

CITY OF BALTIMORE
COUNCIL BILL 17-0031
(First Reader)

Introduced by: Councilmembers Reisinger, Middleton, Bullock, Dorsey, Henry, Cohen, Stokes,
Sneed, Clarke, Burnett, President Young

At the request of: Baltimore Scrap Corporation

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Introduced and read first time: March 6, 2017

Assigned to: Land Use and Transportation Committee

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

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Zoning – Nonconforming Junk ... Yards or Vehicle Dismantling Facilities;**
3 **Recyclable Materials Recovery Facilities**

4 FOR the purpose of amending City Code Article 32 {"Zoning"}, as enacted by Ordinance
5 16-581 {"TransForm Baltimore – Zoning"}, to amend the definition of "vehicle dismantling
6 facility", modify certain standards governing the use of lawful nonconforming vehicle
7 dismantling facilities and lawful nonconforming junk or scrap storage and yards, and to
8 prohibit recyclable materials recovery facilities from purchasing materials on-site from the
9 public; clarifying and conforming related language; providing for a special effective date; and
10 generally relating to the zoning regulations and standards governing vehicle dismantling
11 facilities, junk or scrap storage and yards, and recyclable materials recovery facilities.

12 BY repealing and reordaining, with amendments

13 Article 32 - Zoning
14 Sections 1-314(q), 14-316(a), and 18-311(b) and (c)
15 Baltimore City Code
16 (Edition 2000)

17 BY repealing and reordaining, without amendments

18 Article 32 - Zoning
19 Sections 14-324(c)
20 Baltimore City Code
21 (Edition 2000)

22 BY adding

23 Article 32 - Zoning
24 Sections 14-333(c)
25 Baltimore City Code
26 (Edition 2000)

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

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

Baltimore City Code

Article 32. Zoning

Title 1. General Provisions

Subtitle 3. Definitions

§ 1-314. “Tavern” to “Wholesale Goods”.

(q) *Vehicle dismantling facility.*

(1) *In general.*

“Vehicle dismantling facility” means an establishment for the buying, selling, trading, storing, or otherwise dealing in vehicles for the purpose of dismantling the vehicles and buying, selling, storing, or trading their integral parts or component materials.

(2) *Inclusions.*

“Vehicle dismantling facility” includes:

(i) pull-or-pick-apart facilities, salvage pools, salvage auctions, and businesses and individuals that handle salvage vehicles; AND

(ii) AS AN ACCESSORY USE ONLY, AUTOMOBILE FLATTENING AND CRUSHING.

(3) *EXCLUSIONS.*

“VEHICLE DISMANTLING FACILITY” DOES NOT INCLUDE ANY SCRAP-METAL SHREDDING OR ANY OTHER FORM OF SCRAP-METAL PROCESSING.

Title 14. Use Standards

Subtitle 3. Use Standards

§ 14-316. Junk or scrap storage and yards.

(a) [*Pollution*] *WATER-POLLUTION prevention.*

[(1) A junk or scrap storage and 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.]

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1 [(2)] A junk or scrap storage and yard must be located, conformed, drained, and managed
2 so that it will not constitute a source of water pollution.

3 [(3)] A pollution prevention plan approved by the City and the Maryland
4 Department of the Environment is required. The plan must comply with all
5 federal, state, and local environmental laws, rules, and regulations.]

6 § 14-324. Materials recovery facilities.

7 (c) *No on-site purchases.*

8 The operator of a materials recovery facility may not purchase materials on-site from the
9 public.

10 § 14-333. Recyclable materials recovery facilities.

11 (C) *NO ON-SITE PURCHASES.*

12 THE OPERATOR OF A RECYCLABLE MATERIALS RECOVERY FACILITY MAY NOT PURCHASE
13 MATERIALS ON-SITE FROM THE PUBLIC.

14 Title 18. Nonconformities

15 Subtitle 3. Nonconforming Uses

16 § 18-311. Junk or scrap storage and yards; Vehicle dismantling facilities; Landfills.

17 (b) *Modifications – Junk ... yards; Vehicle dismantling.*

18 For a lawful nonconforming junk or scrap storage and yard or a lawful nonconforming
19 vehicle dismantling facility:

20 (1) structural alterations are permitted; and

21 (2) an expansion of no more than 25% in land area is allowed if, in addition to any
22 conditions and restrictions previously imposed:

23 (i) the expansion is onto a property that is no more than 750 feet from the
24 property line of the EXISTING [junk or scrap storage and] yard or [the]
25 EXISTING [vehicle dismantling] facility; [and] OR

26 [(ii) the expansion is onto the portion of that property that is closest
27 to the existing use.]

28 (II) FOR AN EXISTING YARD OR FACILITY LOCATED WITHIN AN URBAN
29 RENEWAL AREA THAT CONSISTS SOLELY OF INDUSTRIAL ZONING
30 DISTRICTS, THE EXTENSION IS ONTO A PROPERTY THAT IS:

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(A) NO MORE THAN 3,000 FEET FROM THE PROPERTY LINE OF THE
EXISTING YARD OR FACILITY; AND

(B) LOCATED WITHIN THE SAME URBAN RENEWAL AREA.

(c) Modifications – Landfills.

For a lawful nonconforming landfill:

(1) structural alterations are permitted; and

(2) an expansion of no more than 35% in land area is allowed if, in addition to any
conditions and restrictions previously imposed:

(i) the expansion is onto a property that is no more than 750 feet from the
property line of the EXISTING landfill; and

(ii) the expansion is onto the portion of that property that is closest to the
existing [use] LANDFILL.

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

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on (i) the date
on which Ordinance 16-581 becomes effective or (ii) if later, the date on which this Ordinance is
enacted.