-1	maintain the Zoning Board's existing authority on changes of non-conforming uses including extending the time frame for conversion of vacant non-conforming buildings in all districts and to permit expansions, relocations and modifications of non-conforming uses.	250	Revise to give the zoning board the ability to expand non-conforming uses by 25% in commercial and industrial districts only. Keep the clear interpretation of non-conforming uses in residential districts. 18-303	Text
18-2	The code prohibits new incinerators. Please exempt medical waste incinerators or write in a provision that all existing medical waste incinerators are conforming upon the passage of the code. Otherwise, they will become non-conforming and unable to secure financing for improvements.	232	Yes change for consistency and investment policy decision. Incinerators: (A) Status. An incinerator lawfully existing as to the effective date of this Code is considered a lawful conditional use, subject to the conditions and restrictions previously imposed. (B) Modifications. (1) Structural alterations are permitted. (2) Any expansion and/or relocation shall be handled as an amendment under the conditional use provisions	Text
18-3	Existing residential care facilities in low density districts would become non-conforming and unable to expand. This would cause a conflict for an institution that has previous approval for additional beds.	planning	18.312 – Residential Care Facilities  A. Status A RESIDENTIAL-CARE FACILITY LAWFULLY IN EXISTENCE ON THE EFFECTIVE DATE OF THIS CODE SHALL BE DEEMED A PERMITTED USE WITHIN THE ZONING DISTRICT WITHIN WHICH THE FACILITY IS LOCATED; SUCH EXISTING FACILITY MAY BE EXPANDED ON ITS EXISTING PARCEL UP TO THE NUMBER OF UNITS PERMITTED UNDER A CERTIFICATE OF OCCUPANCY ISSUED PRIOR TO THE EFFECTIVE DATE OF THIS CODE.  B. Interpretation For the purpose of this subtitle lawfully existing residential care facilities are interpreted to include nursing homes, independent living, assisted living, and continuum of care facilities licensed by the State.  C. Modification a. Structural alterations, additions and new construction are permitted up to the Certificate of occupancy is section A above. b. These modifications or new buildings are subject to the yard, setback, and lot coverage of the underlying zoning but the height limit would be up to the height of the tallest existing building on the site, as defined in Title 15, 15-301	Text
18-4	Incentivize changing non-conforming liquor stores to residential by exempting one new du from parking.	Planning	Title 18-307 - Exempt one new dwelling unit from parking - cross reference to title 16	text
18-5	Buildings lawfully existing as of the effective date of this code, regardless of height, bulk regulations, parking, and design requirements, are deemed conforming. Requirements as to height, bulk regulations, parking, and design apply only to new construction".	248	Clarify Section 18-404 - B-4 that as long as the changes don't increase the degree of non-conformity they are ok.	text
18-6	Extend period of rebuilding for fire etc., one year too short with insurance etc.	272	Page 320, Yes, recommend change to two years in the event of hazard	text
18-7	18-311(A) Remove term "non-conforming"	301	make edit to remove "non-conforming" from this section	Text

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19-1	Page 331 - line 21 add note exempting City.	Law	Any person aggrieved by the decision, <b>except an officer or employee of a department, board or unit of the City aggrieved by the decision.</b>	Text
	Propose that the bill be amended to retain the Zoning Code's current designation as an unnumbered article of the Baltimore City Revised Code ("Article – Zoning").	280	Make necessary changes, defer to leg. Reference on wording	Text
	Correct typos on satellite dishes	311	need to search where - correct if needed	Text
	Adding alternative energy systems to the appropriate use tables and clean up permitted encroachment table to reflect new alternative energy definitions	300	Yes, add three types of alternative energy systems to uses table to make it clear where they are permitted - Check all use table	Table
	spell check compliment should be complement	252	Correct as noted - need to search	Text