



Legislation Details (With Text)

File #: 17-0031 **Version:** 0 **Name:** Zoning - Nonconforming Junk ... Yards or Vehicle Dismantling Facilities; Recyclable Materials Recovery Facilities

Type: Ordinance **Status:** Withdrawn

File created: 3/6/2017 **In control:** City Council

On agenda: **Final action:** 6/25/2018

Enactment date: **Enactment #:**

Title: 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.

Sponsors: Edward Reisinger, Sharon Green Middleton, John Bullock, Ryan Dorsey, Bill Henry, Zeke Cohen, Robert Stokes, Sr., Shannon Sneed, Mary Pat Clarke, Kristerfer Burnett, President Young

Indexes: Facilities, Junk, Recycle, Yard Waste, Zoning

Code sections:

Attachments: 1. 17-0031~1st Reader, 2. DOT 17-0031, 3. Completed File_17-0031

Date	Ver.	Action By	Action	Result
6/25/2018	0	City Council	Withdrawn	
3/9/2017	0	The City Council	Refer to Dept. of Transportation	
3/9/2017	0	The City Council	Refer to Dept. of Public Works	
3/9/2017	0	The City Council	Refer to Board of Municipal and Zoning Appeals	
3/9/2017	0	The City Council	Refer to Planning Commission	
3/9/2017	0	The City Council	Refer to Dept. of Housing and Community Development	
3/9/2017	0	The City Council	Refer to City Solicitor	
3/6/2017	0	City Council	Assigned	
3/6/2017	0	City Council	Introduced	

Explanation: Capitals indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

* **Warning:** This is an unofficial, introductory copy of the bill.
The official copy considered by the City Council is the first reader copy.

Introductory*

City of Baltimore Council Bill

Introduced by: Councilmember Reisinger
At the request of: Baltimore Scrap Corporation
Address: c/o Caroline L. Hecker, Esq., 25 S. Charles St., 21st Floor, Baltimore, Md. 21201
Telephone: 410-727-6600

A Bill Entitled

An Ordinance concerning
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.

By repealing and reordaining, with amendments

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

By repealing and reordaining, without amendments

Article 32 - Zoning
Sections 14-324(c)
Baltimore City Code
(Edition 2000)

By adding

Article 32 - Zoning
Sections 14-333(c)
Baltimore City Code
(Edition 2000)

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.]

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

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

§ 14-324. Materials recovery facilities .

(c) *No on-site purchases.*

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

§ 14-333. Recyclable materials recovery facilities.

(c) *No on-site purchases.*

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

Title 18. Nonconformities

Subtitle 3. Nonconforming Uses

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

(b) *Modifications - Junk ... yards; Vehicle dismantling.*

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

- (1) structural alterations are permitted; and
- (2) an expansion of no more than 25% 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 [junk or scrap storage and] yard or [the] existing [vehicle dismantling] facility; [and] or

[(ii) the expansion is onto the portion of that property that is closest to the existing use.]
 - (ii) for an existing yard or facility located within an Urban Renewal Area that consists solely of Industrial Zoning Districts, the extension is onto a property that is:
 - (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.