

<b>FROM</b>	NAME & TITLE	CHRIS RYER, DIRECTOR	CITY of <b>BALTIMORE</b>  <b>MEMO</b>	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 8 <sup>TH</sup> FLOOR, 417 EAST FAYETTE STREET		
	SUBJECT	CITY COUNCIL BILL #19-0425 / CIRRECTUVE BILL 2019-ZONING		

**TO**

DATE:

The Honorable President and  
 Members of the City Council  
 City Hall, Room 400  
 100 North Holliday Street

October 25, 2019

At its regular meeting of October 24, 2019, the Planning Commission considered City Council Bill #19-0425, for the purpose of correcting various errors and omissions in the Zoning Code Article; correcting, clarifying, and conforming certain inconsistent, superfluous, vague, and other unclear language; and providing for a special effective date.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report which recommended approval of City Council Bill #19-0425 and adopted the following resolution seven members being present (seven in favor):

RESOLVED, That the Planning Commission concurs with the recommendation of its departmental staff, and recommends that City Council Bill #19-0425 be passed by the City Council.

If you have any questions, please contact Mr. Eric Tiso, Division Chief, Land Use and Urban Design Division at 410-396-8358.

CR/ewt

attachment

- cc: Mr. Nicholas Blendy, Mayor's Office  
 Mr. Matthew Stegman, Mayor's Office  
 Ms. Nina Themelis, Mayor's Office  
 The Honorable Edward Reisinger, Council Rep. to Planning Commission  
 Mr. Colin Tarbert, BDC  
 Mr. Derek Baumgardner, BMZA  
 Mr. Geoffrey Veale, Zoning Administration  
 Ms. Stephanie Murdock, DHCD  
 Ms. Elena DiPietro, Law Dept.  
 Mr. Francis Burnszynski, PABC  
 Mr. Liam Davis, DOT  
 Ms. Natawna Austin, Council Services  
 Mr. Dominic McAlily, Council Services  
 Mr. Avery Aisenstark, Legislative Reference



Bernard C. "Jack" Young  
Mayor

## PLANNING COMMISSION

*Sean D. Davis, Chairman*

### STAFF REPORT



*Chris Ryer*  
Director

**October 24, 2019**

**REQUEST:** City Council Bill #19-0425/ Corrective Bill 2019 - Zoning:

For the purpose of correcting various errors and omissions in the Zoning Code Article; correcting, clarifying, and conforming certain inconsistent, superfluous, vague, and other unclear language; and providing for a special effective date.

**RECOMMENDATION:** Approval

**STAFF:** Tamara Woods

**INTRODUCED BY:** The Administration, on behalf of the Department of Legislative Reference

#### **HISTORY**

- On March 21, 2013, the Planning Commission reviewed and forwarded a comprehensive list of recommendations on CCB #12-0152 (later adopted as Ord. #16-581).
- On September 19, 2013, the Planning Commission reviewed additional amendments and forwarded its recommendation on CCB #12-0152.
- On December 5, 2016, CCB #12-0152 was signed by the Mayor as Ord. #16-581, to take effect on June 5, 2017 establishing a new zoning code for Baltimore City.
- On December 12, 2018, CCB #18-0272 was signed by the Mayor to repeal and replace the existing Title 17 (Signage) in the Zoning Code.

#### **ANALYSIS**

Background and Bill Effects: Annually, the Department of Legislative Reference introduces a corrective bill that's sole purpose is to make a number of corrections ranging from simple spelling and punctuation errors, to ensuring that the text is internally consistent, and that it correctly conveys the legislative intent as approved. These proposed amendments are not substantive in nature. After a number of years of effort to establish a comprehensive replacement of the Zoning Code, it was approved by the City Council and signed by the Mayor in December 2016.

The previous corrective bill addressed most technical non substantive changes to the article. A few months prior to passage in 2016, the Law Department advised the City when the new zoning code was going through that our proposed signage code should be reviewed. The timing was a challenge given the City was in the final stages of adopting a new code. The majority of City Council Bill #19-0425 focus is on making corrections to the rewrite of the signage regulations as it is the most recent overhaul of a component of Article 32 after the June 2017 enactment.

However, in addition to the changes related to signage there are just a few other proposed amendments to Title 1: Definitions. A summary of the proposed changes to Article 32 are as follows:

1. Changes in Title 1: Definitions to the exclusions in the definition of Crude Oil Terminal to give clarity and removes the words “but not limited to” because the immediately preceding word is “including”. Per 1-206 the definitions of “including” makes clear that there is no limitation.
2. Changes in Title 1: Definitions adds cross reference of “single family dwelling” to those that may not be familiar with the alphabetical listing of the various dwelling types.
3. Amendment to 5-301(b) which is the applications of variances. This amendment adds the words “the” and deletes “and” to add more clarity to which aspects of signage cannot be varied.
4. Adds more clarity to the definitions of two of the three types of freestanding signs: monument and pylon signs. Though both are supported by the ground the supports of the monument sign and base have to be an integral part of the design.
5. Amendments to 18-304 (restoration of damaged nonconforming structures) adds improved clarity and grammatical fixes that the structures can either be damaged or destroyed.
6. The last set of amendments are to the signage Table 17-201: Sign Regulations. In the bill they are shown with yellow highlighting. The extent of those amendments are to:
  - a. Insert clarifying language inadvertently omitted. For example, throughout the “Maximum Area Per Sign” column, the several entries of “2 sq.ft. per width of canopy or frame” is corrected to refer to “2 sq.ft. per linear foot of ... width”; or in the “Maximum Quantity” column, the entry “1 per lot; 2 per corner lot” is corrected to “1 per interior lot, 2 per corner lot”.
  - b. Some entries are simplified. For example, in the “Maximum Quantity” column for Wall Signs (Above Ground Floor) in the C-5-DC District, the entry of “2 per interior lot, 2 per corner” is simplified to refer to “2 per lot”.
  - c. Some entries have been corrected to conform to their counterparts elsewhere in the table. For example, in the TOD-1 District, the corrected entry for Billboard and the corrected entry for Provisional Fence Sign are made to match their counterparts throughout the rest of the Table.

**Notifications:** Notification of this item was only given through our standard Gov delivery of the entire agenda. This is not a substantive or site specific item. No additional notification was warranted.



**Chris Ryer**  
**Director**