

**CITY OF BALTIMORE  
COUNCIL BILL 16-0709  
(First Reader)**

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Introduced by: Councilmember Costello

At the request of: UA Port Covington Holdings, LLC

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Baltimore, Maryland 21202-3628

Telephone: 410-528-5506

Introduced and read first time: July 18, 2016

Assigned to: Land Use and Transportation Committee

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REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Board of Municipal and Zoning Appeals, Planning Commission, Department of Housing and Community Development, Department of Public Works, Fire Department, Baltimore Development Corporation, Baltimore City Parking Authority Board, Department of Transportation

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A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Planned Unit Development – Amendment – Port Covington**

3 FOR the purpose of approving certain amendments to the Development Plan of the Port  
4 Covington Planned Unit Development.

5 BY authority of

6 Article - Zoning  
7 Title 9, Subtitles 1 and 5  
8 Baltimore City Revised Code  
9 (Edition 2000)

10 **Recitals**

11 By Ordinance 90-425, as amended by Ordinances 00-57, 02-431, and 04-884, the Mayor and  
12 City Council (i) approved the application of the owners and subsequent owners to have certain  
13 property located in Baltimore City and bounded generally by Light Street on the west, the Middle  
14 Branch of the Patapsco River on the south, the Maryland Port Administration Long Line Facility  
15 Basin on the east and Cromwell Street on the north, consisting of 68 acres, more or less,  
16 designated as an Industrial Planned Unit Development and (ii) approved the Development Plan  
17 submitted by the applicant.

18 UA Port Covington Holdings, LLC, is the current owner of certain property within the  
19 Planned Unit Development and, on behalf of itself and the other property owners within the  
20 Planned Unit Development, wishes to amend the Development Plan, as previously approved by  
21 the Mayor and City Council, to allow for additional uses and to replace the existing Development  
22 Plan Exhibit Sheets with new ones.

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

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1 On June 14, 2016, representatives of the applicant met with the Department of Planning for a  
2 preliminary conference to explain the scope and nature of the proposed amendments to the  
3 Development Plan.

4 The representatives of the applicant have now applied to the Baltimore City Council for  
5 approval of these amendments, and they have submitted amendments to the Development Plan  
6 intended to satisfy the requirements of Title 9, Subtitles 1 and 5 of the Baltimore City Zoning  
7 Code.

8 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the  
9 Mayor and City Council approves the amendments to the Development Plan submitted by the  
10 applicant, as attached to and made part of this Ordinance, including Sheet 1, “Existing  
11 Conditions”, dated July 13, 2016; and Sheet 2, “Development and Area Plan”, dated July 13,  
12 2016.

13 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the revised Development Plan attached to  
14 this Ordinance is approved.

15 **SECTION 3. AND BE IT FURTHER ORDAINED,** That Section 3 of Ordinance 00-57, as amended  
16 by Ordinances 02-431 and 04-884, is amended to read as follows:

17 SECTION 3. AND BE IT FURTHER ORDAINED, That, notwithstanding the  
18 provisions of Section 3 of the Existing PUD:

- 19 a. In accordance with the provisions of Zoning Code § 9-502, all  
20 uses permitted in the underlying M-1 District are allowed  
21 within [Areas I, II, III, AND IV] THE PLANNED UNIT  
22 DEVELOPMENT.
- 23 b. In accordance with the provisions of Zoning Code § 9-503, all  
24 uses permitted in a B-2 District are allowed within [Area I] THE  
25 PLANNED UNIT DEVELOPMENT, except those uses specifically  
26 prohibited in subsection 3(e) of this Section.
- 27 c. In accordance with the provisions of Zoning Code §§ 9-502  
28 and 9-503, all uses conditional in the B-1, B-2, and M-1  
29 Districts are conditionally allowed in [Area I] THE PLANNED  
30 UNIT DEVELOPMENT, subject to the requirements and  
31 provisions of Zoning Code Title 14, except those uses  
32 specifically prohibited in subsection 3(e) of this Section.
- 33 d. In addition, the following uses are allowed in [Area I] THE  
34 PLANNED UNIT DEVELOPMENT:

35 ALCOHOL DISTILLATION;

36 Automobile accessory stores, including repair and  
37 installation services, if accessory;

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1 Building and lumber material sales establishments  
2 with shops and yards;

3 Computer centers, including retail sales and service;

4 Department stores;

5 DISTRIBUTION FACILITIES/WAREHOUSES;

6 Drug stores and pharmacies[, if accessory];

7 Dry cleaning and laundry establishments;

8 Gasoline or service station (one) as an accessory use  
9 to a principal permitted use or approved conditional  
10 use under the existing Planned Unit Development;

11 Greenhouses, if accessory;

12 Hardware stores;

13 HELISTOPS;

14 Lumber yards;

15 Machinery sales and rental – household, business,  
16 office;

17 MARINAS, IN AREA IV ONLY, NOT TO EXCEED 400  
18 SLIPS TOTAL;

19 Motor vehicle rental establishments;

20 Musical instrument sales and repair;

21 Office supply stores;

22 OFFICES: BUSINESS, GOVERNMENTAL, AND  
23 PROFESSIONAL;

24 Open off-street parking areas;

25 Outdoor table service when accessory to a restaurant  
26 use;

27 Parcel collection and delivery stores;

28 Photographic printing and developing establishments;

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- 1                   PHYSICAL CULTURE AND HEALTH SERVICES -
- 2                   GYMNASIUMS;
  
- 3                   Plumbing, heating, and electrical equipment
- 4                   showrooms and shops;
  
- 5                   Police substations;
  
- 6                   Recreational facilities, indoor and outdoor;
  
- 7                   Restaurants and carry out food shops, [without]
- 8                   WITH live music and dancing, EXCEPT IN AREA I;
  
- 9                   [Restaurants and carry out food shops, without live
- 10                  music and dancing, and including drive-in
- 11                  restaurants with pick-up windows, only within Sub-
- 12                  Area D on the Area I Revised Development Plan;]
  
- 13                  Sporting and athletic good stores;
  
- 14                  Telephone stores;
  
- 15                  THEATERS;
  
- 16                  Tire and battery retailers, if accessory; and
  
- 17                  Wholesale establishments.
  
- 18                  e. Notwithstanding subsection (a) through (d) of this Section, the
- 19                  following uses are prohibited in [Area I] THE PLANNED UNIT
- 20                  DEVELOPMENT:
  
- 21                         Adult entertainment businesses;
  
- 22                         Amusement arcades;
  
- 23                         Apartment hotels;
  
- 24                         Automobile service stations;
  
- 25                         Bed and breakfast establishments;
  
- 26                         Bingo halls;
  
- 27                         Blood donor centers;
  
- 28                         [Bowling establishments;]
  
- 29                         Check cashing agencies;

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- 1 [Community colleges, colleges, business colleges,  
2 and universities;]
- 3 [Day care facilities;]
- 4 [Distribution facilities/warehouses;]
- 5 [Drug stores, except as an accessory use;]
- 6 Dwellings, IN AREAS I AND III;
- 7 Fraternity and sorority houses;
- 8 Gambling activities related to any game not  
9 authorized by the Maryland State Lottery;
- 10 [Helistops;]
- 11 [Hotels and motels;]
- 12 Housing for the elderly;
- 13 Massage salons;
- 14 [Physical culture and health services - gymnasiums,  
15 reducing salons, and public baths;]
- 16 Pool halls and billiard parlors;
- 17 Poultry and rabbit killing establishments;
- 18 Private clubs and lodges; AND
- 19 Rooming and boarding houses[;].
- 20 [Schools, elementary and secondary;]
- 21 [Skating rinks;]
- 22 [Swimming pools;]
- 23 [Taverns;]
- 24 [Tennis and lacrosse clubs; and]
- 25 [Theaters.]

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1 f. In accordance with the provisions of Zoning Code § 9-502,  
2 residential uses based on density of 750 square feet of lot size  
3 per dwelling unit are specifically authorized in Areas II and IV,  
4 but not on Pier 6 of the Development Plan.

5 (1) Housing on piers must meet the design  
6 standards and other provisions of Ordinance 04-  
7 803.

8 (2) This housing must be buffered from industrial  
9 uses, and its layout and design must go before  
10 the Site Plan Review Committee and the Design  
11 Advisory Panel. Final Design Approval from  
12 the Planning Commission is required.

13 g. In accordance with the provisions of Zoning Code § 9-503, in  
14 Area III, the following uses are also allowed:

15 (1) boat repair is specifically authorized, along with  
16 all normal and customary activities associated  
17 with a full service 400-slip marina and boat  
18 repair business.

19 (2) Surface parking.

20 **SECTION 4. AND BE IT FURTHER ORDAINED,** That Sections 4, 5, 6, and 7 of Ordinance 00-57  
21 are repealed and that Sections 8, 9, 10, and 11, respectively, of Ordinance 00-57, are renumbered  
22 4, 5, 6, and 7, respectively.

23 **SECTION 5. AND BE IT FURTHER ORDAINED,** That all plans for the construction of permanent  
24 improvements on the property are subject to final design approval by the Planning Commission  
25 to insure that the plans are consistent with the Development Plan and this Ordinance.

26 **SECTION 6. AND BE IT FURTHER ORDAINED,** That as evidence of the authenticity of the  
27 accompanying amended Development Plan and in order to give notice to the agencies that  
28 administer the City Zoning Ordinance: (i) when the City Council passes this Ordinance, the  
29 President of the City Council shall sign the amended Development Plan; (ii) when the Mayor  
30 approves this Ordinance, the Mayor shall sign the amended Development Plan; and (iii) the  
31 Director of Finance then shall transmit a copy of this Ordinance and the amended Development  
32 Plan to the Board of Municipal and Zoning Appeals, the Planning Commission, the  
33 Commissioner of Housing and Community Development, the Supervisor of Assessments for  
34 Baltimore City, and the Zoning Administrator.

35 **SECTION 7. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30<sup>th</sup> day  
36 after the date it is enacted.