


F R O M	NAME & TITLE	Michelle Pourciau, Director	CITY of  BALTIMORE  M E M O	
	AGENCY NAME & ADDRESS	Department of Transportation (DOT) 417 E Fayette Street, Room 527		
	SUBJECT	City Council Bill 17-0031		

TO The Honorable President and  
Members of the City Council  
c/o Natawna Austin  
Room 400 City Hall

December 22, 2017

I am herein reporting on City Council Bill 17-0031- Zoning - Nonconforming Junk ... Yards or Vehicle Dismantling Facilities; Recyclable Materials Recovery Facilities.

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

DOT supports this bill and respectfully requests a favorable report.

Respectfully,



Michelle Pourciau  
Director

MP/lw

Cc: Kyron Banks, Mayor's Office

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

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

At the request of: Baltimore Scrap Corporation

Address: c/o Caroline L. Hecker, Esq., 25 S. Charles St., 21<sup>st</sup> Floor, Baltimore, Md. 21201

Telephone: 410-727-6600

Introduced and read first time: March 6, 2017

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

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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.

**Council Bill 17-0031**

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: