



Legislation Text

File #: 17-0021, Version: 0

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

City of Baltimore  
Council Bill 17-0021  
(First Reader)

Introduced by: The Council President  
At the request of: Department of Legislative Reference  
Introduced and read first time: February 27, 2017

Assigned to: Land Use and Transportation Committee

Referred to

the following agencies: Law Department, Planning Commission, Board of Municipal and Zoning Appeals,  
Department of Housing and Community Development, Department of Transportation

A Bill Entitled

An Ordinance concerning  
**Baltimore City Zoning Code - Legalization - Corrections**

For the purpose of legalizing new City Code Article 32 {"Zoning"}, as enacted by Ordinance 16-581 {"TransForm Baltimore - Zoning"} and edited, codified, and published by the Baltimore City Department of Legislative Reference; further amending new Article 32 to correct various technical errors, omissions, and inconsistencies and to correct, clarify, and conform various references and language; providing for a special effective date; and generally relating to the zoning and development laws of the City of Baltimore.

By repealing and reordaining, with amendments

Article 32 - Zoning

Sections 1-303(c)(1)(i), (f), and (t), 1-304(f) and (y), 1-305(p), (r) through (s), and (bb), 1-306(l), 1-307(a), (b), and (o)(2), 1-308(a)(3), (b)(3), (c)(2)(vi), and (q)(2), 1-310(c)(2), (m)(1), (n)(2), 1-312(q)(1) and (u), 1-311(c), (e), and (o)(4), 1-314(j), 2-201(a), 2-202(b), (h), (i), (j)(1), and (k)(1) and (2), 3-201(c)(intro), 3-202(a) and (l), 3-204(b)(intro) and (3)(iii), 3-205(intro), 4-203(3) through (8), 4-405(a)(13)(iii), 5-202(b)(1), 5-301(b), 5-302(b)(1)(v)(intro), 5-305(b)(3)(i), 5-308(b)(7), 5-406(a) and (b)(10), 5-409(d), 5-504(intro), 5-601(f), 5-602(e), 5-603(d), 5-604(e) and (f), 5-703, 5-705, 5-901, 7-204(c) and (e), 7-306(b), 8-603, 8-606, 9-703(c) and (d), 9-803, 9-806, 10-204(a), 10-207(c)(1), 10-502(b), 10-603, 10-606, 11-201(a), 11-202(a), 11-603, 11-606, 12-101(11), 12-201 through 12-211, Subtitle 3(caption), 12-301, 12-302(a), 12-303(a), (c), (f), and (i), 12-403(a), 12-405(a)(2) and (d), 12-406(c) and (f), Subtitle 5(caption), 12-502(a)(2), 12-503(b), 12-504(c) and (f), Subtitle 6(caption), 12-602(a)(2), 12-603(b)(1), 12-604(c) and (f), Subtitle 7(caption), 12-701(intro), Subtitle 9(caption), 12-901, 12-904(a)(1), 12-905(b)(4) and (c)(1), 12-906(a)(1), (3), and (6) and (b)(1), (3)(i) (intro), (5), and (12), Subtitle 10(caption), 12-1001(a), 12-1002(intro), 12-1003(a)(intro) and (7) and (b) (intro), 12-1004(a), 12-1005(a) and (b)(1), Subtitle 11(caption), 12-1101(a), 12-1102(intro), 12-1103(a)(intro) and (b)(intro), 12-1104, 12-1105(a), 12-1301, 12-1302, 12-1303(a), 12-1304(a), (c) and (e), 13-102(a), 13-201(a), 13-202(b), 13-501, 13-503(b), 14-307(b)(2), 14-309(a), 14-310(a), 14-311(g), 14-313(a)(2)(ii), 14-316(b), 14-318(e), 14-324(b)(1), 14-325(a), 13-326(a) and (d)(2), 14-327(c)(intro), 14-331(a)(2) and (b)(5), 14-333(b)(1), 14-334(a)(3) and (b)(2), 14-338(d)(2)(i) and (k)(3)(i), 14-339(b), 14-340, 14-401(a) through (d) and (e)(3), (4)(ii), and (5), 15-201(a), 15-301(b)(5), 15-401(a), 15-403(c), 15-502(c), 15-503, 15-504(intro), 15-506, 15-508(b), 15-509(f) and (g), 15-510(b)(4), 15-511(b)(3)(intro), (4) through (6), and (c)(3), 15-515(c)

through (e), 15-516(c)(2)(iii) and (3)(iii), 15-517(d), 15-518(c)(2), 15-701, 15-702(a)(intro), 16-201(b), 16-203(b), 16-401(e), 16-402(b), 16-404(a) and (c), 16-405(a) and (b)(1), 16-601(b)(2)(i)(intro) and (f), 16-602 (b) and (e), 16-701(h)(4) and (8), (i), (j)(3), and (k), 16-705(a) through (d), 16-901(b)(2) and (g), 16-902(a)(1) and (c), 18-201(b), (c), and (d), 18-202, 18-206(b)(1)(i), 18-311(a), 18-401(a), 18-406, 18-411(e)(2), 18-412 (a)(2)(i), 18-413, 18-601(b), 18-701(a), (b)(2) and (3)(i)(intro), and Title 19 in its entirety.

Baltimore City Code  
(Edition 2000)

By repealing

Article 32 - Zoning

Section(s) 1-302(p) and (s), 1-306(u), 1-309(j) and (u), 1-310(s), and (w), and (x), 1-311(w), 1-312(c) and (e), 1-314(e), 2-201(f), 3-202(b)(3), 12-601(a)(6), 15-514(1), 16-411, and 18-301.

Baltimore City Code  
(Edition 2000)

By adding

Article 32 - Zoning

Section 1-302(k), 1-305(q-1), 1-306(z), 1-310(i), 1-311(q-1), 1-312(s), 1-315(f) and (g), 4-203(9), 12-102, 12-505, and 12-605

Baltimore City Code  
(Edition 2000)

By repealing and reordaining, without amendments

Article 32 - Zoning

Section 1-305(o), (q), (t), and (u)

Baltimore City Code  
(Edition 2000)

By repealing

Article 32 - Zoning

In Title 6, the subtitle designation “Subtitle 4. Exempt Essential Services”

Baltimore City Code  
(Edition 2000)

By renumbering, with amendments

Article 32 - Zoning

Section 6-401

to be

Section 2-202

and

Section 2-202

to be

Section 2-203

Baltimore City Code  
(Edition 2000)

By repealing

Article 32 - Zoning

Tables 7-202 through 17-812

Baltimore City Code

(As enacted by Ordinance 16-581))

By adding

Article 32 - Zoning  
Tables 7-202 through 17-812  
Baltimore City Code  
(Edition 2000)

By repealing

Article 1 - Mayor, City Council, and Municipal Agencies  
Section 40-14(e)(8) and 41-14(7)  
Baltimore City Code  
(Edition 2000)

By renumbering

Article 1 - Mayor, City Council, and Municipal Agencies  
Section 40-14(e)(5) and (5a)  
to be  
Section 40-14(e)(5a) and 5(c), respectively  
Baltimore City Code  
(Edition 2000)

By adding

Article 1 - Mayor, City Council, and Municipal Agencies  
Section 40-14(e)(5b) and 41-14(4a)  
Baltimore City Code  
(Edition 2000)

By repealing

Article 19 - Police Ordinances  
Section 71-2(i)(3)  
Baltimore City Code  
(Edition 2000)

By renumbering

Article 19 - Police Ordinances  
Section 71-2(i)(3a)  
to be  
Section 71-2(i)(3)  
Baltimore City Code  
(Edition 2000)

By adding

Article 19 - Police Ordinances  
Section 71-2(i)(5)  
Baltimore City Code  
(Edition 2000)

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**Section 1. Be it ordained by the Mayor and City Council of Baltimore, That City Code Article 32**

{“Zoning”}, as enacted by Ordinance 16-581 and as edited, codified, and, on March 15, 2017, published by the Baltimore City Department of Legislative Reference, is legalized. That Article, as further amended by this Ordinance, is and may be taken by all public officials and others as evidence of all general zoning ordinances of the Mayor and City Council in effect as of the effective date of this Ordinance.

**Section 2. And be it further ordained,** That the Laws of Baltimore City read as follows:  
**Baltimore City Code**

**Article 32. Zoning**

**Title 1. General Provisions**

***Subtitle 3. Definitions***

**§ 1-302. “Abut” to “Awning”.**

(k) *Age-restricted residential-care facility.*

“Age-restricted residential-care facility” means a residential-care facility that restricts residents to individuals 62 years old or older.

[(p) *Alternative energy system: Private.*

“Alternative energy system: Private” means an alternative energy system that:

- (1) primarily produces energy for consumption on site by a property owner; and
- (2) secondarily might supply excess energy to an electric grid.]

[(s) *Arbor.*]

[“Arbor” means a freestanding structure used in a garden to support vines or climbing plants.]

**§ 1-303. “Bail bond establishment ” to “Child day-care home ”.**

(c) *Banquet hall.*

(1) *In general.*

“Banquet hall” means an establishment:

- (i) for which all events are directly managed by the owner of the facility or by a person [or persons] regularly employed by the owner and responsible to the owner for the [onsite] on-site management of all events held in that facility and for event arrangements;
- ....

(f) *Bed and breakfast.*

“Bed and breakfast” means an owner-occupied, single-family dwelling that:

- (1) is used primarily as a the owner’s personal home; but

(2) also, while the owner is in residence, [offers] provides lodging in 3 or fewer guest rooms to members of the general public who have primary residences elsewhere.

(t) *Carry-out food shop.*

“Carry-out food shop” means [a restaurant or other] an establishment where prepared food is served in disposable containers or wrappers from a serving counter, primarily for off-premises consumption.

§ 1-304. “Chimney” to “Day-care center: Child ”.

(f) *Commercial vehicle.*

“Commercial vehicle” [means:] has the meaning stated in City Code Article 31 {“Transit and Traffic”}, § 1-1 (f) {“Definitions - A to L: Commercial vehicle”}.

(1) every vehicle designed, maintained, and used primarily for the transportation or hauling of property, including equipment, merchandise, parcels, earth, trash, refuse, scrap, or motor vehicles;

(2) every vehicle, except a passenger car (as defined in Maryland Vehicle Law § 11-144.1), that has commercial advertising on the exterior of the vehicle or on equipment attached to the vehicle;

(3) every vehicle that has a maximum gross vehicle weight of 7,000 pounds or more or a manufacturer’s rated capacity of ¾-ton or more; and

(4) every vehicle that is designed to carry more than 15 passengers and is used to carry people.]

(y) *Day-care center: Child.*

(1) *In general.*

“Day-care center: Child” means an establishment that provides care for 3 or more children on less than a 24-hour basis.

[(2) *Inclusions.*]

[“Day-care center: Child” includes nursery schools and Montessori schools.]

(2) [(3)] *Exclusions.*

“Day-care center: Child” does not include:

(i) a program that, as an accessory use to an educational facility or a place of worship, provides care for children; or

(ii) a child day-care home.

§ 1-305. “Day-care home: Adult ” to “Electric substation: Outdoor ”.

(o) *Dwelling: Detached.*

“Dwelling: Detached” means a dwelling that contains a single dwelling unit and is not attached to any other dwelling.

(p) *Dwelling: Live-Work.*

“Dwelling: Live-Work” means a structure that combines a single dwelling unit with a non-residential use that:

- (1) is permitted in the zoning district in which the structure is located and used predominantly by 1 or more of the unit’s residents; or
- (2) is an arts-related activity, such as painting, photography, sculpture, music, and film, and conducted predominantly by 1 or more of the unit’s residents.

(q) *Dwelling: Multi-family.*

(1) *In general.*

“Dwelling: Multi-family” means a dwelling that contains 2 or more dwelling units.

(2) *Inclusions.*

“Dwelling: Multi-family” includes common facilities for residents, such as laundry rooms.

(q-1) *Dwelling: Multi-family (Age-restricted).*

See “Age-restricted multi-family dwelling”.

(r) *Dwelling: Rowhouse.*

“Dwelling: Rowhouse” means 1 of 3 or more buildings [that are], each of which contains a single dwelling unit used for residential occupancy, with each building having its own private entrance and being joined to the others by a party or shared wall.

(s) *Dwelling: Semi-detached.*

“Dwelling: Semi-detached” means 1 of 2 buildings [that are], each of which contains a single dwelling unit used for residential occupancy, with each building having its own private entrance and being joined to the other by a party or shared wall[,] and not otherwise attached to any other dwelling.

(t) *Dwelling: Single-family.*

“Dwelling: Single-family” means a dwelling that contains only 1 dwelling unit.

(u) *Dwelling unit.*

“Dwelling unit” means 1 or more rooms in a dwelling that:

- (1) are used as living facilities for no more than 1 family; and
- (2) contain permanently installed bathroom and kitchen facilities reserved for the occupants of those rooms.

(bb) *Electric substation: Enclosed.*

“Electric substation: Enclosed” means an electric substation that is within an enclosed structure or otherwise screened from [any] public [right-of-way by an architectural perimeter wall with a minimum height of 10 feet and a maximum height of 20 feet] view in accordance with the requirements of the Baltimore City Landscape Manual.

§ 1-306. “Encroachment ” to “Golf course ”.

(l) *Food processing: Light.*

“Food processing: Light” means an establishment for preparing, processing, canning, or packaging food and beverage products, where all these activities are within an enclosed structure and create no outside impacts.

[(u) *Gas and electric distribution equipment.*]

[(1) *General.*]

[“Gas and electric distribution equipment” means aboveground and underground equipment used for electric, gas, communications, or telecommunications systems.]

[(2) *Illustrations.*]

[“Gas and electric distribution equipment” includes poles, crossarms, anchors, guys, wires, lines, cables, mains, pipes, valves, conduits, manholes, vaults, aboveground and underground transformers, switchgear, regulators, meters, capacitors, pads, street lights, other equipment, and enclosures.]

(z) *Housing Commissioner; Commissioner of Housing.*

“Housing Commissioner” or “Commissioner of Housing” means the Commissioner of Housing and Community Development or the Commissioner’s designee.

§ 1-307. “Government facility ” to “Industrial boat repair ”.

(a) *Government facility[: Public works].*

(1) *In general.*

“Government facility[: Public works]” means a structure or land that is operated by a government agency.

(2) *Inclusions.*

“Government facility[: Public works]” includes [public works facilities,] agency offices, storage yards, public works facilities, and utility facilities.

(b) *Greenhouse.*

(1) *In general.*

“Greenhouse” means a structure that is:

- (i) [(1)] devoted to the protection or cultivation of flowers or other tender plants; and
- (ii) [(2)] constructed chiefly of glass, glass-like or translucent material, cloth, or lath.

(2) *By any other name.*

“Greenhouse” includes a “high tunnel”, “hoop-house”, “cold-frame”, or similar structure.

(c) *Hospital.*

(2) *Inclusions.*

“Hospital” includes related facilities integral to the hospital, such as laboratories, outpatient centers, health-care clinics, helistops, training facilities, classrooms, staff offices, on-site medical waste and storage facilities, and central service facilities.

§ 1-308. “Industrial: General ” to “Lot: Interior ”.

(a) *Industrial: General.*

(3) *Exclusions.*

“Industrial: General” does not include or authorize any[: (i) incinerator; (ii) junk or scrap storage and yards; (iii) solid waste sanitary landfill; or (iv) vehicle dismantling facility] use prohibited by § 1-218 { “Uses prohibited Citywide”} of this title.

(b) *Industrial: Light.*

(3) *Exclusions.*

“Industrial: Light” does not include or authorize any[: (i) incinerator; (ii) junk or scrap storage and yards; (iii) solid waste sanitary landfill; or (iv) vehicle dismantling facility] use prohibited by § 1-218 { “Uses prohibited Citywide”} of this title.

(c) *Industrial: Maritime-dependent.*

(2) *Inclusions.*

“Industrial: Maritime-dependent” includes:

...



(vi) facilities that:

- (A) are educational in nature, including visitors centers, museums, and interpretive areas, indoor or outdoor[,]; and
- (B) [provided those facilities have a connection] are substantially related to an existing industrial maritime-dependent use, whether on the same parcel or an adjacent parcel to that use.

(q) *Lodge or social club.*

(2) *Inclusions.*

“Lodge or social club” includes:

- (i) a union hall; and
- (ii) a non-residential [post-graduate] post-baccalaureate fraternity and sorority center.

§ 1-309. “Lot line” to “Motel”.

[(j) *Main Street.*]

[“Main Street” means a traditional and historic commercial district that adopts the trademarked designation “Main Street” in accordance with criteria set by The National Trust for Historic Preservation.]

[(u) *Medical support facility.*]

[(1) *In general.*]

[“Medical support facility” means a facility commonly associated with the operation of hospitals.]

[(2) *Inclusions.*]

[“Medical support facility” includes:

- (i) onsite medical waste storage and disposal; and
- (ii) warehousing and storage of medical related equipment and supplies.]

§ 1-310. “Motor vehicle ” to “Owner”.

(c) *Motor vehicle operations facility.*

(2) *Exclusions.*

“Motor vehicle [dealership] operations facility” does not include a [public works or public safety] facility [ , where] in which vehicles for fire, police, or other municipal [departments] agencies are [dispatched,]

stored[,] or maintained or from which these vehicles are dispatched.

(i) *Multi-family dwelling (Age-restricted)*.

See “Age-restricted multi-family dwelling”.

(m) *Nursery*.

(1) *In general*.

“Nursery” means a business whose principal activity is the [retail] sale of plants grown on site.

(n) *Office*.

(2) *Exclusions*.

“Office” does not include[: (i)] fabricating, assembling, repairing, or warehousing physical products for the retail or wholesale market[; or (ii) a government office].

[(s) *Outdoor fireplace*.]

[“Outdoor fireplace” means a self-contained, manufactured, noncombustible cooking unit that is provided with a tight-fitting screen or lid and supported off the ground by noncombustible legs.]

[(w) *Outdoor theater*.]

[(1) *In general*.]

[“Outdoor theater” means an outdoor venue that is open to the general public, with or without an admission charge, for public speaking, concerts, or other live entertainment.]

[(2) *Illustration*.]

[“Outdoor theater” includes a band shell structure.]

[(x) *Overlay District*.]

[“Overlay District” means a district established by ordinance that prescribes special regulations to be applied to a site in combination with the underlying zoning district. The overlay district modifies or supplements the regulations of the underlying zoning districts, in recognition of unique circumstances in the area while maintaining the general character and purpose of the underlying zoning districts over which it is located.]

§ 1-311. “Parapet” to “Processed metal”.

(c) *Parking garage (principal use)*.

“Parking garage (principal use)” means a structure the principal use of which is to provide [the public with] off-street parking for motor vehicles, whether for compensation or not.

(e) *Parking lot.*

“Parking lot” means an open area the principal use of which is to provide [the public with] off-street parking for operable motor vehicles, whether for compensation or not.

(o) *Person.*

“Person” means:

...

(4) except as used in Title 19, [Subtitle 1] Subtitle 2 {“Enforcement”} of this Code for the imposition of civil or criminal penalties, a governmental entity or an instrumentality or unit of a governmental entity.

(q-1) *Planning Director; Director of Planning.*

“Planning Director” or “Director of Planning” means the Director of the Department of Planning, as *appointed under City Charter Article VII, § 73, or the Director’s designee.*

[(w) *Private alternative energy system.*]

[See “Alternative energy system: Private.”]

§ 1-312. “Property line ” to “Roof deck ”.

[(c) *Public works.*]

[See “Government facility: Public works”]

[(e) *Rain barrel.*]

[“Rain barrel” means a receptacle, reservoir, or tank for storing rainwater.]

(q) *Research and development facility.*

(1) *In general.*

“Research and development facility” means an establishment where research and development activities are conducted in various [fields] disciplines, including biotechnology, pharmaceuticals, medical instrumentation or supplies, communication and information technology, electronics and instrumentation, and computer hardware and software.

(s) *Residential-care facility (Age-restricted).*

*See “Age-restricted residential-care facility”.*

(u) *Retail: Big Box Establishment.*

“Retail: Big Box Establishment” means any single-use commercial building, whether stand-alone or within a multi-building development, which single-use [establishment] building occupies at least 75,000 square feet of gross [leasable] floor area.

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

(e) *Trellis.*

[“Trellis” means a frame that is:

- (1) made of wood or metal bars crossed over each other;
- (2) affixed to a wall; and
- (3) used to support vines or other climbing plants.]

(j) *Urban agriculture.*

(1) *In general.*

“Urban agriculture” means the cultivation, processing, and marketing of food, with a primary emphasis on operating as a business enterprise [for income-generation].

§ 1-315. “Yard” to “Zoo”.

(f) *Zoning Administrator; Administrator.*

“Zoning Administrator” or “Administrator” means the executive head of the Office of Zoning Administrator, as established under § 3-201 {“Zoning Administrator”} of this Code, or the Administrator’s designee.

(g) *Zoning Board; BMZA.*

“Zoning Board” or “BMZA” means the Board of Municipal and Zoning Appeals, as established in City Charter Article VII, § 82.

## Title 2. Purpose, Applicability, Short Title

### *Subtitle 2. Applicability*

§ 2-201. Application of Code.

(a) [*Territorial application*] *In general.*

Except as provided in [§ 6-401] § 2-202 {“Exempt utility and governmental uses”} of this [Code] subtitle, this Code applies to all land, uses, and structures within the corporate limits of Baltimore City.

(f) *Conflicts.*

[If any condition or requirement imposed by this Code contains an actual, implied, or apparent

conflict, the more restrictive condition or requirement governs.]

**§ 2-202. [§ 6-401.] Exempt utility and governmental uses.**

*[(a) Uses allowed.]*

Notwithstanding § 2-201 {“Application of Code”} of this subtitle, this Code does not apply to the following uses and structures, unless otherwise specifically provided in this Code:

- (1) overhead electric distribution [cable and] cables [equipment,] and telephone lines;
- (2) underground utility [distribution] lines and equipment;
- (3) conduits, vaults, pipeline laterals, and mains;
- (4) traffic signals and government-owned signs;
- (5) similar installations and equipment or accessories of a public utility or governmental service;
- (6) public transit shelters;
- (7) car- and bike-sharing facilities;
- (8) automobile charging stations, whether electric or solar;
- (9) any installation, structure, equipment, or accessory that is owned by a government entity and located in a public right-of-way; and
- (10) any installation, structure, equipment, or accessory that is located in a public right-of-way and granted a franchise by Ordinance of the Mayor and City Council.

*[(b) Gas, electric equipment exempt from setback, screening requirements.]*

[The following gas and electric distribution equipment are exempt from the setback and screening requirements of § 14-340(b) {“Aboveground utility structures and electric substations”} of this Code:

- (1) gas and electric distribution equipment that is located in a commercial or industrial zone;  
and
- (2) gas and electric distribution equipment that is:
  - (i) located in an open-space, residential, office-residential or TOD zoning district;  
and
  - (ii) is no more than 10 feet wide, 10 feet long, or 8 feet high.]

**§ 2-203. [§ 2-202.] Transition rules.**

*(b) Preexisting unlawful structures and uses.*

A structure or use that was unlawful at the time [of the adoption of] this Code became effective (June 5, 2017):

- (1) does not become lawful solely by the adoption of this Code or any amendment to it; and
- (2) even if made lawful by this Code or an amendment to it, remains unlawful to the extent that the structure or use conflicts with any of the requirements of this Code or of the Baltimore City [Building Code] Building, Fire, and Related Codes Article, including any failure to obtain the necessary use permit and occupancy permit.

(h) *Previously established planned unit development.*

For planned unit developments established before [the effective date of this Code] June 5, 2017, transition rules are set forth in § 13-102 {"Transition rules"} of this Code.

(i) *Previously issued building permits.*

If a building permit for a structure was [lawfully] issued before June 5, 2017, or before the effective date of [this Code or of] any relevant amendment to [it] this Code and if substantial construction has occurred within 180 days of the issuance of that permit, the structure may be completed in accordance with the plans on the basis of which the building permit was issued.

(j) *Previously granted variances and conditional uses.*

- (1) All variances and conditional uses granted before June 5, 2017, or before the effective date of [this Code or] any relevant amendment to [it] this Code remain effective, and the recipient of the variance and conditional use may proceed to develop the property in accordance with the approved plans.

(k) *Pending applications.*

- (1) An application that has been submitted and considered complete before June 5, 2017, or before the effective date of [this Code or of] any relevant amendment to this Code is governed by the Code provisions in effect when the application was submitted.
- (2) A new application submitted after June 5, 2017, or after the effective date of [this Code or of] any relevant amendment to this Code is governed by the Code provisions in effect when the application was submitted.

### Title 3. Outline of Code Administration

#### *Subtitle 2. Administrative Agencies and Officials*

#### **§ 3-201. Zoning Administrator.**

(c) *Powers and duties – Specific.*

*The Zoning Administrator[, or his or her designee,] has the following powers and*

*duties under this Code:*

....

**§ 3-202. Board of Municipal and Zoning Appeals.**

(a) *Board established.*

There is a Board of Municipal and Zoning Appeals, as established in City Charter Article VII, [ §§ 81 and] § 82.

(b) *Powers and duties.*

In addition to the powers and duties specified in City Charter Article VII, §§ 83 through 89 and in State law, the Board of Municipal and Zoning Appeals has the following powers and duties under this Code:

...

[ (3) to edit and certify zoning map amendments (Title 5, Subtitle 5);

....

(l) *Voting - Number of votes.*

The number of votes specified in the State Land Use Article is required for the Board to:

(1) reverse any order, requirement, decision, or determination made or imposed under this Code [of] by the Zoning Administrator or by some other authorized administrative officer or administrative unit; or

(2) decide in favor of the applicant on any matter on which it is required to pass under this Code.

**§ 3-204. Director of Planning.**

(b) *Powers and duties.*

In addition to the powers and duties specified in City Charter Article VII, §§ 74 through 80, the Director of Planning], or his or her designee,] has the following powers and duties under this Code:

...

(3) *from time to time, to initiate a study of this Code, the Design Manual, and the Landscape Manual and report his or her recommendations to:*

...

(iii) the Housing Commissioner [of Housing and Community Development];

...

....

**§ 3-205. Commissioner of Housing and Community Development.**

In addition to the powers and duties specified elsewhere in the City Code, the Commissioner of Housing and Community Development (who also serves as the Building Official)[, or his or her designee,] has the power and duty under this Code:

....

## Title 4. Development Reviews

### *Subtitle 2. Site Plan Review*

#### § 4-203. Applicability.

Site plan review is required for the following types of development applications:

...

- (3) additions or [major] structural alterations to an existing structure, other than a single-family detached or semi-detached dwelling, that results in a 50% increase in gross floor area over the gross floor area of the existing structure prior to the addition or alteration;
- (4) planned unit development;
- (5) conditional use, unless the conditional use can and will be fully [accommodated by] contained within an existing structure;
- (6) parking lot or structures containing 5 or more motor vehicle parking spaces;
- (7) any development within an environmentally sensitive area, including projects in a 100-Year Flood Plain and projects within the Buffer of the Critical Area (*see* Subtitle 3 {“Environmentally Sensitive Areas Review”} of this title); [and]
- (8) urban agriculture or community-managed open-space farm; and
- (9) any development within the C-5-IH Subdistrict.

### *Subtitle 4. Design Review*

#### § 4-405. Applicability.

(a) *In general.*

Except as provided in subsection (b) of this section, design review is required for the following types of development:

...

- (13) any new construction that involves:

...

- (iii) construction [on a] in an area designated a “Main Street” in accordance with criteria set by The National Trust for Historic Preservation; or

....

## Title 5. Applications and Authorizations



*Subtitle 2. Applications*

§ 5-202. Completeness review.

(b) *Subsequent changes.*

- (1) After an application is determined to be complete, any change made by the applicant to the application must be submitted to the Zoning Administrator and the Board of Municipal and Zoning Appeals no later than 15 days before the date scheduled for the hearing to be held under this [subtitle] title.

*Subtitle 3. Variances*

§ 5-301. Purpose.

(b) *Application.*

The variance procedure applies only to changes in bulk and yard [requirements] regulations. It does not apply to changes in the uses allowed within a zoning district.

§ 5-302. Minor and major variances.

(b) *Minor variances.*

- (1) Minor variances comprise the following specified variances:

...

- (v) a variance to bulk or yard [requirements] regulations if:

...

....

§ 5-305. Major variances.

(b) *Procedures before the BMZA.*

(3) *Decision by Board.*

- (i) The Board of Municipal and Zoning Appeals must render its written decision, approving, approving with [qualifications] conditions, or denying the application, within 30 days of the close of the public hearing.

...

....

§ 5-308. Approval standards.

(b) *Other required findings.*

The Zoning Administrator, the Board of Municipal and Zoning Appeals, or the City Council, as the case may be, must also find that:

...

(7) the variance will not otherwise:

- (i) be detrimental to or endanger the public health, safety, or welfare; or
- (ii) be in any way [be] contrary to the public interest.

*Subtitle 4. Conditional Uses*

**§ 5-406. Approval standards.**

(a) *Limited criteria for denying.*

Neither the Board of Municipal and Zoning Appeals nor the City Council, as the case may be, may approve a conditional use unless, after public notice and hearing and on consideration of the standards required by this subtitle, it finds that:

- (1) the establishment, location, construction, maintenance, or operation of the conditional use would not be detrimental to or endanger the public health, safety, or welfare;
- (2) the use would not be precluded by any other law, including an applicable Urban Renewal Plan;
- (3) the authorization would not be contrary to the public interest; [or] and
- (4) the authorization would [not] be in harmony with the purpose and intent of this Code.

(b) *Required considerations.*

As a further guide to its decision on the facts of each case, the Board of Municipal and Zoning Appeals must consider the following, where appropriate:

...

- (10) the provisions of the [City] City's Comprehensive Master Plan;

....

**§ 5-409. Revocations, etc., of conditional use.**

(d) *How notice served.*

All notices must be served by 1 of the [following] methods[: (1) first class mail; (2) personal service by an authorized representative of the City, which service must be certified on the records of the Zoning Administrator; or (3) if service by either of those methods fails, posting of the property] specified in § 9-207 {"Violation notice: Service"} of this Code.

*Subtitle 5. Legislative Authorizations*

**§ 5-504. Referrals.**

Once a bill proposing a [legislation] legislative authorization has been introduced, the City Council must refer the bill to the following for their written reports and recommendations:

....

*Subtitle 6. Notices*

**§ 5-601. Map or text amendments; PUDs.**

(f) *Timing of notices - Posting for map amendment or PUDs.*

For a zoning map amendment or the creation or modification of a planned unit development, the posted notice must be:

- (1) [must be] posted [at least] at least 30 days before the public hearing; and
- (2) removed within 48 hours after conclusion of the public hearing.

**§ 5-602. Major variances; Conditional uses.**

(e) *Timing of notice.*

The posted notice must be:

- (1) [must be] posted [at least] at least [30] 21 days before the public hearing; and
- (2) removed within 48 hours after conclusion of the public hearing.

**§ 5-603. Minor variances.**

(d) *Timing of notice.*

The posted notice must be:

- (1) [must be] posted [at least] at least 10 days before the Zoning Administrator makes a decision on the application; and
- (2) removed within 48 hours after a written decision is issued.

**§ 5-604. Planning Commission consideration of site-specific projects.**

(e) *Timing of notice.*

The posted notice must be:

- (1) [must be] posted [for] at least [the] 10 days before the public hearing; and
- (2) removed within 48 hours after conclusion of the hearing.

(f) *Copy of agenda to Councilmembers.*

[On or before the] At least 4 calendar days [preceding] before any meeting of the Planning Commission, the Commission must deliver to each member of the City Council, by email or in person, an agenda of all matters that the Planning Commission proposes to consider at that meeting.

*Subtitle 7. Use Permits*

§ 5-703. *Authorization and issuance.*

A use permit for a structure or land is:

(1) *authorized by the Zoning Administrator; and*

(2) *issued by the Housing Commissioner [of Housing and Community Development].*

§ 5-705. *Procedure.*

*The procedure for authorizing and obtaining a use permit is as determined by the Housing Commissioner [of Housing and Community Development].*

*Subtitle 9. Zoning Verifications*

§ 5-901. *Purpose.*

A zoning verification is a document issued by the Zoning Administrator, at an applicant's request and for the applicant's own use, that states whether a property complies with the use regulations [and] or bulk and yard regulations of the district in which it is located. It is not required by this Code.

Title 6. Zoning Districts; Maps and Profiles

[*Subtitle 4. Exempt Essential Services* ]

Title 7. Open-Space and Environmental Districts

*Subtitle 2. Open-Space Zoning District*

§ 7-204. *Other applicable standards.*

(c) *Site development standards.*

On-site development standards[, such as permitted encroachments and exterior lighting regulations,] are [as] set forth in Title 15 {"Site Development Standards"} of this Code.

(e) *Landscaping and screening.*

All landscaping and screening must comply with the [regulations] requirements of the Baltimore City

Landscape Manual.

*Subtitle 3. Floodplain Overlay Zoning District*

§ 7-306. Variances and conditional uses.

(b) *Warning letters.*

If the Board of Municipal and Zoning Appeals grants a variance or conditional use under this section, the Board must attach to its decision a warning that:

- (1) construction [located] below the base flood level [will] may result in increased premium rates for flood insurance; and
- (2) construction below the base flood level increases risks to life and property.

**Title 8. Detached and Semi-Detached Residential Districts**

§ 8-603. Site development.

On-site development standards[, such as permitted encroachments and exterior lighting regulations,] are set forth in Title 15 {"Site Development Standards"} of this Code.

§ 8-606. Landscaping and screening.

All landscaping and screening must comply with the [regulations] requirements of the Baltimore City Landscape Manual.

**Title 9. Rowhouse and Multi-Family Residential Districts**

*Subtitle 7. Residential Conversions*

§ 9-703. Conversion standards.

(c) *GFA per dwelling unit.*

The converted dwelling must meet the following gross floor area per unit type:

- |                                    |                    |                    |
|------------------------------------|--------------------|--------------------|
| [ (1) efficiency unit:             | feet.]             | 500 square         |
| (1) [(2)] 1-bedroom unit:          |                    | 750 square feet.   |
| (2) [(3)] 2-bedroom unit:          |                    | 1,000 square feet. |
| (3) [(4)] 3- or more bedroom unit: | 1,250 square feet. |                    |

(d) *Bulk and yard regulations.*

The dwelling must continue to conform to the applicable bulk and yard regulations, including lot area per dwelling unit, for the district in which the building is located.

*Subtitle 8. Other Applicable Standards*

§ 9-803. Site development.

On-site development standards[, such as permitted encroachments and exterior lighting regulations,] are set forth in Title 15 {"Site Development Standards"} of this Code.

§ 9-806. Landscaping and screening.

All landscaping and screening must comply with the [regulations] requirements of the Baltimore City Landscape Manual.

Title 10. Commercial Districts

*Subtitle 2. District Descriptions*

§ 10-204. C-2 Community Commercial District.

(a) *Areas for which intended.*

The C-2 Community Commercial Zoning District is intended for areas of small to medium-scale commercial use, typically located along urban corridors, that are designed to accommodate pedestrians and, in some instances, [the automobile] automobiles.

§ 10-207. C-5 Downtown District.

(c) *Subdistricts.*

(1) *In general.*

In order to address the different character areas that make up Downtown, the C-5 District is divided into the following subdistricts, for which varied [height and] bulk and yard [standards] regulations are provided to recognize the different physical characteristics of Downtown.

*Subtitle 5. Design Standards for C-5 District*

§ 10-502. Open-space plazas .

(b) *Design requirements.*

[(1)] Open-space plazas must comply with the following design requirements[.]:

(1) [(2) Plazas] a plaza must be designed to be accessible from adjoining buildings and for generally unobstructed pedestrian circulation throughout the plaza[.]; and

(2) [(3) Visibility] visibility into the plaza may not be entirely blocked by structures.

*Subtitle 6. Other Applicable Standards*

§ 10-603. Site development.

On-site development standards[, such as permitted encroachments and exterior lighting regulations,] are set forth in Title 15 {“Site Development Standards”} of this Code.

§ 10-606. Landscaping and screening.

All landscaping and screening must comply with the [regulations] requirements of the Baltimore City Landscape Manual.

**Title 11. Industrial Districts**

*Subtitle 2. District Descriptions*

§ 11-201. OIC Office-Industrial Campus District.

(a) *In general.*

(1) *Intent.*

The OIC Office-Industrial Campus Zoning District is intended for developments of large office structures, research and development facilities, and light industrial uses.

(2) *Minimum size of district.*

An OIC District must encompass at least 1 acre of land.

§ 11-202. BSC Bio-Science Campus District.

(a) *In general.*

(1) *Intent.*

The BSC Bio-Science Campus Zoning District is intended to accommodate bio-science campuses, including supportive uses, and some residential uses.

(2) *Minimum size of district.*

A BSC District must encompass at least 1 acre of land.

*Subtitle 6. Other Applicable Standards*

§ 11-603. Site development.

On-site development standards[, such as permitted encroachments and exterior lighting regulations,] are set forth in Title 15 {“Site Development Standards”} of this Code.

§ 11-606. Landscaping and screening.

All landscaping and screening must comply with the [regulations] requirements of the Baltimore City Landscape Manual.

Title 12. Special Purpose Districts

*Subtitle 1. Purpose of Title*

§ 12-101. In general.

The purpose of this title is to set out the use regulations, bulk and yard regulations, and other standards for:  
...

(11) Port Covington Zoning [Districts] District.

§ 12-102. Purpose of overlay districts.

An overlay district is a district, established by ordinance, by which a layer of regulations is superimposed on the regulations of an underlying zoning district. The overlay district is intended to modify or supplement the regulations of its underlying zoning districts in recognition of unique circumstances in the area, while maintaining the general character and purpose of the underlying zoning districts over which it is located.

*Subtitle 2. District Descriptions*

§ 12-201. OR Office-Residential [District] Districts.

[The] OR Office-Residential Zoning [District is] Districts are intended for areas where there is a mix of office and residential uses. The regulations [of the OR District] for these Districts are designed to ensure that office uses remain compatible with residential uses, thereby permitting the area to maintain a more residential character.

§ 12-202. TOD Transit-Oriented Development Districts.

The purpose of [the] TOD Transit-Oriented Development Zoning [District] Districts is to encourage the location of uses and forms of development conducive to increased transit usage. [The TOD District is] These Districts are intended to promote new, well-integrated residential and commercial development around transit stations, to ensure that new development occurs in the form of compatible, higher density, transit-friendly design in close proximity to transit systems, to encourage a pedestrian-orientation in new development, to decrease reliance on motor vehicles by increasing transit uses, and to encourage a mix of buildings and activities that provides settings for social interaction and active community life. In order to address the different characteristics of transit locations within the City, 4 TOD Districts are established: the TOD-1 District, TOD-2 District, TOD-3 District and the TOD-4 District. The primary distinctions among these 4 TOD Districts are height, residential density, and use mix.

§ 12-203. EC Educational Campus [District] Districts.

[The] EC Educational Campus Zoning [District is] Districts are intended for the campuses of educational facilities to facilitate an orderly and efficient regulation process for these types of users. There are 2 Educational Campus Zoning Districts: a campus district for colleges and universities that allows for certain



non-educational uses and dormitories for students and a second campus for primary and secondary educational facilities that is restricted to education-related uses. [The EC Zoning District provides] These Districts provide a set of base district regulations that offers a certain intensity of development by right. [It] They also [provides] provide an allowance for a Campus Master Plan, which must be approved by ordinance, that allows for flexibility in the development and expansion of the campus above the base district regulations.

#### **§ 12-204. H Hospital Campus [District] Districts.**

[The] H Hospital Campus Zoning [District is] Districts are intended to address the special needs and impacts of large-scale, multi-functional hospitals and medical campuses, including hospital-related and support service uses, such as offices and commercial uses. [The H Zoning District provides] These Districts provide a set of base district regulations that offers a certain intensity of development by right. [It] They also [provides] provide an allowance for a General Development Plan, which must be approved by ordinance, that allows for flexibility in the development and expansion of the hospital campus above the base district regulations.

#### **§ 12-205. T Transportation [District] Districts.**

[The] T Transportation Zoning [District is] Districts are intended to preserve, protect and enhance road, rail and other transportation corridors within the City.

#### **§ 12-206. {Reserved}**

#### **§ 12-207. W Waterfront Overlay Districts.**

[The] W Waterfront Overlay Zoning [District is] Districts are intended to preserve, create, and enhance public views of and access to the waterfront and creatively encourage use of the waterfront by providing a waterfront promenade, including connections to nearby public rights-of-way, open spaces, and other public amenities. [It serves] These Districts serve to establish a process to encourage new waterfront development to occur in a manner that seeks to minimize substantial change to existing public views of the waterfront from adjacent public streets and neighborhoods, and to enhance the existing waterfront promenade by creating a continuous public access via a promenade along non-industrial portions of the City's waterfront.

#### **§ 12-208. R-MU Rowhouse Mixed-Use Overlay [District] Districts.**

[The] R-MU Rowhouse Mixed-Use Overlay Zoning [District is] Districts are intended to address those areas of rowhouse development where a mixed-use environment is desired, where some rowhouse structures are used for residential uses and others for first-floor commercial uses. [This overlay district is] These Overlay Districts are tied directly to the underlying rowhouse district in order to maintain the existing character of the development and the neighborhood. Commercial uses are restricted to only those uses that are compatible with residential uses.

#### **§ 12-209. D-MU Detached Dwelling Mixed-Use Overlay [District] Districts.**

[The] D-MU Detached Dwelling Mixed-Use Overlay Zoning [District addresses] Districts address those areas of detached dwelling development where a mixed-use environment is desired, where some detached dwellings are used for residential uses and others for first-floor non-residential uses. [This overlay district is] These Overlay Districts are tied directly to the underlying detached residential district in order to maintain the existing character of the development and the neighborhood. Non-residential uses are restricted to only those uses that are compatible with residential uses.

#### **§ 12-210. AU Adult Use Overlay [District] Districts.**

[The] AU Adult Use Overlay Zoning [District is] Districts are intended to provide [an area] areas in which to operate an adult use. [The AU Overlay District is a floating zone, which will not be designated on the zoning map until an application is made and a recommendation is made by action of the Planning Commission and approved by the City Council.]

## § 12-211. PC Port Covington Zoning District.

[(a) *In general.*]

[(1)] The Port Covington Zoning District is intended to establish the standards to accommodate the transition of the Port Covington area, located along the north shore of the Middle Branch of the Patapsco River, from a heavy industrial area to a high intensity, mixed-use, waterfront-oriented area over time. [(2)] The standards recognize that this area is unique because of both its waterfront access and separation from established neighborhoods to the north by the elevated portion of I-95 and a heavy rail line. [(3)] The [PC] Port Covington Zoning District is designed to accommodate an office-industrial headquarters campus and adjacent high-intensity mixed-use with recreational and entertainment amenities to promote a live-work-play community within an ecologically sustainable environment.

[(b) *Subdistricts.*]

[(1)] In order to address different characteristics within this District, the following 4 subdistricts are established:

- (i) the PC-1, PC-2, and PC-3 Districts, to accommodate the mixed-use development, with the primary distinctions among them being uses and height; and
- (ii) the PC-4 District, to accommodate an office-industrial headquarters campus.]

[(2)] The standards provide for synergy among the subdistricts to promote pedestrian connectivity in and among those subdistricts.]

### *Subtitle 3. Office-Residential Zoning [District] Districts*

## § 12-301. Use regulations.

Only those uses of land listed under *Table 12-301: Office-Residential Districts - Permitted and Conditional Uses* are allowed within [the] an OR Zoning District.

## § 12-302. Bulk and yard regulations.

(a) *In general.*

*Table 12-302: Office-Residential Districts - Bulk and Yard Regulations* sets forth the applicable bulk and yard regulations for [the] an OR District[, which is divided into 2 subdistricts for the purpose of bulk and yard regulations].

## § 12-303. Other applicable standards.

(a) *In general.*

[The] OR Zoning [District is] Districts are also subject to the standards listed in this section.

(c) *Site development.*

On-site development standards[, such as permitted encroachments and exterior lighting regulations,] are set forth in Title 15 {"Site Development Standards"} of this Code

(f) *Landscaping and screening.*

All landscaping and screening must comply with the [regulations] requirements of the Baltimore City Landscape Manual.

(i) *Residential conversions.*

The conversion of a single-family dwelling to a multi-family dwelling is allowed in [the] an OR Zoning District, subject to the requirements of § 9-702 {"Residential Conversions: Design review"} and § 9-703 {"Residential Conversions: Conversion standards"} of this Code.

***Subtitle 4. Transit-Oriented Development Districts***

**§ 12-403. Bulk and yard regulations.**

(a) *In general.*

*Table 12-403: Transit-Oriented Development Districts - Bulk and Yard Regulations* sets forth the applicable bulk and yard regulations for [the OR] a TOD District[, which is divided into 2 subdistricts for the purpose of bulk and yard regulations].

**§ 12-405. Parking requirements.**

(a) *In general.*

(2) For all commercial and mixed-use structures, off-street parking is prohibited in front of the corner-side or front building line.

(d) *Lots.*

[(1)] Parking lots [must be located to the rear of buildings and] may not exceed 1 acre in size.

[(2)] Parking lots are prohibited in front of structures.]

**§ 12-406. Other applicable standards.**

(c) *Site development.*

On-site development standards[, such as permitted encroachments and exterior lighting regulations,] are set forth in Title 15 {"Site Development Standards"} of this Code.

(f) *Landscaping and screening.*

All landscaping and screening must comply with the [regulations] requirements of the Baltimore City Landscape Manual.

***Subtitle 5. Educational Campus [District] Districts***

**§ 12-502. Bulk and Yard Regulations.**

(a) In general.

(2) Educational buildings existing as of [the effective date of this Code] June 5, 2017, regardless of height and yards, are deemed conforming.

**§ 12-503. Educational Campus Master Plan.**

(b) *Applicability; Effect.*

A Campus Master Plan may be applied only to those properties owned by [the] an educational facility.

**§ 12-504. Other applicable standards.**

(c) *Site development.*

On-site development standards[, such as permitted encroachments and exterior lighting regulations,] are set forth in Title 15 {"Site Development Standards"} of this Code.

(f) *Landscaping and screening.*

All landscaping and screening must comply with the [regulations] requirements of the Baltimore City Landscape Manual.

**§ 12-505. Minimum size of district.**

An Educational Campus District must encompass at least the smaller of the following:

- (1) 2 acres of land; or
- (2) the entire city block on which it is situated.

***Subtitle 6. Hospital Campus [District] Districts***

**§ 12-601. Use regulations.**

(a) *Permitted uses.*

In a Hospital Campus District, the following uses are permitted:

...

[(6) Medical support facilities.]

....

**§ 12-602. Bulk and yard regulations.**

(a) *In general.*

(2) Hospital buildings existing as of [the effective date of this Code] June 5, 2017, regardless of height and yards, are deemed conforming.

**§ 12-603. Hospital General Development Plan.**

(b) *Applicability; Effect.*

- (1) A General Development Plan may be applied only to those properties owned by [the] a hospital facility at the time of the plan’s approval.

**§ 12-604. Other applicable standards.**

(c) *Site development.*

On-site development standards[, such as permitted encroachments and exterior lighting regulations,] are set forth in Title 15 {“Site Development Standards”} of this Code.

(f) *Landscaping and screening.*

All landscaping and screening must comply with the [regulations] requirements of the Baltimore City Landscape Manual.

**§ 12-605. Minimum size of district.**

A Hospital Campus District must encompass at least 1 the smaller of the following:

- (1) 2 acres of land; or
- (2) the entire city block on which it is situated.

***Subtitle 7. Transportation [District] Districts***

**§ 12-701. Use regulations.**

In [the] a Transportation District, the following uses are permitted:

...

***Subtitle 9. Waterfront Overlay Zoning [District] Districts***

**§ 12-901. Applicability.**

(a) *In general.*

The [W-1 and W-2] Waterfront Overlay Districts apply to all waterfront lots as shown on the zoning map. Unless modified by this section, the underlying zoning district and critical area regulations apply (see Title 7, Subtitle 4).

(b) *Subdistricts.*

- (1) [The] 2 subdistricts of [the] a Waterfront Overlay Zoning District apply, as provided in this subsection.
- (2) The W-1 [Overlay Zoning District] Subdistrict applies to land along the waterfront areas characterized by a hardscape boundary with the water, such as bulkheads, port facilities, or a hard-surface promenade.
- (2) The W-2 [Overlay Zoning District] Subdistrict applies to areas with a soft shoreline, such as wetlands, vegetation, or habitat areas that directly abut the water, most notably along the Middle Branch. To ensure

a compatible development pattern along the shoreline, property owners are encouraged to cooperate as development proceeds in [the] a W-2 [Overlay Zoning District] Subdistrict.

(c) *Industrial properties excluded.*

The [W-1 and W-2] Waterfront Overlay Districts do not apply to industrially zoned properties.

**§ 12-904. Protection of public right-of-way view corridors.**

(a) *W-1 Overlay Subdistrict.*

- (1) No development may block the view of the waterfront from any public street that extends to the waterfront or that terminates before reaching the waterfront but adjoins the boundaries of this [district] subdistrict. These view corridors must be of the same width as the adjoining public street, and continue to the waterfront as a straight line extension of the adjoining street. This extension may be modified with approval of a view corridor modification by the Director of Planning.

**§ 12-905. Building requirements.**

(b) *W-1 Overlay Subdistrict.*

- (4) Retail uses along the promenade are encouraged. Outdoor extension of these uses are restricted to a maximum of 8 feet into the required promenade easement and must be separated from the paved portion with planting beds, raised planters, or a minimum [a] 2-foot vertical separation. Where planting beds or raised planters are used to provide separation, landscape should be provided in accordance with the Baltimore City Landscape Manual. No extensions of residential structures are permitted.

(c) *W-2 Overlay Subdistrict.*

- (1) The floor area ratio within this [district] subdistrict may not exceed a maximum of 2.0. However, mixed-use developments with residential units that constitute 80% or more of the overall development plan are permitted a floor area ratio of 2.5 for the entire development area.

**§ 12-906. Waterfront public access promenade, open space, and required easements.**

(a) *W-1 Overlay Zoning District.*

- (1) In addition to the uses allowed by the underlying zoning districts, on waterfront lots within the W-1 Overlay [Zoning District] Subdistrict, a continuous public access waterfront promenade, accessible to the public but built and maintained by the owners of the underlying land, must be provided on lots, or development parcels consisting of lots, that adjoin the waterline of the Inner Harbor of the Chesapeake Bay and, where applicable, the Middle Branch of the Patapsco.
- (3) These required easement improvements must be built and maintained by the property owner. Public access must be available 24 hours a day, 7 days a week unless otherwise agreed to by the Director of Planning and stated in the easement. The completion of the promenade easement area must coincide with the completion of the adjacent development on the property.
- (6) No mechanical or service equipment may be located adjacent to the promenade easement [without benefit of full permanent screening] unless it is within an enclosed structure or otherwise screened

from public view in accordance with the requirements of the Baltimore City Landscape Manual.  
(b) *W-2 Overlay Subdistrict.*

- (1) In addition to the uses allowed by the underlying zoning districts, on waterfront lots within the W-2 Overlay [Zoning District] Subdistrict, a conservation easement, accessible to the public but built and maintained by the owners of the underlying land, must be provided on lots, or development parcels consisting of lots, that adjoin the waterline of Middle Branch of the Patapsco.
- (3) (i) To allow flexibility for development while preserving and creating habitat, the Director of Planning may approve a reduction of the 100-foot wide buffer to not less than 50 feet (from the mean high water line) if:  
    . . . .
- (5) The hiking and biking trail, together with a 12-foot hard surface and a meadow or mown strip a maximum of 3 feet wide on either side, must be at least 50 feet from the mean high tide line[, with a 12-foot hard surface and a meadow or mown strip a maximum of 3 feet wide on either side]. Public access corridors to the trail must be provided and included in the easements for the property where they are located. The trail on any given property must connect to the trail on adjoining properties. The trail takes the place of the promenade and these hard surfaces are exempt from the Critical Area buffer requirement, but are not exempt from stormwater requirements.
- (12) [Mechanical] No mechanical or service equipment may be located adjacent to the conservation easement [only when full permanent screening is installed] unless it is within an enclosed structure or otherwise screened from public view in accordance with the requirements of the Baltimore City Landscape Manual.

***Subtitle 10. Rowhouse Mixed-Use Overlay [District] Districts***

**§ 12-1001. Applicability.**

(a) *In general.*

[The] A Rowhouse Mixed-Use Overlay District may be applied to rowhouse dwellings in the R-5, R-6, R-7, R-8, R-9, R-10, and OR Districts. This Overlay District allows the rowhouse dwelling to be used for 1 of the non-residential uses listed in § 12-1003 {"Use regulations"} of this subtitle.

**§ 12-1002. Minimum size of district.**

[The] An R-MU Overlay District may only be applied to a minimum of:

. . . .

**§ 12-1003. Use regulations.**

(a) *Permitted non-residential uses.*

In [the] an R-MU Overlay District, 1 (but no more than 1) of the following non-residential uses is permitted on the ground floor of a rowhouse structure:

. . .

(7) Retail goods establishment - no [alcohol Sales] alcoholic beverage sales.

(b) *Conditional uses.*

In [the] an R-MU Overlay District, the following uses are conditional uses requiring approval by the Board of Municipal and Zoning Appeals:

**§ 12-1004. Bulk and yard regulations.**

(a) *In general.*

The bulk and yard regulations for rowhouses in the underlying zoning district apply to [the] a Rowhouse Mixed-Use Overlay District, except as provided in subsection (b) of this section.

**§ 12-1005. Design and performance standards.**

(a) *In general.*

The design standards for rowhouse dwellings in the underlying zoning district apply to [the] a Rowhouse Mixed-Use Overlay District.

(b) *Additional standards.*

(1) Conversion of [the Rowhouse] a rowhouse to a use allowed by § 12-1003 {"Use regulations"} of this subtitle requires design review. This conversion is subject to the following design and performance standards.

***Subtitle 11. Detached Dwelling Mixed-Use Overlay [District] Districts***

**§ 12-1101. Applicability.**

(a) *In general.*

[The] A Detached Dwelling Mixed-Use Overlay District may be applied to detached dwellings. This Overlay District allows the detached dwelling to be used for 1 of the non-residential uses listed in § 12-1103 {"Use regulations"}.

**§ 12-1102. Minimum Size of District.**

[The] A D-MU Overlay District may only be applied to a minimum of:

....

**§ 12-1103. Use regulations.**

(a) *Permitted non-residential uses.*

In [the] a D-MU Overlay District, 1 (but no more than 1) of the following non-residential uses is permitted on the ground floor of a detached dwelling:

....

(b) *Conditional uses.*

In [the] a D-MU Overlay District, the following uses are conditional uses requiring approval by the Board of Municipal and Zoning Appeals:

....

**§ 12-1104. Bulk and yard regulations.**



The bulk and yard regulations for detached dwellings in the underlying zoning district apply to [the Detached Dwelling Mixed-Use] a D-MU Overlay District.

### § 12-1105. Design and performance standards.

(a) *In general.*

The design standards for detached dwellings in the underlying zoning district apply to [the] A Detached Dwelling Mixed-Use Overlay District.

### *Subtitle 13. Port Covington Zoning District*

### § 12-1301. Subdistricts.

4 Subdistricts are established to accommodate and encourage redevelopment of the Port Covington area, along the north shore of the Middle Branch of the Patapsco River, as follows:

- (1) The PC-1 [Port Covington District] Subdistrict is characterized by commercial use, entertainment, attractions, open-space, waterfront, and recreation amenities that create a focal point within the [PC] Port Covington Zoning District. The standards recognize that development within this subdistrict is to be ecologically sustainable, oriented to both the street edges and the Middle Branch Waterfront, and predominantly pedestrian-oriented. Development is generally mid-scale to promote connectivity between the waterfront and adjoining subdistricts.
- (2) The PC-2 [Port Covington District] Subdistrict is characterized by a wide mix of uses, including residential, commercial, office, open-space, recreation, and entertainment amenities, waterfront, and light industrial in a dense urban setting. The standards recognize that the development in this subdistrict is to accommodate a high-density, walkable, mixed-use environment.
- (3) The PC-3 [Port Covington District] Subdistrict is characterized by a wide mix of uses, including residential, commercial, office, open-space, recreation, and entertainment amenities, as well as industrial uses as part of a live-work-play community. The standards recognize that this subdistrict is designed to accommodate the transition from an historically industrial area to a medium-density, walkable, mixed-use environment.
- (4) The PC-4 [Port Covington District] Subdistrict is characterized as an office-industrial campus on the waterfront that can accommodate the international headquarters of a major corporation. The standards are intended for architecturally coordinated office and industrial structures built in a campus-like atmosphere, which includes a focus on recreation amenities. This subdistrict provides standards to promote ecologically sustainable design and accommodate a high-density, walkable environment for this waterfront campus.

### § 12-1302. Use regulations.

Only those uses listed in *Table 12-1302: Port Covington [Districts] District - Permitted and Conditional Uses* are allowed within the PC [Zoning Districts] Subdistricts.

### § 12-1303. Bulk and yard regulations.

(a) *In general.*

*Table 12-1303: Port Covington [Districts] District - Bulk and Yard Regulations* sets forth the applicable

bulk and yard regulations for the PC [Zoning Districts] Subdistricts[, which is divided into 4 subdistricts for the purpose of bulk and yard regulations].

**§ 12-1304. Other applicable standards.**

(a) *In general.*

The PC [Zoning Districts] Subdistricts are also subject to the standards listed in this section.

(c) *Site development.*

On-site development standards[, such as permitted encroachments and exterior lighting regulations,] are set forth in Title 15 {“Site Development Standards”} of this Code.

(e) *Landscaping and screening.*

All landscaping and screening must comply with the [regulations] requirements of the Baltimore City Landscape Manual.

**Title 13. Planned Unit Developments**

***Subtitle 1. Purpose; Transition Rules***

**§ 13-102. Transition rules.**

(a) *In general.*

[Previously approved residential] Residential, office-residential, business, and industrial planned unit developments approved before the effective date of this Code (June 5, 2017) remain valid [and must] as long as they continue to comply with all requirements and conditions of their [initial approval,] approvals [including all] and of the Zoning Code regulations in effect immediately preceding [the] that effective date [of this Code].

***Subtitle 2. Requirements; Approval Standards; Exceptions***

**§ 13-201. Authorization.**

(a) *In general.*

Planned unit developments must be [introduced and enacted] established by ordinance of the Mayor and City Council in accordance with [a development and public hearing process in which the Planning Commission and other City agencies must report their recommendations to City Council within 60 days of introduction as part of that legislative process. Once a Planned Unit Development is enacted, any major changes can be enacted only by Ordinance of the Mayor and City Council] the provisions of this title.

**§ 13-202. General requirements.**

(b) *Minimum areas.*

Planned unit developments must meet the following minimum areas:

- (1) at least 5 acres in the R-1A, R-1B, R-1C, R-1D, R-1E, R-1, R-2, R-3, R-4, [and] R-5, OIC, and BSC Districts;
  - (2) at least 2 acres in the R-6, R-7, R-8, R-9, R-10, C-1, C-2, C-3, C-4, I-MU, TOD, OR, and PC Districts; and
  - (3) at least 1½ acres in the C-5 District[; and].
- [(4) at least 5 acres in the OIC and BSC Districts.]

### *Subtitle 5. Enforcement*

#### **§ 13-501. Ordinance and development plan as binding agreement.**

The ordinance and approved final development plan constitute a binding agreement by the [applicant] property owner and the developer to proceed with the development in strict accordance with the approved final development plan, including the detailed time schedule.

#### **§ 13-503. Noncompliance.**

(b) *Notice.*

The Zoning Administrator must provide the [applicant] property owner and the developer at least 15 days notice to appear before the Zoning Administrator and answer to any charge of noncompliance.

## **Title 14. Use Standards**

### *Subtitle 3. Use Standards*

#### **§ 14-307. Community-managed open-space gardens and farms.**

(b) *Open-space gardens and farms - Structures.*

(2) Temporary greenhouses[, including high tunnels, hoop-houses, cold-frames, and similar structures] are permitted to extend the growing season.

#### **§ 14-309. Day-care centers: Adult or Child.**

(a) *In general.*

[Day] Adult and child day-care centers must meet all federal, state, and local requirements, including licensing, health, safety, and building code requirements.

#### **§ 14-310. Day-care homes: Adult or Child.**

(a) *In general.*

[Day] Adult and child day-care homes must meet all federal, state, and local requirements, including licensing, health, safety, and building code requirements.

#### **§ 14-311. Drive-through facilities.**

(g) *Screening.*

[(1)] All drive-through facilities must be [properly] screened from public view in accordance with the requirements of the Baltimore City Landscape Manual.

[(2) Drive aisles of drive-through facilities must be effectively screened from view along the public right-of-way and at the edges of sites adjoining residential properties, in order to minimize the impact of exterior site lighting, headlight glare, and any menu intercom displays.]

[(3) Screening may be approved during the site plan review process and must consist of:

- (i) an opaque masonry wall (stone, stucco, or brick);
- (ii) a solid wood or simulated wood screen fence; or
- (iii) landscaping in accordance with the Baltimore City Landscape Manual.]

**§ 14-313. Fraternity or sorority houses.**

(a) *Location.*

(2) (ii) [Within 2 years of the effective date of this Code] On or before June 5, 2019, all fraternity or sorority houses must either secure a use permit or terminate the fraternity or sorority use.

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

(b) *Screening.*

A junk or scrap storage and yard must be screened from public view in accordance with the requirements of the Baltimore City Landscape Manual.

**§ 14-318. Landfill: Industrial.**

(e) *Screening.*

An industrial landfill must be screened from public view in accordance with the requirements of the Baltimore City Landscape Manual.

**§ 14-324. Materials recovery facilities.**

(b) *Operations to be enclosed or screened.*

(1) All loading and unloading must be performed either within an enclosed [building] structure or [within a screened area] otherwise screened from public view in accordance with the requirements of the Baltimore City Landscape Manual.

**§ 14-325. Motor vehicle or recreational vehicle dealerships or rental establishments.**

(a) *Lot size.*

Motor vehicle or recreational vehicle dealerships or rental establishments must have a lot size of at least 20,000 square feet, except in a PC [District] Subdistrict.

**§ 14-326. Motor vehicle service and repair: Major or minor.**

(a) *Lot size.*

- (1) Major motor vehicle service and repair shops must have a lot size of at least 20,000 square feet, except in a PC [District] Subdistrict.
- (2) Minor motor vehicle service and repair shops must have a lot size of at least 10,000 square feet, except in a PC [District] Subdistrict.

(d) *Operations to be enclosed or screened.*

- (2) Wrecked or junked vehicles must be kept within an enclosed structure or otherwise screened from [the public right-of-way and any adjacent residential districts] public view in accordance with the requirements of the Baltimore City Landscape Manual.

**§ 14-327. Multi-family dwellings - Accessory non-residential uses.**

(c) *Aggregate area of uses.*

[The] The aggregate area of [all] these uses may not exceed the following:

....

**§ 14-331. Parking garages (principal use) and parking lots.**

(a) *Parking garages (principal use).*

- (2) In all other [cases] districts, if a parking garage does not include active ground floor uses along at least 50% of the ground floor [or incorporate architectural treatments to screen views of parked cars at the ground level], the [parking structure] ground floor must be screened [and landscaped] from public view in accordance with the requirements of the Baltimore City Landscape Manual.

(b) *Parking lots.*

- (5) The parking [lots] lot must be screened [and landscaped] from public view in accordance with the requirements of the Baltimore City Landscape Manual. [All landscape must be maintained in a healthy growing condition.]

**§ 14-333. Recyclable materials recovery facilities.**

(b) *Operations to be enclosed or screened.*

- (1) All loading and unloading must be performed either within an enclosed building or within [a screened] an area screened from public view in accordance with the requirements of the Baltimore City Landscape Manual.

**§ 14-334. Residential-care facilities.**

(a) *Single-family dwelling.*

A residential-care facility may locate where single-family dwellings are allowed under this Code as permitted or conditional uses, if the facility:

...

- (3) meets the general requirements, the bulk and yard regulations, and all other requirements of this Code applicable to dwellings in the zoning district within which the facility is located.

(b) *Multi-family dwelling.*

A residential-care facility may locate where multi-family dwellings are allowed as permitted or conditional uses under this Code, if the facility:

...

- (2) meets the general requirements, the bulk and yard regulations, and all other requirements of this Code applicable to dwellings in the zoning district within which the facility is located.

**§ 14-338. Telecommunications facilities.**

(d) *Approval and application requirements.*

(2) *Application requirements.*

In addition to the general requirements for conditional-use applications, site plan review submissions, eligible facilities requests, or other documentation, all applications to erect, construct, or modify any part of a telecommunications facility must include the following items:

(i) a site plan showing:

- (A) the location, size, screening, and design of all structures, including fences;
- (B) the location and size of all outdoor equipment;
- (C) elevations showing antenna height;
- (D) a landscape plan [showing all screening]; and
- (E) if the site plan is for a new tower, indication of the fall zone (shaded circle);

....

(k) *Stealth design.*

(3) To qualify as a permitted stealth design:

- (i) the base station must be [enclosed, camouflaged, screened, obscured, or otherwise not readily apparent to a casual observer] within an enclosed structure or otherwise screened from public view in accordance with the requirements of the Baltimore City Landscape Manual;

....

**§ 14-339. Urban agriculture.**

(b) *Greenhouses, etc.*

- (1) Greenhouses (permanent or temporary)[, high tunnels, hoop-houses, cold-frames, and similar structures] used to extend the growing season are permitted.

**§ 14-340. Utilities and electric substations.**

- (a) *Affect on traffic, adjacent properties, etc.*

[ (1) ] Utilities and electric substations must be designed so that the location of entrances and exits, exterior lighting, service areas, and parking and loading facilities will minimize traffic congestion, pedestrian hazards, and adverse impacts on adjacent properties.

[ (2) Additional landscaping and screening may be required. ]

- (b) *Aboveground structures.*

[Electric] Except as otherwise provided in subsection (c) of this section, electric substations and [any] aboveground utility structures [that are part of an underground utility system], such as pedestals for cable wire access or other access points for underground infrastructure (communications wiring, fiber optic, etc.):

- (1) may not encroach into a required front yard; and
- (2) must be screened from [any] public [right-of-way] view in accordance with the requirements of the Baltimore City Landscape Manual.

- (c) *Exemptions from setback and screening requirements.*

The following are exempt from the setback and screening requirements of subsection (b) of this section:

- (1) an above-ground, fully-enclosed transformer, switchgear, regulator, meter, or capacitor that is located in an industrial zoning district; and
- (2) an above-ground, fully-enclosed transformer, switchgear, regulator, meter, or capacitor that:
  - (i) is located in a residential, office-residential, commercial, or TOD zoning district; and
  - (ii) does not exceed 7 feet in width, 7 feet in length, or 6 feet in height.

- (d) [(c)] *Modifications to electric substations.*

On a property where an electric substation has been approved as a conditional use, a modification of the electric substation is allowed without amendment of the conditional use, as long as:

- (1) the modification conforms to the bulk and yard regulations of the underlying zoning district;
- (2) the modification either:
  - (i) is located solely within the existing perimeter fence or wall; or
  - (ii) covers an area beyond the existing perimeter fence or wall that is not more than [20%] 10% of the area within the existing perimeter fence or wall;
- (3) the modification is located solely on the property governed by the conditional use; and

- (4) the electric substation, as so modified, complies with all conditions of the existing conditional use approval other than a condition that restricts the electric substation to the equipment configuration allowed under the existing conditional use approval.

***Subtitle 4. Temporary-Use Standards***

**§ 14-401. Permits.**

(a) *Applications.*

Any person [desiring] that desires a temporary-use permit, as required by this Code, must file with the Zoning Administrator a written application, [on a] in the form [provided by] that the [City] Zoning Administrator requires.

(b) *Authorization.*

- (1) The Zoning Administrator may grant temporary-use permits for [those] temporary uses, whether the proposed use is specifically listed in this subtitle or, except for a use that involves alcoholic beverage sales, not specifically listed in this subtitle, as long as the Zoning Administrator determines that the proposed use complies with [the] all applicable requirements [of this] of this subtitle and this Code.

[(c) (1) Temporary uses not specifically listed in this subtitle, except those with alcoholic beverage sales, require the specific approval of the Zoning Administrator.]

- (2) [(c)(2)] Unless otherwise limited, temporary uses may be allowed in any zoning district[,] as long as that use is consistent with the purpose and intent of this Code and the zoning district in which it is located.

(c) *Conditions, restrictions, etc.*

- (1) [(d)(2)] No temporary use is [permitted] allowed in any district if it would have a significant negative impact on any adjacent property or on the area as a whole.
- (2) [(b)(2)] Unless expressly provided in this subtitle, every temporary use or structure must comply with the bulk [requirements] and yard regulations applicable [in] to the district in which it is located.
- (3) [(d)(1)] As part of the temporary-use permit approval, the Zoning Administrator [or Board of Municipal and Zoning Appeals] may impose other conditions, restrictions, or limitations as necessary to achieve the purposes of this Code and to protect the public health, safety, and welfare.

(d) [(e)] *Enforcement.*

- (3) All notices must be served by [either first class mail or by personal service by an authorized representative of the City. If service by either of those methods fails, notice must be given by posting of the property] by 1 of the methods specified in § 9-207 {"Violation notice: Service"} of this Code.
- (4) The notice of the proposed revocation must be sent to:  
...

- (ii) the persons to whom the temporary-use [approval] permit was granted or the current operator; and



....

(5) The notice must specify the nature of the violation and warn the recipient that, unless the violation is corrected within the time specified in the notice, the [temporary use] Zoning Administrator will [be] either:

(i) [revoked] revoke the permit;

(ii) [suspended] suspend the permit subject to completion of corrective action or other condition;  
or

(iii) [affirmed] subject to a schedule for corrective action, with provision for automatic termination if the schedule is not met.

## **Title 15. Site Development Standards**

### ***Subtitle 2. Applicability of Development Standards***

#### **§ 15-201. Compliance required.**

(a) *Bulk and yard regulations - New construction.*

No structure may be erected except in accordance with the bulk and yard regulations prescribed for the district in which the structure is located or proposed to be located.

### ***Subtitle 3. Measurement Methodologies***

#### **§ 15-301. Measurement of building height.**

(b) *Exclusions from height regulations.*

The height regulations of this Code do not apply to the following:

...

(5) parapet walls used to screen mechanical equipment, as long as these walls do not exceed the height necessary to screen the mechanical equipment listed in [paragraph] item (3) of this subsection;

....

### ***Subtitle 4. Exceptions and Requirements***

#### **§ 15-401. Street, public transit, and open-space dedications.**

(a) *Dedicated area added to area used to compute maximum dwelling units.*

Subject to the requirements and limitations of this section, if the owner of a lot gives or dedicates to the Mayor and City Council of Baltimore any land on or adjacent to the lot for the purpose of establishing or improving a public street, for the purpose of establishing or improving public transit, or for the purpose of establishing open space, the area of the land so given or dedicated may be added to the lot area used to compute the maximum number of dwelling units that, under the bulk and yard regulations of this Code, are permitted on that lot.

**§ 15-403. Rear yard reduction.**

(c) *Compliance with other regulations.*

A reduction may [only] be taken under this section only if all other bulk and yard regulations are complied with.

***Subtitle 5. Accessory Structures and Uses***

**§ 15-502. Amateur (ham) radio equipment.**

(c) ?????

- (1) Certain additional types of antenna systems that are not freestanding towers are permitted in any yard if they implement stealth design and receive design review approval.
- (2) To qualify as a stealth design, antennas must be [enclosed, camouflaged, screened, obscured, or otherwise not readily apparent to a casual observer] within an enclosed structure or otherwise screened from public view in accordance with the requirements of the Baltimore City Landscape Manual.

**§ 15-503. Automobile charging station (electric and solar).**

Parking spaces within parking lots or parking garages, whether the parking is a principal use or accessory to a principal use, may include [public] electric automobile charging stations, including models that charge by solar energy.

**§ 15-504. Carriage house.**

An accessory carriage house existing on June 5, 2017, in [all] a residential [districts] district [and the] or in an OR District[, existing on the effective date of this Code,] may be subdivided and converted into a detached dwelling, if:

....

**§ 15-506. Greenhouses [and hoop-houses].**

Any lighting used to illuminate a greenhouse [or hoop-house] must be directed and shielded so as to minimize illumination of any adjacent lots. All exterior lighting must comply with the requirements of § 15-505 {"Exterior Lighting"} of this subtitle.

**§ 15-508. Mechanical equipment.**

(b) ?????

If ground-based mechanical equipment is located in a non-residential district adjoining a residential, office-residential, or industrial mixed-use district, the equipment must be [completely screened if visible from the public right-of-way, excluding alleys, or from the adjoining residential, office-residential, or industrial mixed-use district. Screening materials may be masonry, wood, landscape, or other opaque material, and must effectively screen mechanical equipment so no portion is visible from a street or adjacent lot. Where landscape is used to screen mechanical equipment, it must be provided in accordance with the Baltimore City Landscape Manual. Color and texture of a masonry screen wall must be compatible with the color and texture of the principal building on the site. If a principal or accessory structure or landscape blocks the view of ground-based mechanical equipment, the equipment

is considered screened] screened from public view in accordance with the requirements of the Baltimore City Landscape Manual.

**§ 15-509. Outdoor sales and displays by retail goods establishments.**

(f) *Screening area abutting residential district.*

If the rear or interior-side yard of an outdoor sales and display area abuts a residential district, the area must be [effectively screened from view by an opaque masonry wall (stone, stucco, or brick), a solid wood or simulated wood screen fence, or landscaping] screened from public view in accordance with the requirements of the Baltimore City Landscape Manual.

(g) *Screening vehicle display.*

[Motor] If an outdoor sales and display lot of a motor vehicle or recreational vehicle dealership or rental [establishments] establishment [with outdoor sales and display lots must be designed with permanent screening of the outdoor sales and display area if abutting the] abuts a public right-of-way, [excluding alleys] other than an alley, the lot must be[, The screening may consist of landscape screening] screened in accordance with the requirements of the Baltimore City Landscape Manual [or a low pedestrian wall at least 3 feet high].

**§ 15-510. Outdoor storage.**

(b) *Standards.*

Permitted outdoor storage uses must comply with the following provisions:

(4) except in the I-2 and MI Districts, where no screening is required, all outdoor storage must [comply with the following screening requirements:] must be screened from public view in accordance with the requirements of the Baltimore City Landscape Manual.

(i) no materials stored or displayed outdoors may be of a greater height than that of the screening provided;

(ii) all outdoor storage areas must be completely screened by an opaque masonry wall (stone, stucco, or brick) or a solid wood or simulated wood screen fence that is at least 6 feet high; and

(iii) if feasible, plant materials must be installed along the fence or wall located along the public right-of-way in accordance with the Baltimore City Landscape Manual to provide a softening effect.]

**§ 15-511. Parking garages (residential).**

(b) *Front-loaded attached garages.*

(3) [Attached front-loaded] Front-loaded attached garages must be located at least 5 feet behind the main front facade of the dwelling. This measurement must be taken from the part of the front facade that adjoins the garage, except that the measurement may be taken from the part of the house closest to the street if all of the following conditions are met:

....

(4) Windows, doors, and roof treatments of that part of [the] a front-loaded attached garage facing the street must incorporate architectural detail expressive of a residence.

- (5) Upper level dormers and pitched roof elements must be used to de-emphasize [the] a front-loaded attached garage. Garage openings, windows, columns, trims, decorative paneling, and color must de-emphasize the visual impact of the garage in relation to the building as a whole.

[(6) No garage may be used for commercial body repair, painting, or engine rebuilding.]

- (d) [(c)(3)] *All residential garages.*

No residential garage may be used for commercial body repair, painting, or engine rebuilding.

**§ 15-514. Recycling collection stations.**

- (b) *Standards.*

Recycling collection stations are conditional uses, subject to the following standards:

[(1) recycling collection stations are allowed as a conditional use in the C-4, I-1, and I-2 Districts;]  
....

**§ 15-515. Refuse disposal containers and refuse storage areas.**

- (c) ?????

- (1) All refuse disposal containers must be fully enclosed on 3 sides by a 6-foot high or higher:

- (i) solid wood or simulated wood screen fence[,];
- (ii) [an] opaque masonry wall (stone, stucco, or brick)[,]; or
- (iii) [a] principal structure wall [6 feet high].

[The enclosure must be gated.]

- (2) The materials used for [screening, including] the enclosure[,] must complement the architecture of the principal structure.

- (3) The enclosure must be gated.

- (d) ?????

An extension of an exterior principal structure wall may be used as one of the [screening] 3 walls for enclosing a refuse disposal container[,] as long as the [wall] extension meets the minimum [6-foot height] 6-foot high requirement and is of the same building materials as the principal structure. [This wall may not be the gated enclosure.]

- (e) ?????

- (1) [If] This section does not apply to a refuse disposal [containers are] container used as part of on-site construction [this section does not apply. However,] as long as:

- (i) the container [must be kept] is maintained on the [site of the] construction site[,]; or

(ii) [unless] a minor privilege permit is obtained to allow the container on the public right-of-way.

(2) The container must be removed once construction is complete.

#### § 15-516. Satellite dish antennas.

(c) *Large satellite dish antennas.*

(2) *Residential districts.*

(iii) A large dish antenna must be [located and] screened from public view [so that it cannot be readily seen from public streets or adjacent properties. Screening includes fences, landscaping, or earth berms located to conceal the sides and rear of the antenna and its support structure. Landscape screening must be] in accordance with the requirements of the Baltimore City Landscape Manual.

(3) *Non-residential districts.*

(iii) A ground-mounted large dish antenna must [provide screening, which includes fencing, berming, or landscaping] be screened from public view in accordance with the requirements of the Baltimore City Landscape Manual [so that all ground-mounted accessory equipment and the lower part of the support structure are completely screened].

#### § 15-517. Alternative energy systems: Solar.

(d) *Screening and safety - Ground-mounted.*

All ground-mounted systems must:

- (1) be [visually] screened [with fencing or landscape screening] from public view in accordance with the requirements of the Baltimore City Landscape Manual; and
- (2) display warning signs indicating voltage and dangers.

#### § 15-518. Alternative energy systems: Wind.

(c) *Yard and setback limitations.*

(2) No part of the wind system structure, including guy wire anchors, may extend closer than 10 feet to any lot line [of the installation site]. The system tower must be setback from all lot lines equal to the height of the system.

### *Subtitle 7. Performance Standards*

#### § 15-701. Purpose.

The performance standards in this [title] subtitle are designed to promote and protect commercial districts, business areas, and the I-MU and I-1 Districts, as light industrial areas, thereby promoting and maintaining the most appropriate and beneficial use of these areas. The application of these standards protect business and residential areas in or adjacent to a commercial district or an I-MU or I-1 District from adverse [characteristics] effects that might otherwise result from the operation of the uses allowed in those districts.

**§ 15-702. Applicability of standards.**

(a) ??????

Except as specified in subsection (b) of this section, the performance standards in this [title] subtitle apply to:

....

**Title 16. Off-Street Parking and Loading**

***Subtitle 2. General Applicability***

**§ 16-201. Existing off-street parking facilities.**

(b) ??????

If a building permit was lawfully issued before [the effective date of this Code] June 5, 2017, and if construction began within 180 days of the permit's issuance, [the number of] off-street parking and loading spaces must be provided in the amount required for the issuance of that building permit, regardless of the requirements of this title.

**§ 16-203. Additions or expansions to existing structures.**

(b) ??????

However, a non-residential use that was lawfully established before [the effective date of this Code] June 5, 2017, does not need to provide additional off-street parking for that increase until the aggregate increase in units of measurement equals 10% or more of the units of measurement existing on [the effective date of this Code] June 5, 2017. Once that level of increase has been reached, however, off-street parking facilities must be provided, as required by this title, for the total increase.

***Subtitle 4. Design of Off-street Parking Facilities***

**§ 16-401. Location of off-street parking.**

(e) *PC [Districts] Subdistricts.*

In a PC [District] Subdistrict, off-street parking may be located off-site as long as the required parking facilities are located in that or any other PC [District] Subdistrict.

**§ 16-402. Minimum dimensions of off-street parking spaces.**

(b) *Vertical clearance.*

(1) All parking spaces must have a minimum vertical clearance of 7 feet 6 inches.

(2) [Handicap van accessible floors] Floors accessible to ADA-compliant vans must have a minimum vertical clearance of 8 feet 2 inches.

**§ 16-404. Driveways.**

(a) *Conformance to DoT Book of Standards.*

[All] the design of every driveway [designs] with access onto a City-owned [roadways] roadway must conform to the City Department of Transportation's Book of Standards.

(c) *Parking spaces.*

(1) Single-family detached and semi-detached dwellings and rowhouse dwellings are allowed a paved parking [pad] space. This parking [pad] space may not be located in the required front or corner-side yard. In addition, no parking [pads] space may be located forward of the front building line.

(2) [Parking pads] No parking space may [not] exceed 18 feet in depth, as measured from the property line or right-of-way.

[(3) Any driveway must comply with the requirements of this section.]

(3) [(4)] The maximum impervious surface requirement for [the] a lot may not be exceeded to accommodate a parking [pad] space.

**§ 16-405. Curb cuts.**

(a) *Permit required.*

(1) Curb cuts for driveways require a curb-cut permit from the Department of [General Services] Transportation, [with] subject to review [and approval] by [the Department of Transportation and] the Department of Planning.

(2) No person may construct, widen, remove, or alter any driveway or curb cut without a permit issued by the Department of [General Services] Transportation.

(b) *Considerations.*

(1) For residential-, commercial-, and industrial-zoned properties, curb cuts will be considered [under the following conditions] for the following situations:

(i) for access to parking garages (principal use);

(ii) for access to parking lots with more than 5 parking spaces;

(iii) for dwelling units without rear or side access, where no on-street parking is allowed along the front lot line;

(iv) for dwelling units that are capable of securing side street access to a garage or [pad] parking space; and

(v) in cases where the proposed private parking will provide a net gain over the displaced amount of on-street parking.

**[§ 16-411. Landscaping and screening.]**

[All parking lots must be landscaped in accordance with the Baltimore City Landscape Manual.]

***Subtitle 6. Required Off-street Parking***

**§ 16-601. Exemptions from off-street parking requirements.**

(b) *Zoning districts exempt.*

(2) (i) In the PC [Districts] Subdistricts, the following uses are exempt from the off-street parking requirements of *Table 16-406: Required Off-Street Parking*:

....

(f) *Structures over 50 years old, etc.*

Structures over 50 years old or structures that have received an historic tax credit are exempt from the parking requirements, subject to review and approval by the Director of Planning, if they have not historically provided parking and they lack sufficient space on the lot to accommodate parking. However, any conversions of rowhouse dwellings (Title 9, Subtitle 7) existing as of [the effective date of this Code] June 5, 2017, must provide additional parking spaces for the additional dwelling units required by this Code.

**§ 16-602. Required off-street parking.**

(b) ?????

No more than 1 parking space need be provided for every 2 dwelling units in dwellings that are erected or rehabilitated subject to a restriction that the units be leased to residents with incomes at or below 60% of the Area Median Income, with that restriction being for a term of not less than 15 years from the date of the issuance of a use permit and recorded in the Land Records of Baltimore City. The Housing Commissioner [of the Department of] Housing and Community Development] must verify, by letter to the Planning Director [of Planning] and the Zoning Administrator, the recordation, term, and tenor of the restriction.

(e) ?????

Compact spaces may be substituted for required parking spaces, subject to site plan review and approval. The use of compact spaces [may] does not reduce or increase the amount of parking required by *Table 16-406* and this Code.

***Subtitle 7. Required Bicycle Parking***

**§ 16-701. Design standards for all bicycle parking.**

(h) *Lockers,*

[Where] If required bicycle parking is provided in lockers, the lockers must be:

...

(4) constructed from a strong, weather-resistant, and [low-to-no] low- to no-maintenance material;

...

(8) if the lockers are stacked on top of each other, [provided] equipped with a wheel guide tray or other mechanism to assist the user with lifting the bicycle.

(i) *Floor racks.*

(1) Required bicycle parking may be provided in floor racks.



- (2) Wall and ceiling rack designs are subject to the approval of the Director of Planning as part of site plan review.
- (3) [Where] If required bicycle parking is provided in racks, the racks must meet the following standards:
  - (i) [(1)] the bicycle frame and 1 wheel must be lockable to the rack with a high security, U-shaped shackle lock if both wheels are left on the bicycle;
  - (ii) [(2)] a bicycle 6-feet long can be securely held with its frame supported, so that the bicycle cannot be pushed or fall in a manner that will damage the bicycle in any way;
  - (iii) [(3)] the racks must support [the] a bicycle in at least 2 places, preventing it from falling over; and
  - (iv) [(4)] the racks must be [anchored so that they cannot be easily removed,] solidly constructed, resistant to rust and corrosion, [and] resistant to hammers and saws, and anchored so that they cannot be easily removed.

(j) *Parking and maneuvering areas.*

[Parking] Bicycle parking and maneuvering areas for bicycling parking must meet the following standards:

...

- (3) [where] if the [bicycle] parking area adjoins a sidewalk, the maneuvering area may extend into the right-of-way.

(k) *Covered parking.*

- (1) Covered bicycle parking [can] may be provided inside buildings, under roof overhangs or awnings, in bicycle lockers, or within or under other structures.
- (2) [Where] If required [covered] bicycle parking is to be covered and is not within a building or locker, the cover must be:
  - (i) [(1)] permanent;
  - (ii) [(2)] designed to protect the bicycle from rainfall; and
  - (iii) [(3)] at least 7 feet and 6 inches above the floor or ground.

**§ 16-705. Required number of bicycle spaces.**

(a) *In general.*

[Where off-street parking facilities are provided for motor vehicles, the number of bicycle] Bicycle parking spaces must be provided as indicated in *Table 16-705: Required Bicycle Spaces*. No bicycle parking is required for uses not listed in *Table 16-705*. Structures under 2,500 square feet in gross floor area are exempt from bicycle parking requirements.

(b) *Minimum spaces.*

In all cases where only 1 of either or both a long-term or short-term bicycle parking space [is] would be required by a *Table 16-705 calculation*, a minimum of 2 long-term or short-term spaces, as the case may be, must be provided.

(c) Where bicycle parking is required, it must be provided even if vehicle parking is exempted.]

(c) [(d)] ?????

After the first 50 bicycle parking spaces are provided, additional bicycle parking spaces required are at one-half of the space-per-unit listed.

### *Subtitle 9. Off-Street Loading Requirements*

#### § 16-901. Design of off-street loading spaces.

(b) *Dimensions*

(2) All structures that, on [the effective date of this Code] June 5, 2017, maintain loading spaces that do not comply with the dimensions required by this section are considered to be legally conforming in terms of loading space dimensions. If new loading spaces are constructed, those spaces must match the dimensions of the existing loading spaces rather than those of this section.

(g) *Landscaping and screening.*

All loading facilities must be landscaped and screened from public view in accordance with the requirements of the Baltimore City Landscape Manual.

#### § 16-902. Required off-street loading spaces.

(a) ?????

(1) Off-street loading spaces must be provided in accordance with *Table 16-902: Off-Street Loading Requirements* for a building, structure, or use that requires the receipt or distribution of materials or merchandise by trucks or other vehicles [in accordance with *Table 16-902: Off-Street Loading Requirements*].

(c) ?????

All structures that were constructed before [the effective date of this Code] June 5, 2017, without on-site loading spaces are considered to be legally conforming in terms of loading space requirements. No new loading spaces are required to be constructed.

## Title 18. Nonconformities

### *Subtitle 2. Definitions; General Provisions*

#### § 18-201. Definitions.

(b) *Nonconforming lot.*

“Nonconforming lot” means [any] a lawfully existing lot that, as of the effective date of this Code (June 5, 2017) or the effective date of an amendment to this Code, does not [meet] comply with the lot area or lot width [requirements of] regulations applicable to the district in which it is located.

(c) *Nonconforming structure.*

“Nonconforming structure” means [any] a lawfully existing structure that, as of the effective date of this Code (June 5, 2017) or the effective date of an amendment to this Code, does not comply with the [applicable] bulk, [or] yard, or other regulations [of] applicable to the district in which it is located [or with other applicable regulations of this Code].

(d) *Nonconforming use.*

“Nonconforming use” means [any] a lawfully existing use of a structure or of land that, as of the effective date of this Code (June 5, 2017) or the effective date of an amendment to this Code, does not conform to the [applicable] use regulations [of] applicable to the district in which it is located.

**§ 18-202. Authority to continue.**

(a) *Legal use, structure, or lot.*

Except as otherwise specified in this title, any use, structure, or lot that existed as a lawful nonconforming use, structure, or lot as of [the effective date of this Code] June 5, 2017, and any use, structure, or lot that has been made nonconforming because of the terms of this Code or any subsequent amendment to this Code, may continue subject to the provisions of this title so long as it remains otherwise lawful.

(b) *Unlawful use or structure.*

A use or structure that was [illegal] unlawful as of [the effective date of this Code] June 5, 2017, remains [illegal] unlawful [if it does not conform] to the extent that the use or structure conflicts with [each and every requirement] any of the requirements of this Code or of the Baltimore City Building, Fire, and Related Codes Article, including the requirements to obtain a use permit and an occupancy permit.

**§ 18-206. Determination of nonconformity.**

(b) *By Administrator.*

The Zoning Administrator may issue a use permit, without referring the matter to the Board of Municipal and Zoning Appeals, if:

(1) permits, ordinances, the Police Survey of 1931, or other records on file with the Zoning Administrator:

(i) document the existence of a [bona fide] lawful nonconforming use, nonconforming density, or other nonconformance; and

...

....

*Subtitle 3. Nonconforming Uses*

[§ 18-301. In general. ]

[A nonconforming use is a lawfully existing use of land or structure that, as of the effective date of this Code or an amendment to this Code, is no longer allowed in the zoning district in which they are located.]

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

(a) *Status.*

A junk or scrap storage and yard, a vehicle dismantling facility, or a landfill lawfully existing as of [the effective date of this Code] June 5, 2017, is considered a lawful nonconforming conditional use, subject to the conditions and restrictions previously imposed.

*Subtitle 4. Nonconforming Structures*

§ 18-401. [In general ] Application of subtitle .

(a) [Applicable only to nonconformance with bulk regulations.] Subtitle inapplicable to nonconforming signs.

[(1) A nonconforming structure is a structure that, as of the effective date of this Code or an amendment to this Code, does not comply with the bulk regulations of the district in which the structure is located.]

[(2)] This subtitle does not apply to nonconforming signs. Nonconforming signs are instead regulated by Subtitle 5 of this title.

§ 18-406. **Relocation.**

A nonconforming structure may not be moved, in whole or in part, to any other location on the lot, unless the structure or the moved part of the structure is made to comply with the bulk and yard regulations of the district in which the structure is located.

§ 18-411. **Exceptions - Administrative bulk adjustments.**

(e) *Final decision.*

(2) When issued, the Director's decision constitutes a recommendation to the Zoning Administrator. The Zoning Administrator's decision is a final decision for purposes of administrative appeal under Title 19, [Subtitle 2 {"Appeals"}] Subtitle 3 {"Administrative and Judicial Review"} of this Code.

§ 18-412. **Exceptions - Multi-family structures.**

(a) *Scope.*

(2) This section does not apply to any nonconforming structure that:

(i) in compliance with this Code or before [the effective date of this Code] June 5, 2017, was originally designed and built as a multi-family dwelling for 4 or more dwelling units, as evidenced by permits or records of the City; and

....

§ 18-413. Structures in Hospital Campus and Educational Campus Districts .

All lawfully existing structures that, as of [the effective date of this Code] June 5, 2017, are located in a Hospital Campus Zoning District or an Educational Campus Zoning District are considered to be conforming structures.

*Subtitle 6. Nonconforming Lots*

§ 18-601. Construction of single-family dwelling.

(b) *When allowed.*

On a nonconforming lot that was established before [April 20, 1971] June 5, 2017, a single-family dwelling may be erected regardless of the minimum lot area requirements imposed by this Code[,] as long as:

...

*Subtitle 7. Mandatory Termination of Certain Uses*

§ 18-701. Retail goods establishment - with alcoholic beverage sales.

(a) *In general.*

Except as provided in subsection (b) of this section, retail goods establishments with alcoholic beverage sales in a residential district must be terminated as follows:

- (1) for an establishment with alcoholic beverage sales that existed as a lawful nonconforming use [prior to the effective date of this Code] before June 5, 2017, no later than [2 years after the effective date of this Code] June 4, 2019, notwithstanding the issuance of any prior use permit as a nonconforming package goods liquor store; and
- (2) for an establishment that becomes nonconforming on or after [the effective date of this Code] June 5, 2017, whether by the enactment of this Code, by the enactment of an amendment to this Code, or by the reclassification of the property, no later than 3 years after the date on which the use became nonconforming.

(b) *Waiver for hardship.*

(2) *Timely application.*

To obtain an extension, the property owner or lessee must apply to the Board, in writing, within 1 year after the effective date of this Code (June 5, 2017), of the amendment to this Code, or of the property reclassification, as the case may be.

(3) *General considerations.*

- (i) For nonconforming uses existing [prior to the effective date of this Code] before June 5, 2017, the property owner or lessee seeking an extension must establish the existence of one of the following factors that would render termination within the time required by subsection (a) of this section a hardship:

....

**Title 19. Prohibited Conduct; Enforcement;  
[Appeals] Administrative and Judicial Review**

***Subtitle 1. Prohibited Conduct***

**§ 19-101. [§ 19-104.] Prohibited conduct.**

No person may:

- (1) violate any provision of this Code, of any rule, regulation, or manual adopted under this Code, or of any permit, notice, or order issued under this Code;
- (2) refuse, neglect, omit, or otherwise fail to comply with any provision of this Code, of any rule, regulation, or manual adopted under this Code, or of any permit, notice, or order issued under this Code;
- (3) resist the enforcement of any provision of this Code, of any rule, regulation, or manual adopted under this Code, or of any notice or order issued under this Code; or
- (4) cause any of these acts or omissions to be done.

**§ 19-102. Each day a separate offense.**

Each day that a violation continues after written notice from the Zoning Administrator constitutes a separate offense.

***Subtitle 2. Enforcement***  
**[*Subtitle 1. Enforcement* ]**

*Part I. Definitions*

**§ 19-201. “Person responsible ” defined.**

In this subtitle, “person responsible” means any owner, operator, manager, or tenant of a property or use subject to this Code, or any other person responsible for or having the care, control, or possession of that property or use, whether as a principal or as an agent, personal representative, trustee, guardian, or otherwise, and whether alone or jointly with any other person.

**§§ 9-202 to 9-205. {Reserved}**

*Part II. Violation Notice*

**§ 19-206. [§ 19-101. Notice of violation] Issuance .**

(a) *In general.*

[(1)]Whenever the Zoning Administrator learns of a violation of § 19-101 {“Prohibited conduct”} of this Code, [of any rule, regulation, or manual adopted under this Code, or of any notice or order issued under this

Code,] the Zoning Administrator [must] may issue a [notice of violation] violation notice to:

- (1) [(i)] the owner of record of the property, as shown on the tax records of Baltimore City; and
- (2) [(ii)] any other person [against whom] who the Zoning Administrator [intends to proceed for the violation] has reason to believe is a person responsible for the violation.

(b) [(2)] *Contents of notice.*

The notice must:

- (1) [(i)] specify the location and nature of the violation;
- (2) [(ii)] cite the provisions of this Code or of the rules, regulations, manual, permit, notice, or order that have been violated; [and]

[(iii)] served by:

(A) first class mail; or

(B) personal service by an authorized representative of the City, which service must be certified on the records of the Zoning Administrator.]

- (3) state the requirements that must be complied with to rectify the violation and the time within which the violation must be rectified; and

(4) *advise the recipient of the right to request a hearing within 10 days of the date on which the notice was served.*

[(b) *Reported violations in certain districts.*]

[The Zoning Administrator may issue a notice of violation under this section on receipt of 2 or more separate statements that:

- (1) describe an unauthorized activity or use in a C-1, C-1-E, C-1VC, C-2, or C-3 District;
- (2) give the date, time, and location at which the violation occurred; and
- (3) are signed by owners or lessees of different properties.]

(c) *Compliance required.*

On receipt of a violation notice from the Zoning Administrator, the recipient must immediately take appropriate steps to correct the violation.

## § 19-207. Service.

(a) *In general.*

Except as otherwise specified in this Code, all notices issued by the Zoning Administrator must be served on:

- (1) the person for whom the notice is intended; or
- (2) an authorized agent or representative of that person.

(b) *More than 1 person responsible.*

If more than 1 person is responsible for the violation or otherwise responsible for complying with this Code, as in a case of property owned by more than 1 person, notice may be served on any 1 of those persons or on any authorized agent or representative of any of them.

(c) *Method of service - In general.*

A notice is properly served on a person if:

- (1) served personally on that person (or on that person's authorized agent or representative);
- (2) hand-delivered to the home or business address of that person (or of that person's authorized agent or representative); or
- (3) sent by certified or registered mail, return receipt requested, to the home or business address of that person (or of that person's authorized agent or representative).

(d) *Method of service - Posting.*

Adequate and sufficient notice may be made by posting a copy of the notice on the property in question if:

- (1) the identity or whereabouts of the person responsible unknown; or
- (2) a notice that was hand-delivered or mailed under subsection (c) of this section is refused, returned unclaimed, or designated undeliverable by the post office for any reason, and neither of the following sources can provide a more accurate address:
  - (i) the tax records of the City's Bureau of Treasury Management, Collections Division; and
  - (ii) the property registration files of the Department of Housing and Community Development.

**§ 19-208. Extension of time limit.**

The Zoning Administrator may extend the time within which to comply with a violation notice if, in the Administrator's judgment, more time is needed to comply.

**§§ 19-209 to 19-210. {Reserved}**

*Part III. Subsequent Proceedings*

**§ 19-211. [§ 19-102.] [Enforcement] Remedies generally.**

- (a) *Administrator [to] may [institute appropriate proceedings] seek.*

If a violation is not promptly discontinued [or abated] and rectified or if a violation notice [or order] is not



complied with promptly, the Zoning Administrator may institute or cause to be instituted any appropriate civil or criminal action or [enforcement proceedings] proceeding to secure compliance.

(b) *Types of proceedings.*

These enforcement proceedings [may] include:

- (1) [injunctive or other equity proceedings] civil court proceedings (*see* § 19-213);
- (2) [criminal prosecution] service of citations (*see* § 19-2134; [or] and
- (3) [administrative proceedings] criminal prosecution (*see* § 19-215).

§ 19-212. [§ 19-103.] **Remedies not exclusive.**

In pursuing a violation, the Zoning Administrator may use any one or more available remedies or enforcement actions. The initiation of any one remedy or enforcement action does not preclude pursuing any other remedy or enforcement action authorized by law.

§ 19-213. [§ 19-106.] **[Civil penalties and costs. ] Civil court proceedings .**

(a) *[Injunctive or other equity proceedings] In general.*

[In injunctive or other equity proceedings instituted under this Code:] The Zoning Administrator, on behalf of the Mayor and City Council, may file a petition in Circuit Court to compel compliance with or obtain other relief under this Code.

(b) *[Additional legal action] Judicial relief.*

[The imposition of penalties does not preclude the City from instituting appropriate legal proceedings to] In an action brought under this section, the court may compel compliance with this Code by:

- (1) issuing an order to cease and desist from a violation; and
- (2) granting other injunctive relief, as appropriate to:
  - (i) [(1)] prevent unlawful construction;
  - (ii) [(2)] restrain, correct, or abate a violation;
  - (iii) [(3)] prevent illegal occupancy of a structure or premises; or
  - (iv) [(4)] stop an illegal act, conduct, business, or use of a structure on or about any premises.

(c) *Civil fines and costs.*

In an action brought under this section, the court may also:

- (1) [a violation for which equitable relief is sought is subject to] impose a civil fine of [not more than] up to \$500 for each day that [the] a violation continues [unabated]; and

- (2) [the defendant is liable for the City’s] award to the City reasonable enforcement costs and [reasonable attorneys’] attorney’s fees, [at the rate established by the Court of Appeals,] whether or not the attorney is a salaried employee of the City.

**§ 19-214. [§ 19-105.] Enforcement by citation.**

In addition to any other civil or criminal remedy or enforcement procedure, [certain provisions of] this Code may be enforced by issuance of the following:

- (1) an environmental citation under City Code Article 1, Subtitle 40 {“Environmental Control Board”};
- (2) a civil citation under City Code Article 1, Subtitle 41 {“Civil Citations”}; and
- (3) a pre-payable criminal citation under City Code Article 19, Subtitle 71 {“Special Enforcement Officers”}.

**§ 19-215. [§ 19-107.] Criminal penalties.**

*[(a) Violation a misdemeanor.]*

Any person who violates any provision of [§ 19-104] § 19-101 {“Prohibited conduct”} of this [subtitle] title is guilty of a misdemeanor and, on conviction, is subject to [the penalties specified in this section] a fine of not more than \$500 or imprisonment for not more than 30 days or both fine and imprisonment for each offense.

*[(b) Each day a separate offense.]*

[Each day that a violation continues after written notice from the Zoning Administrator constitutes a separate offense.]

*[(c) Penalties.]*

- [(1) Except as otherwise specified in this section, the penalty for a violation is a fine of not more than \$500 for each offense.]*
- [(2) For occupying or using any land or structure in violation of a required use permit after written notice from the Zoning Administrator, the penalty is a fine of not more than \$500 or imprisonment for not more than 30 days or both fine and imprisonment for each offense.]*
- [(3) For violating any provision of § 17-602 {“Alcoholic beverage and cigarette advertising signs”}, the penalty is a fine of not more than \$1,000 for each offense.]*

***Subtitle 3. Administrative and Judicial Review***  
***[Subtitle 2. Appeals]***

**§ 19-301. [§ 19-201.] Administrative appeals.**

*(a) Who may appeal.*

A decision of the Zoning Administrator or other authorized administrative officer or unit, including the issuance of a violation notice under Subtitle [1] 2 {“Enforcement”} of this title, may be appealed to the

Board of Municipal and Zoning Appeals by:

- (1) any person aggrieved by the decision; or
- (2) any officer[, ] or department, board, [or] bureau, or other unit of the City affected by the decision.

(b) *When and how taken.*

- (1) The notice of appeal must be filed as follows:
  - (i) in the case of a violation notice, within 10 days of the date the notice was served; and
  - (ii) in the case of any other decision, within 10 days of the date on which notice of the decision was given.
- (2) The notice of appeal must:
  - (i) be filed with the Zoning Administrator, in the form that the rules of the Board of Municipal and Zoning Appeals require; and
  - (ii) specify the grounds for the appeal.
- (3) Once the Zoning Administrator determines the notice of appeal is timely and complete, the Zoning Administrator must transmit the notice to the Board of Municipal and Zoning Appeals, together with all information that constitutes the record of the action appealed from.

(c) *Stay of proceedings.*

- (1) If the appeal is timely filed and pursued, an appeal to the Board of Municipal and Zoning Appeals stays all proceedings in furtherance of the action appealed from, except as provided in paragraph (2) of this subsection.
- (2) If the Zoning Administrator certifies to the Board of Municipal and Zoning Appeals that, by reason of facts stated in the certification, a stay would, in his or her opinion, cause imminent peril to life or property or is not justified by any material fact, the proceedings are not stayed, unless otherwise ordered by the Board of Municipal and Zoning Appeals or, on application to a court of competent jurisdiction, with notice to the Zoning Administrator, by the court on good cause shown.

(d) *Decision of Board.*

- (1) Within 30 days of the public hearing, the Board of Municipal and Zoning Appeals must render its decision in writing, setting forth its findings of fact and conclusions of law. If, however, the Board of Municipal and Zoning Appeals determines that additional time is needed to render a decision, the Board may, on written notice to the parties, extend the time for an additional 30 days.
- (2) In exercising its powers of review, the Board of Municipal and Zoning Appeals may:
  - (i) reverse or affirm, wholly or in part, or modify the decision appealed from; and

(ii) make any order, requirement, decision, or determination as ought to be made in accordance with this Code.

(3) For these purposes, the Board of Municipal and Zoning Appeals has all the powers conferred by this Code on the Zoning Administrator.

**§ 19-302. [§ 19-202.] Judicial review.**

(a) *Final administrative decision.*

All decisions and findings of the Board of Municipal and Zoning Appeals that are made on appeals, on application for conditional uses or variances, and in all other matters on which the Board of Municipal and Zoning Appeals is required to act after public notice and hearing, are final administrative decisions, subject to judicial review.

(b) *Who may seek.*

Judicial review of a final administrative decision of the Board of Municipal and Zoning Appeals may be sought by [those authorized to do so under State Land Use Article § 4-401(a) {"Who may file"}]:

(1) any person aggrieved by the decision; or

(2) any officer or department, board, bureau, or other unit of the City aggrieved by the decision.

(c) *How and when taken.*

(1) This review must be sought within the time and in the manner required by law and the Maryland Rules of Procedure.

(2) Before the petition for judicial review is filed with the court, the petitioner must file a copy with the Board of Municipal and Zoning Appeals and the Zoning Administrator.

(3) The Board of Municipal and Zoning Appeals must promptly notify the City Solicitor of the filing of every petition for judicial review.

(d) *Stay of proceedings.*

(1) The filing of a petition for judicial review does not stay the proceedings for which the review is sought.

(2) On motion and hearing, the court may grant a stay on good cause shown, subject to the conditions of bond or otherwise that the court considers proper.

**§ 19-303. Appellate review.**

[(e) *Appellate review.*]

[A] Any party to the judicial review may appeal the court's final judgment to the Court of Special Appeals in accordance with the Maryland Rules of Procedure.

Article 1. Mayor, City Council, and Municipal Agencies

Subtitle 40. Environmental Control Board

§ 40-14. Violations to which subtitle applies.

(e) Provisions and penalties enumerated.

(5a) [(5)] Article 31. Transit and Traffic

....  
(5b) Article 32. Zoning

§ 19-101. Prohibited conduct

\$500

(5c) [(5a)] Building, Fire, and Related Codes Article - Building Code

....  
[(8) Zoning Code]

[§ 2-402. Use permit required

\$500]

[§ 3-107. Prohibited uses - storage, etc., of vehicles

\$ 50]

[§ 17-401(c). Conditional-use live entertainment

\$500]

Subtitle 41. Civil Citations

§ 41-14. Offenses to which subtitle applies - Listing.

(4a) Article 32. Zoning

§ 19-101. Prohibited conduct

\$500

[(7) Zoning Code]

[§ 3-107. Prohibited uses - storage, etc., of vehicles

\$ 50]

Article 19. Police Ordinances

Subtitle 71. Special Enforcement Officers

§ 71-2. Prepayable criminal citations.

(i) Enumeration of code violations and penalties.

The authority of a Special Enforcement Officer to issue prepayable criminal citations is limited to the following provisions of the City Code:

....  
[(3) Zoning Code]

[§ 2-402. Use permit required	\$100]
[§ 3-107. Prohibited uses - Storage, etc., of vehicles	\$ 50]
(3) [(3a)] <i>Article 7. Natural Resources</i>	
Division I. Floodplain Management	\$500
...	
(5) <i>Article 32. Zoning</i>	
§ 19-101. Prohibited conduct	\$500

**Section 3. And be it further ordained** , That (i) Tables 7-202 through 17-812, as adopted by Ordinance 16-581, are repealed, and (ii) new Tables 7-202 through 17-812 are substituted, to read as follows:

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***Table 7-202: Open-Space Districts - Permitted and Conditional Uses***

**Uses Districts Use Standards**

**OS Residential**  Dwelling: Caretaker’s P  **Institutional**  Cultural Facility CB Per 14-308 Government Facility P  **Open-Space**  Cemetery CB  Community-Managed Open-Space Farm CB Per 14-307 Community-Managed Open-Space Garden P Per 14-307 Fishing Pier CB  Forest and Nature Preserve P  Horse Stable CB  Marina: Recreational CB Per 14-323 Park or Playground P  Urban Agriculture CB Per 14-339 Zoo CB  **Commercial**  Country Club P  Driving Range CB  Fairground CB  Golf Course CB  Recreation: Indoor CB Per 14-312 Recreation: Outdoor P Per 14-312 Restaurant (Within Publicly-Owned Park) CO  **OS Other**  Electric Substation: Enclosed or Indoor CB Per 14-340 Parking Lot (Accessory Use) CO Per 14-331 Parking Garage (Accessory Use) CO  Telecommunications Facility CB Per 14-338 Utilities CB Per 14-340 Wireless Communications Services <sup>1</sup> CB, P Per 14-338

<sup>1</sup> Only Wireless Communication Services that are modifications to - and do not substantially change the physical dimension of - an existing telecommunications facility, are considered permitted uses.

***Table 7-203: Open-Space Districts - Bulk and Yard Regulations***

**Categories**  Specifications (For All OS Districts)

**Minimum Lot Area**  Cemetery 2 acres All Other Uses None **Maximum Building Height**  Principal Structure - Private 35 feet

Principal Structure - Public 50 feet Accessory Structure - Private 20 feet (but no more than 1 story) Accessory Structure - Public None  
 Front Yard 20 feet **Minimum Yards** 25 feet Corner Side Yard 20 feet Rear Yard 25 feet

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**Table 8-301: Detached and Semi-Detached Residential Districts - Permitted and Conditional Uses**

Uses Districts Use Standards

**R-1A R-1B R-1C R-1D R-1E R-1 R-2 R-3 R-4 Residential** Bed and Breakfast CB CB CB CB CB CB CB CB CB  
 Day-Care Home: Adult or Child P P P P P P P P Per §14-310 Dwelling: Detached P P P P P P P Dwelling: Semi-Detached P P P P P  
 Home Occupation P P P P P P P P Per §15-507 Residential-Care Facility P P P P P P P P Per §14-334 **Institutional** Community  
 Center CB CB CB CB CB CB CB CB CB Cultural Facility CB CB CB CB CB CB CB CB Per §14-308 Educational Facility: Post-  
 Secondary CB CB CB CB CB CB CB CB CB Educational Facility: Primary and Secondary CB CB CB CB CB CB CB CB  
 Government Facility CB CB CB CB CB CB CB CB CB Place of Worship CB CB CB CB CB CB CB CB Per §14-332 **Open-Space** Community-Managed ... Farm CB CB CB CB CB CB CB CB Per §14-307 Community-Managed ... Garden P P P P P P P P Per §  
 14-307 Park or Playground P P P P P P P P Urban Agriculture CB CB CB CB CB CB CB CB Per §14-339 **Commercial** Country Club P P P P P P P P Day-Care Center: Adult or Child CB CB CB CB CB CB CB CB Per §14-309 Lodge or Social Club CB  
 CB CB CB CB CB CB CB CB Per §14-320 **R-1A R-1B R-1C R-1D R-1E R-1 R-2 R-3 R-4 Other** Alternative Energy System:  
 Community-Based <sup>1</sup> CB, P CB, P CB, P CB, P CB, P CB, P CB, P CB, P CB, P Per §14-306 Electric Substation: Enclosed, Indoor, or  
 Outdoor CB CB CB CB CB CB CB CB CB Per §14-340 Telecommunications Facility CB CB CB CB CB CB CB CB Per §14-338  
 Utilities CB CB CB CB CB CB CB CB CB Per §14-340 Wireless Communications Services <sup>2</sup> CB, P CB, P CB, P CB, P CB, P CB, P CB, P CB, P Per §14-338

<sup>1</sup> A Community-Based Alternative Energy System: (i) if on a lot less than 0.5 acre in lot area, requires conditional-use approval by the Zoning Board, and (ii) if on a lot 0.5 acres or more in lot area, is a permitted use.

<sup>2</sup> Only Wireless Communication Services that are modifications to - and do not substantially change the physical dimension of - an existing telecommunications facility, are considered permitted uses.

**Table 8-401: Detached and Semi-Detached Residential Districts - Bulk and Yard Regulations**

Categories Specifications (Per District)

**R-1A R-1B R-1C R-1D R-1E R-1 R-2 R-3 R-4 Minimum Lot Area** Community ... Open-Space Garden or Farm 2 acres  
 None None None None None None None None Dwelling: Detached or Semi-Detached 2 acres 1 acre 21,780 sq.ft. 14,520 sq.ft.  
 9,000 sq.ft. 7,300 sq.ft. 5,000 sq.ft. 5,000 sq.ft. 3,000 sq.ft. Park or Playground 2 acres None None None None None

None	None	Urban	Agriculture	2 acres	None	None	None	None	None	None	None	None	None	All Other Uses	2 acres	1 acre	20,000 sq.ft.	20,000 sq.ft.	20,000 sq.ft.	20,000 sq.ft.	20,000 sq.ft.	5,000 sq.ft.	3,000 sq.ft.	<b>Minimum Lot Width</b>	□□□□□□□□	Dwelling: Semi-Detached	100 feet	75 feet	75 feet	60 feet	60 feet	50 feet	30 feet	45 feet	30 feet	All Other Uses	100 feet	75 feet	75 feet	60 feet	60 feet	50 feet	50 feet	45 feet	45 feet	<b>Maximum Building Height</b>	□□□□□□□□	All Uses	35 feet	35 feet	35 feet	35 feet	35 feet	35 feet	35 feet	35 feet	35 feet	35 feet	<b>Maximum Lot Coverage</b>	□□□□□□□□	All Uses	25%	25%	25%	25%	25%	30%	30%	35%	35%	<b>Maximum Impervious Surface</b>	□□□□□□□□	All Uses	25%	25%	25%	25%	25%	30%	30%	35%	35%	<b>Minimum Front Yard</b>	□□□□□□□□	All Uses	<sup>1</sup> 40 feet	40 feet	40 feet	40 feet	30 feet	30 feet	30 feet	25 feet	25 feet	□	<b>R-1A R-1B R-1C R-1D R-1E R-1 R-2 R-3 R-4</b>	<b>Minimum Interior- Side Yard</b>	□□□□□□□□	Dwelling: Detached	20 feet	20 feet	15 feet	15 feet	10 feet	10 feet	10 feet	10 feet	10 feet	Dwelling: Semi-Detached	<sup>2</sup> 20 feet	20 feet	15 feet	15 feet	10 feet	10 feet	15 feet	10 feet	15 feet	10 feet	15 feet	10 feet	15 feet	<b>Minimum Corner- Side Yard</b>	□□□□□□□□	All Uses	25 feet	25 feet	20 feet	20 feet	20 feet	20 feet	20 feet	20 feet	20 feet	20 feet	<b>Minimum Rear Yard</b>	□□□□□□□□	All Uses	40 feet	40 feet	40 feet	30 feet	30 feet	30 feet	30 feet	25 feet	25 feet
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<sup>1</sup> These minimums per district apply if less than 50% of the lots on the blockface have been developed. If, however, 50% or more of the lots on the blockface have been developed, the applicable minimum, for all of these districts, is the lesser of (i) the average of the front-yard depths of the improved lots or (ii) 40 feet.

<sup>2</sup> For semi-detached dwellings, interior-side yards are required only along the interior-side lot line where the party wall between dwellings is not located.

**Table 9-301: Rowhouse and Multi-Family Residential Districts - Permitted and Conditional Uses**

Uses	Districts	Use Standards
□	R-5 R-6 R-7 R-8 R-9 R-10	□
<b>Residential</b>	□□□□□□	Day-Care Home: Adult or Child P P P P P P Per § 14-310 Dwelling: Detached or Semi-Detached P P P P P CB □ Dwelling: Multi-Family P P P P P P Per § 14-327 Dwelling: Rowhouse P P P P P P □ Fraternal or Sorority House □□□□ CO CO Per § 14-313 Home Occupation P P P P P P Per § 15-507 Residential-Care Facility (16 or Fewer Residents) P P P P P P Per § 14-334 Residential-Care Facility (17 or More Residents) CB CB CB CB CB CB Per § 14-334 Rooming House (10 or Fewer Units) □□□□ CB CB CB □ Rooming House (11 or More Units) □□□□ CB CB □ <b>Institutional</b> □□□□□□ Community Center CB CB CB CB CB CB □ Cultural Facility CB CB CB CB CB CB Per § 14- 308 Educational Facility: Post-Secondary CB CB CB CB CB CB □ Educational Facility: Primary and Secondary P P P P P P □ Government Facility CB CB CB CB CB CB □ Hospital CB CB CB CB CB CB □ Place of Worship P P P P P P Per § 14-332 □ <b>R-5 R-6 R-7 R-8 R-9 R-10</b> □ <b>Open-Space</b> □□□□□□ Community-Managed Open-Space Farm CB CB CB CB CB CB Per § 14-307 Community-Managed Open-Space Garden P P P P P P Per § 14-307 Park or Playground P P P P P P □ Urban Agriculture CB CB CB CB CB CB Per § 14-339 <b>Commercial</b> □□□□□□ □ Day-Care Center: Adult or Child CB CB CB CB CB CB Per § 14-309 Lodge or Social Club CB CB CB CB CB CB Per § 14-320 Neighborhood Commercial Establishment CB CB CB CB CB CB Per § 14-328 <b>Other</b> □□□□□□ Alternative Energy System: Community-Based <sup>1</sup> CB, P CB, P CB, P CB, P CB, P CB, P Per § 14-306 Electric Substation: Enclosed, Indoor, or Outdoor CB CB CB CB CB CB Per § 14-340 Parking Lot (Principal Use) CO CO CO CO CO CO Per § 14-331 Parking Garage (Principal Use) CO CO CO CO CO CO Per § 14-331 Telecommunications Facility CB CB CB CB CB CB Per § 14-338 Utilities CB CB CB CB CB CB Per § 14-340 Wireless Communications Services <sup>2</sup> CB, P CB, P CB, P CB, P CB, P CB, P CB, P Per § 14-338

<sup>1</sup> A Community-Based Alternative Energy System: (i) if on a lot less than 0.5 acre in lot area, requires conditional-use approval by the Zoning Board, and (ii) if on a lot 0.5 acres or more in lot area, is a permitted use.

<sup>2</sup> Only Wireless Communication Services that are modifications to - and do not substantially change the physical dimension of - an existing



telecommunications facility, are considered permitted uses.

**Table 9-401: Rowhouse and Multi-Family Residential Districts - Bulk and Yard Regulations**

Categories □ Specifications (Per District)

□ R-5 R-6 R-7 R-8 R-9 R-10

<b>Minimum Lot Area</b>	Community ...	Open-Space Garden or Farm	None	None	None	None	None	None	None	Dwelling: Detached	3,000 sq.ft.	3,000 sq.ft.	3,000 sq.ft.	3,000 sq.ft.	3,000 sq.ft.	3,000 sq.ft.	Dwelling: Semi-Detached	2,500 sq.ft.	2,000 sq.ft.	2,000 sq.ft.	2,000 sq.ft.	2,500 sq.ft.	2,000 sq.ft.	Dwelling: Rowhouse	2,500 sq.ft.	1,500 sq.ft.	1,100 sq.ft.	750 sq.ft.	750 sq.ft.	500 sq.ft.	Dwelling: Multi-Family (Generally)	2,500 sq.ft./du	1,500 sq.ft./du	1,100 sq.ft./du	750 sq.ft./du	550 sq.ft./du	200 sq.ft./du	Dwelling: Multi-Family (Age-Restricted)	1,875 sq.ft./du	1,125 sq.ft./du	825 sq.ft./du	575 sq.ft./du	550 sq.ft./du	200 sq.ft./du	Park or Playground	None	None	None	None	None	None	Residential-Care Facility (Generally)	Lot area to be comparable to that for a like-sized M-FD (Gen'ly)	Lot area to be comparable to that for a like-sized M-FD (Gen'ly)	Lot area to be comparable to that for a like-sized M-FD (Gen'ly)	Lot area to be comparable to that for a like-sized M-FD (Gen'ly)	Lot area to be comparable to that for a like-sized M-FD (Gen'ly)	Lot area to be comparable to that for a like-sized M-FD (Gen'ly)	Residential-Care Facility (Age-Restricted)	Lot area to be comparable to that for a like-sized M-FD (Age-Restrctd)	Lot area to be comparable to that for a like-sized M-FD (Age-Restrctd)	Lot area to be comparable to that for a like-sized M-FD (Age-Restrctd)	Lot area to be comparable to that for a like-sized M-FD (Age-Restrctd)	Rooming House	N/A	N/A	N/A	375 sq.ft./ru	275 sq.ft./ru	100 sq.ft./ru	Urban Agriculture	None	None	None	None	None	None	All Other Uses	3,000 sq. ft.	3,000 sq. ft.	3,000 sq. ft.	3,000 sq. ft.	3,000 sq. ft.	3,000 sq. ft.	<b>Maximum Bldg Height</b>	Dwelling: Detached or Semi-Detached	35 feet	35 feet	35 feet	35 feet	35 feet	35 feet	35 feet	Dwelling: Rowhouse	35 feet	35 feet	35 feet	35 or 45 feet <sup>1</sup>	35 or 45 feet <sup>1</sup>	35 or 45 feet <sup>1</sup>	Dwelling: Multi-Family	35 or 45 feet <sup>2</sup>	35 or 45 feet <sup>2</sup>	35 or 45 feet <sup>2</sup>	45 or 60 feet <sup>3</sup>	3.0 FAR	6.0 FAR	All Other Uses	35 or 45 feet <sup>2</sup>	35 or 45 feet <sup>2</sup>	35 or 45 feet <sup>2</sup>	45 or 60 feet <sup>3</sup>	45 feet	45 feet	□ R-5 R-6 R-7 R-8 R-9 R-10	<b>Maximum Lot Coverage</b>	Dwelling: Detached or Semi-Detached	35%	35%	35%	35%	35%	35%	Dwelling: Rowhouse	40%	45%	50%	60% or 80% <sup>4</sup>	40%	80%	Dwelling: Multi-Family	40%	45%	70%	80%	40%	80%	All Other Uses	40%	40%	70%	70%	40%	70%	<b>Maximum Impervious Surface</b>	Dwelling: Detached or Semi-Detached	60%	60%	60%	60%	60%	60%	Dwelling: Rowhouse (Rear Yard)	65%	65%	65%	65%	65%	65%	<b>Minimum Front Yard</b>	Dwelling: Detached or Semi-Detached	Lesser of 25ft. or blockface average <sup>5</sup>	Lesser of 25ft. or blockface average <sup>5</sup>	Lesser of 25ft. or blockface average <sup>5</sup>	Lesser of 25ft. or blockface average <sup>5</sup>	Lesser of 25ft. or blockface average <sup>5</sup>	Lesser of 25ft. or blockface average <sup>5</sup>	Dwelling: Rowhouse	25 feet	20 feet	10 feet	None	25 feet	None	Dwelling: Multi-Family	25 feet	20 feet	10 feet	None	45 or 65 feet <sup>6</sup>	None	All Other Uses	25 feet	20 feet	10 feet	None	25 feet	None	<b>Minimum Interior-Side Yard</b>	Dwelling: Detached	10 feet	10 feet	10 feet	10 feet	10 feet	10 feet	Dwelling: Semi-Det'd <sup>7</sup>	15 feet	15 feet	10 feet	10 feet	10 feet	10 feet	Dwelling: Rowhouse	None	None	None	None	None	None	Dwelling: Multi-Family	15 feet	15 feet	10 feet	10 feet	10 feet	10 feet	All Other Uses	15 feet	15 feet	15 feet	10 feet	10 feet	10 feet	□ R-5 R-6 R-7 R-8 R-9 R-10	<b>Minimum Corner-Side Yard</b>	Dwelling: Detached or Semi-Detached	20 feet	20 feet	15 feet	15 feet	15 feet	15 feet	Dwelling: Rowhouse	20 feet	20 feet	21 feet	None	None	None	Dwelling: Multi-Family	20 feet	20 feet	15 feet	15 feet	25 feet	15 feet	All Other Uses	20 feet	20 feet	15 feet	15 feet	15 feet	15 feet	<b>Minimum Rear Yard</b>	Dwelling: Detached or Semi-Detached	25 feet	25 feet	25 feet	25 feet	10 feet	10 feet	Dwelling: Rowhouse	25 feet	25 feet	25 feet	20 feet	10 feet	10 feet	Dwelling: Multi-Family	25 feet	25 feet	25 feet	25 feet	10 feet	10 feet	All Other Uses	25 feet	25 feet	25 feet	25 feet	10 feet	10 feet
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<sup>1</sup> A height higher than 35 feet - up to a maximum of 45 feet - may only be allowed by the Zoning Board as a conditional use for: (i) a rowhouse located on an interior lot that adjoins a street right-of-way of at least 30 feet wide; or (ii) a rowhouse located on a corner lot at which each of the adjoining street rights-of-way are at least 30 feet wide.

<sup>2</sup> For a structure located on an interior lot, the maximum height is 35 feet. For a structure located on a corner lot at which each of the adjoining street rights-of-way are at least 30 feet wide, the maximum height is 45 feet.

<sup>3</sup> For a structure located on an interior lot, the maximum height is 45 feet. For a structure located on a corner lot at which each of the adjoining street rights-of-way are at least 30 feet wide, the Zoning Board may allow a height of up to 60 feet as a conditional use.

<sup>4</sup> For a lot with a depth of 80 feet or more, the maximum lot coverage is 60%. For a lot with a depth of less than 80 feet, the maximum lot coverage is 80%.

<sup>5</sup> In this listing, “blockface average” means the average of the front-yard setbacks of the improved lots on the blockface.

<sup>6</sup> For a structure that comprises 6 or fewer stories, the minimum front-yard requirement is 45 feet. For a structure that comprises 7 or more stories, the minimum front-yard requirement is 65 feet. However, a structure designed with a courtyard is allowed a reduction of the minimum front-yard requirement, as provided in § 9-403 {“Setback reduction for courtyard design”}.

<sup>7</sup> For semi-detached dwellings, interior-side yards are required only along the interior-side lot line where the party wall between dwellings is not located.

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**Table 10-301: Commercial Districts - Permitted and Conditional Uses**

**Uses Districts Use Standards**

**C-1 C-1-VC C-1-E C-2 C-3 C-4 C-5 Residential** ■■■■■ Day-Care Home: Adult or Child P P P P P □ Per § 14-310 Dwelling (Above Non-Residential Ground Floor) P P P P P CB P □ Dwelling: Live-Work □ P P P P CB P □ Dwelling: Multi-Family P CB P P P □ Per § 14-327 Dwelling: Rowhouse P P P CB CB □ □ Dormitory ■■■■■ □ Fraternity or Sorority House CO CO CO CO CO □ CO Per § 14-313 Residential-Care Facility (16 or Fewer Residents) P P P P P □ Per § 14-334 Residential-Care Facility (17 or More Residents) CO CO CO CO CB □ CB Per § 14-334 Rooming House CB CB CB CB CB □ CB **Institutional** ■■■■■ Community Center CB CB CB CB P □ □ Cultural Facility CB CB CB CB P □ Per § 14-308 Educational Facility: Commercial-Vocational ■■■■ CB P P P □ Educational Facility: Post-Secondary CB CB CB CB P P P □ Educational Facility: Primary and Secondary CB CB CB CB CB □ □ Government Facility CB CB CB CB CB CB □ Homeless Shelter ■■■■ CB CB CB □ Hospital ■■■■ CB CB CB P □ Place of Worship P P P P P P Per § 14-332 □ **C-1 C-1-VC C-1-E C-2 C-3 C-4 C-5 Open-Space** ■■■■■ Community-Managed Open-Space Farm CB CB CB CB CB CB CB Per § 14-307 Community-Managed Open-Space Garden P P P P P P Per § 14-307 Park or Playground P P P P P P □ Marina: Dry Storage ■■■■ CB CB P □ Per § 14-323 Marina: Recreational ■■■■ CB CB P P Per § 14-323 Urban Agriculture CB CB CB CB CB CB CB Per § 14-339 **Commercial** ■■■■■ Animal Clinic P P P P P P Per § 14-317 Art Gallery P P P P P □ □ Arts Studio P P P P P P □ Arts Studio: Industrial ■■■■ CB CB P CB □ Bail Bond Establishment ■■■■ CO CO CO CO CO □ Banquet Hall ■■■■ CO CB CB P Per § 14-302 Body Art Establishment CB CB CB P P P P □ Broadcasting Station (TV or Radio) ■■■■ CB P P P □ Car Wash (Fully Enclosed Structure) ■■■■ P CB Per § 14-304 Car Wash (Outdoor) ■■■■ CB P □ Per § 14-304 Carry-Out Food Shop CB CB CB P P P P □ Check-Cashing Establishment CO CO CO CO CO CB CB □ Convention Center ■■■■■ □ Day-Care Center: Adult or Child CB CB CB P P P P Per § 14-309 Drive-Through Facility ■■■■ CB CB CB □ Per § 14-311 Entertainment: Indoor CB CB P P P P P Per § 14-312 Entertainment: Live ■■■■ □ P P P Per § 14-319 Entertainment: Live (Accessory to Restaurant, Tavern, Art Studio, or Art Gallery) CB CB □ CB ■■■■ Per § 14-319 Financial Institution P

P P P P P P **Commercial (cont 'd) C-1 C-1-VC C-1-E C-2 C-3 C-4 C-5** Funeral Home CB P P Gas Station CB CB P Per § 14-314 Greenhouse or Nursery P P P P P P CB Per § 14-339 Health-Care Clinic CB CB CB P P P P Health Center P P P P P P Heavy Sales, Rental, or Service CB P Hotel or Motel CB CB CB P P P Kennel CB P CB Per § 14-317 Lodge or Social Club CB CB CB CB P P Per § 14-320 Motor Vehicle Dealership (Fully Enclosed Structure) P P P Per § 14-325 Motor Vehicle Dealership (Outdoor Vehicle Display) CB P Per § 14-325 Motor Vehicle Rental Establishment (Fully Enclosed Structure) P P P P Per § 14-325 Motor Vehicle Rental Establishment (Outdoor Vehicle Display) CB P Per § 14-325 Motor Vehicle Service and Repair: Major P P P Per § 14-326 Motor Vehicle Service and Repair: Minor (Fully Enclosed Structure) P P P P Per § 14-326 Motor Vehicle Service and Repair: Minor (Outdoor Vehicle Storage) CB P P Per § 14-326 Nursery (See "Greenhouse or Nursery") - P P P P P P Office P P P P P P Outdoor Dining P P P P P P Per § 14-329 Pawn Shop CB CB CB Personal Services Establishment P P P P P P Racetrack CB Recreation: Indoor P P P P Per § 14-312 Recreation: Outdoor CB CB CB Per § 14-312 Recreational Vehicle Dealership CB Restaurant P CB P P P P **Commercial (cont 'd) C-1 C-1-VC C-1-E C-2 C-3 C-4 C-5** Retail: Big Box Establishment CB CB Per § 14-335.1 Retail Goods Establishment (No Alcoholic Beverages Sales) P P P P P P Retail Goods Establishment (With Alcoholic Beverages Sales) CO CO CO CO CO P P Per § 14-336 Stadium CB Tavern CB CB P P P P Per § 14-337 Video Lottery Facility P P **Industrial** Food Processing: Light CB CB CB CB CB CB Heliport CB Helistop CB Industrial: Light P Mini-Warehouse CB P CB <sup>1</sup> Motor Vehicle Operations Facility P Movie Studio P Printing Establishment P P P Recycling Collection Station CB Per § 15-514 Research and Development Facility P Truck Stop CB **Other** Alternative Energy System: Community-Based P P P P P P Per § 14-306 Electric Substation: Enclosed, Indoor, or Outdoor CB CB CB CB CB CB Per § 14-340 Parking Lot (Principal Use) CB CB CB CB P P CO Per § 14-331 Parking Garage (Principal Use) CB P P CB <sup>2</sup> Per § 14-331 Telecommunications Facility <sup>3</sup> CB, P CB, P CB, P CB, P CB, P CB, P Per § 14-338 Utilities CB CB CB CB CB CB Per § 14-340 Wireless Communications Services <sup>4</sup> CB, P CB, P CB, P CB, P CB, P CB, P Per § 14-338

<sup>1</sup> Allowed only in an existing structure.  
<sup>2</sup> However, along Pratt Street in the C-5 District, principal-use parking garages are prohibited. See § 10-503(c)(1).  
<sup>3</sup> Only telecommunications base stations that comply with the stealth design standards of § 14-338 are considered permitted uses.  
<sup>4</sup> Only Wireless Communication Services that are modifications to - and do not substantially change the physical dimension of - an existing telecommunications facility, are considered permitted uses.

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**Table 10-401: Commercial Districts (C-1 to C-4) - Bulk and Yard Regulations**

Categories	Specifications	(Per District)
C-1 C-1-VC <sup>1</sup> C-1-E C-2 C-3 C-4	Minimum Lot Area	Dwelling: Live-Work, Multi-Family, or Rowhouse 300 sq.ft 5,000 sq.ft 550 sq.ft 225 sq.ft 300 sq.ft 300 sq.ft Residential-Care Facility (Age-Restricted) 200 sq.ft/du 200 sq.ft/du 200 sq.ft/du 120 sq.ft/du 120 sq.ft/du 120 sq.ft/du Rooming House None 2,500 sq.ft/ru None None None N/A All Other Uses None None None None None Maximum Lot Area Restaurant None 4,000 sq. ft. None None None None Retail Goods Est't (Food Store) 20,000 sq. ft. 15,000

sq. ft. 20,000 sq. ft. None None None All Other Uses 10,000 sq. ft. 2,000 sq. ft. 10,000 sq. ft. None None None **Maximum Bldg Height** [ ] [ ] [ ] Dwelling: Multi-Family 60 feet 40 feet 60 feet 60 or 100 feet <sup>2</sup> 60 or 100 feet <sup>2</sup> 60 feet Mixed-Use with Dwelling Above the Ground Floor 60 feet 40 feet 60 feet 60 or 100 feet <sup>2</sup> 60 or 100 feet <sup>2</sup> 60 feet Residential-Care Facility (Age-Restricted) 60 feet 40 feet 60 feet 60 or 100 feet <sup>2</sup> 60 or 100 feet <sup>2</sup> 60 feet All Other Uses 40 feet 40 feet 40 feet 60 feet 60 feet **Minimum Bldg Height** [ ] [ ] [ ] All Uses 20 feet None 20 feet 20 feet 20 feet None **Maximum Floor Area Ratio** [ ] [ ] [ ] All Uses None 0.8 None None None None [ ] **C-1 C-1-VC** <sup>1</sup> **C-1-E C-2 C-3 C-4** **Minimum / Maximum Front Yard** [ ] [ ] [ ] All Uses No front yard required but, if one is provided, it may not exceed 5 feet 20 feet No front yard required but, if one is provided, it may not exceed 5 feet No front yard required but, if one is provided, it may not exceed 5 feet None None <sup>3</sup> **Minimum Interior-Side Yard** [ ] [ ] [ ] All Uses No interior-side yard required but, if one is provided, it must be a minimum of 10 feet No interior-side yard required but, if one is provided, it must be a minimum of 10 feet No interior-side yard required but, if one is provided, it must be a minimum of 10 feet No interior-side yard required but, if one is provided, it must be a minimum of 10 feet None <sup>4</sup> **Minimum Corner-Side Yard** [ ] [ ] [ ] All Uses For 1<sup>st</sup> 25 ft. from front lot line: Where structure is to be located, must build to corner-side lot line. After 1<sup>st</sup> 25 ft.: No yard requirement. For 1<sup>st</sup> 25 ft. from front lot line: Where structure is to be located, must build to corner-side lot line. Minimum setback of 25 ft. For 1<sup>st</sup> 25 ft. from front lot line: Where structure is to be located, must build to corner-side lot line. After 1<sup>st</sup> 25 ft.: No yard requirement. None None None <sup>5</sup> **Minimum Rear Yard** [ ] [ ] [ ] All Uses If rear yard abuts an alley: None. Otherwise: 20 ft. 30 feet If rear yard abuts an alley: None. Otherwise: 20 ft. If rear yard abuts an alley: None. Otherwise: 20 ft. 20 feet 20 feet

- <sup>1</sup> In the C-1-VC District, no change to an existing setback or yard may be made unless approved by the Board as a variance.
- <sup>2</sup> For a structure that contains dwellings above a non-residential use, a height of up to 100 feet may be allowed by the Board as a conditional use. Otherwise, the maximum height is 60 feet.
- <sup>3</sup> All outdoor storage areas must be set back 10 feet from the front lot line.
- <sup>4</sup> However, if the interior-side lot line abuts a Residential Zoning District or an Office-Residential Zoning District, a minimum interior-side yard of 10 feet is required.
- <sup>5</sup> All outdoor storage areas must be set back 10 feet from the corner-side lot line and the front lot line.

**Table 10-401: Commercial Districts (C-5) - Bulk and Yard Regulations**

Categories	Specifications (Per Subdistrict)
C-5-DC C-5-IH C-5-DE C-5-HT C-5-TO C-5-HS C-5-G	<b>Maximum Bldg Height</b> [ ] [ ] [ ] [ ] [ ] [ ] [ ] All Uses None 100 feet 125 feet 80 feet 175 feet 175 feet 80 feet <b>Minimum Bldg Height</b> [ ] [ ] [ ] [ ] [ ] [ ] [ ] All Uses 36 feet None 36 feet 36 feet 36 feet 36 feet 36 feet <b>Minimum Front Yard</b> [ ] [ ] [ ] [ ] [ ] [ ] [ ] All Uses Build to front lot line <sup>1</sup> None Build to front lot line <sup>1</sup> Build to front lot line <sup>1</sup> Build to front lot line <sup>1</sup> Build to front lot line <sup>1</sup> Build to front lot line <sup>1</sup> <b>Minimum Interior-Side Yard</b> [ ] [ ] [ ] [ ] [ ] [ ] [ ] All Uses None None None None None None None <b>Minimum Corner-Side Yard</b> [ ] [ ] [ ] [ ] [ ] [ ] [ ] All Uses Build to corner-side lot line <sup>2</sup> None Build to corner-side lot line <sup>2</sup> Build to corner-side lot line <sup>2</sup> Build to corner-side lot line <sup>2</sup> Build to corner-side lot line <sup>2</sup> Build to corner-side lot line <sup>2</sup> <b>Minimum Rear Yard</b> [ ] [ ] [ ] [ ] [ ] [ ] [ ] All Uses None None None None None None None

- <sup>1</sup> However, a front yard may be allowed by the Zoning Board as a conditional use.
- <sup>2</sup> However, a corner-side yard may be allowed by the Zoning Board as a conditional use.

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**Table 11-301: Industrial Districts - Permitted and Conditional Uses**

**Uses Districts Use Standards**

**OIC BSC I-MU I-1 I-2 MI Residential** Dwelling (Above Non-Residential Ground Floor) Dwelling: Live-Work Dwelling: Multi-Family Per § 14-327 Dwelling: Rowhouse Residential-Care Facility (16 or Fewer Residents) Per § 14-334 Residential-Care Facility (17 or More Residents) Institutional Cultural Facility Educational Facility: Commercial-Vocational Educational Facility: Post-Secondary Educational Facility: Primary and Secondary Government Facility Homeless Shelter Hospital Open-Space Community-Managed Open-Space Farm Per § 14-307 Community-Managed Open-Space Garden Per § 14-307 Park or Playground Urban Agriculture Per § 14-339 **OIC BSC I-MU I-1 I-2 MI Commercial** Animal Clinic Per § 14-317 Art Gallery Arts Studio Arts Studio: Industrial Banquet Hall Body Art Establishment Broadcasting Station (TV or Radio) Car Wash Carry-Out Food Shop Day-Care Center: Adult or Child Per § 14-309 Drive-Through Facility Entertainment: Indoor Per § 14-312 Entertainment: Live Entertainment: Live (Accessory to Restaurant, Tavern, Art Studio, or Art Gallery) Financial Institution Gas Station Greenhouse Health-Care Clinic Heavy Sales, Rental, or Service Hotel or Motel Kennel Lodge or Social Club Motor Vehicle Service and Repair: Major or Minor Nursery Office Per § 14-339 Office CB<sup>2,3</sup> CB<sup>2,3</sup> CB<sup>2,3</sup> **Commercial (cont'd) OIC BSC I-MU I-1 I-2 MI** Outdoor Dining Personal Services Establishment Per § 14-312 Recreation: Indoor Recreation: Outdoor Restaurant Retail Goods Establishment (No Alcoholic Beverages Sales) Retail Goods Establishment (With Alcoholic Beverages Sales) Tavern Truck Repair **Industrial** Alternative Energy System: Commercial Boat Manufacturing, Repair, and Sales Commercial Composting Facility Contractor Storage Yard Food Processing: Light Freight Terminal Heliport Helistop Industrial Boat Repair Facility Industrial: General Industrial: Light Industrial: Maritime-Dependent Landfill: Industrial Marina: Dry Storage Marine Terminal Materials Recovery Facility Mini-Warehouse **Industrial (cont'd) OIC BSC I-MU I-1 I-2 MI** Motor Vehicle Operations Facility Movie Studio Outdoor Storage Yard Passenger Terminal Recyclable Materials Recovery Facility Recycling Collection Station Recycling and Refuse Collection Facility Research and Development Facility Resource Recovery Facility Shipyard Truck Stop Warehouse Waterfreight Terminal Wholesale Goods Establishment **Other** Alternative Energy System: Community-Based Electric Substation: Enclosed, Indoor, or Outdoor Parking Lot (Principal Use) Parking Garage (Principal Use) Telecommunications Facility<sup>4</sup> Utilities Wireless Communications Services<sup>5</sup>

<sup>1</sup> Allowed only when (i) accessory to an office structure, research and development facility, or industrial use, and (ii) integrated into that structure, facility, or use to serve its employees.

<sup>2</sup> Allowed only when secondary to a primary industrial use.

<sup>3</sup> Office uses legally established as of the effective date of this Code are deemed conforming and are not required to be secondary to a primary industrial use.

<sup>4</sup> Only telecommunications base stations that comply with the stealth design standards of § 14-338 are considered permitted uses.

<sup>5</sup> Only Wireless Communication Services that are modifications to - and do not substantially change the physical dimension of - an existing telecommunications facility, are considered permitted uses.

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***Table 11-401: Industrial Districts - Bulk and Yard Regulations***

**Categories Specifications (Per District)**

Categories	OIC	BSC	I-MU	I-1	I-2	MI	Minimum Lot Area	Residential Dwelling: Live-Work, Multi-Family, or Rowhouse	N/A	300 sq.ft.	300 sq. ft.	10,000 sq. ft.	N/A	N/A	All Other Uses	None	None	5,000 sq. ft.	10,000 sq. ft.	20,000 sq. ft.	20,000 sq. ft.	Maximum Bldg Height	
All Uses	60 feet	150 feet	<sup>1</sup> 60 feet	60 feet	None	<sup>2</sup> None	<sup>2</sup> None	<sup>2</sup> Minimum Front Yard	All Uses	None	None	None	<sup>3</sup> 10 feet	10 feet	10 feet	10 feet	10 feet	10 feet	10 feet	10 feet	10 feet	10 feet	10 feet
Minimum Interior-Side Yard	All uses	None	<sup>4</sup> None	None	<sup>4</sup> None	<sup>4</sup> None	<sup>4</sup> None	Minimum Corner-Side Yard	All Uses	None	None	None	<sup>7</sup> 10 feet	10 feet	10 feet	10 feet	10 feet	10 feet	10 feet	10 feet	10 feet	10 feet	10 feet
Minimum Rear Yard	None	None	<sup>8</sup> None	None	<sup>8</sup> None	<sup>8</sup> None	<sup>9</sup> None	<sup>9</sup> None	None	None	None	None	None	None	None	None	None	None	None	None	None	None	None

**Buffer Yard Req 't** All Uses None None Where the Landscape Manual requires a landscaped buffer yard between an industrial use and a non-industrial use, that buffer yard must be provided by the more recent use.

<sup>1</sup> For a residential use, the Zoning Board may allow a height higher than 150 feet as a conditional use.

<sup>2</sup> However, if any part of the building is within 50 feet of an R, OR, C-1, C -1-E, C-1-VC, C-2, or C-3 Zoning District, that part of the building is limited to a maximum height of 60 feet.

<sup>3</sup> All outdoor storage areas must be set back 10 feet from the front lot line.

<sup>4</sup> However, if the interior-side lot line abuts an R Zoning District, a minimum interior-side yard of 10 feet is required.

<sup>5</sup> However, if the interior-side lot line abuts an R or OR Zoning District, a minimum interior-side yard of 10 feet is required.

<sup>6</sup> However, if the interior-side lot line abuts an R, OR, C-1, C -1-E, C-1-VC, C-2, or C-3 Zoning District, a minimum interior-side yard of 20 feet is required.

<sup>7</sup> All outdoor storage areas must be set back 10 feet from the corner-side lot line and the front lot line.

<sup>8</sup> However, if the rear lot line abuts an R Zoning District, a minimum rear yard of 20 feet is required.

<sup>9</sup> However, if the rear lot line abuts an R, OR, C-1, C -1-E, C-1-VC, C-2, or C-3 Zoning District, a minimum interior rear yard of 20 feet is required

**Table 12-301: Office-Residential Districts - Permitted and Conditional Uses**

Uses Districts Use Standards

**OR Residential** Bed and Breakfast CB Day-Care Home: Adult or Child P Per §14-310 Dwelling: Detached P Dwelling: Semi-Detached P Dwelling: Multi-Family P Per § 14-327 Dwelling: Rowhouse P Fraternity or Sorority House CO Per § 14-313 Residential-Care Facility (16 or Fewer Residents) P Per § 14-334 Residential-Care Facility (17 or More Residents) CO Per § 14-334 Rooming House CO **Institutional** Cultural Facility P Per 14-308 Educational Facility: Primary and Secondary P Government Facility CB Place of Worship P Per § 14-332 **Open-Space** Community-Managed Open-Space Farm CB Per § 14-307 Community-Managed Open-Space Garden P Per § 14-307 Park or Playground P Urban Agriculture CB Per § 14-339 **Commercial** Broadcasting Station (TV or Radio) CB Health-Care Clinic P Lodge or Social Club CB Per § 14-320 Neighborhood Commercial Establishment CB Per § 14-328 Office P **Other** Electric Substation: Enclosed, Indoor, or Outdoor CB Per § 14-340 Parking Lot (Principal Use) CB Per § 14-331 Parking Garage (Principal Use) CB Per § 14-331 Telecommunications Facility <sup>1</sup> CB, P Per § 14-338 Utilities CB Per § 14-340 Wireless Communications Services <sup>2</sup> CB, P Per § 14-338

<sup>1</sup> Only telecommunications base stations that comply with the stealth design standards of § 14-338 are considered permitted uses.

<sup>2</sup> Only Wireless Communication Services that are modifications to - and do not substantially change the physical dimension of - an existing telecommunications facility, are considered permitted uses.

**Table 12-302: Office-Residential Districts - Bulk and Yard Regulations**

Categories Specifications (Per Subdistrict)

OR-1 OR-2

**Minimum Lot Area** Dwelling: Multi-Family 500 sq.ft./du 200 sq.ft./du All Other Uses None None **Maximum Bldg Height** All Uses 40 or 60 feet <sup>1</sup> 100 feet **Minimum Front Yard** All Uses None None **Minimum Interior-Side Yard** All Uses No interior-side yard required but, if one is provided, it must be a minimum of 10 feet No interior-side yard required but, if one is provided, it must be a minimum of 10 feet **Minimum Corner-Side Yard** All Uses 0 feet None **Minimum Rear Yard** All Uses 0 feet 0 feet

<sup>1</sup> A height higher than 40 feet - up to a maximum of 60 feet - may only be allowed by the Zoning Board as a conditional use.

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**Table 12-402: Transit-Oriented Development Districts - Permitted and Conditional Uses**

Uses Districts Use Standards

**TOD-1**  **TOD-2**  **TOD-3**  **TOD-4**  **Residential**     Dwelling (Above Non-Residential Ground Floor) P P P P Dwelling: Multi-Family P P P P Per § 14-327 Dwelling: Rowhouse P P P P Residential-Care Facility (16 or Fewer Residents) P P P P Per § 14-334 Residential-Care Facility (17 or More Residents) CB CB CB CB Per § 14-334 **Institutional**     Community Center P P P P Cultural Facility CB CB CB P Per § 14-308 Educational Facility: Commercial-Vocational P P P P Educational Facility: Post-Secondary P P P P Educational Facility: Primary and Secondary P P P P Government Facility CB CB CB CB Homeless Shelter P CB P CB Place of Worship   P Per § 14-332 **Open-Space**     Community ... Open-Space Garden or Farm P P P P Park or Playground (Passive Recreation Only) <sup>1</sup>     **TOD-1** **TOD-2** **TOD-3** **TOD-4**  **Commercial**     Animal Clinic P  P Per § 14-317 Art Gallery P P P P Arts Studio    Banquet Hall  CO  CO Per § 14-302 Day-Care Center: Adult or Child P P P P Per § 14-309 Entertainment: Indoor   P Per § 14-312 Entertainment: Live  CB  CB Per § 14-319 Financial Institution   P Health-Care Clinic P P P P Health Center P P P P Hotel or Motel   Kennel   CB Per § 14-317 Lodge or Social Club  CO  CO Per § 14-320 Office P P P P Outdoor Dining P P P P Personal Services Establishment P P P P Per § 14-329 Recreation: Indoor   P Per § 14-312 Restaurant P <sup>2</sup> P P <sup>2</sup> P Retail Goods Establishment (No Alcoholic Beverages Sales) P <sup>2</sup> P P <sup>2</sup> P Retail Goods Establishment (With Alcoholic Beverages Sales)   P Per § 14-336 Tavern CB P CB P Per § 14-337  **TOD-1** **TOD-2** **TOD-3** **TOD-4**  **Other**     Electric Substation: Enclosed, Indoor, or Outdoor CB CB CB CB Per § 14-340 Parking Garage (Principal Use) CB CB CB CB Per § 14-331 Parking Lot (Principal Use) CB CB CB CB Per § 14-331 Telecommunications Facility <sup>3</sup> CB, P CB, P CB, P CB, P Per § 14-338 Utilities CB CB CB CB Per § 14-340 Wireless Communications Services <sup>4</sup> CB, P CB, P CB, P CB, P Per § 14-338

<sup>1</sup> No recreation facilities are allowed, except for standard playground equipment and outdoor furniture.  
<sup>2</sup> Not to exceed 5,000 sq. ft. of the structure’s gross floor area.  
<sup>3</sup> Only telecommunications base stations that comply with the stealth design standards of § 14-338 are considered permitted uses.  
<sup>4</sup> Only Wireless Communication Services that are modifications to - and do not substantially change the physical dimension of - an existing telecommunications facility, are considered permitted uses.

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**Table 12-403: Transit-Oriented Development Districts - Bulk and Yard Regulations**

Categories	Specifications	(Per District)
<input type="checkbox"/> <b>TOD-1</b> <input type="checkbox"/> <b>TOD-2</b> <input type="checkbox"/> <b>TOD-3</b> <input type="checkbox"/> <b>TOD-4</b> <input type="checkbox"/> <b>Minimum Lot Area</b>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Dwelling: Multi-Family	300 sq.ft/du None 300 sq.ft/du None All Other Uses
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <b>Maximum Building Height</b>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> All Uses	60 feet and no more than 5 stories 60 feet and no more than 5 stories <sup>1</sup>
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <b>Minimum Building Height</b>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> All Uses	24 feet and no less than 2 stories 24 feet and no less than 2 stories 24 feet and no less than 2 stories <sup>2</sup>
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <b>Minimum / Maximum Front Yard</b>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> All Uses	No front yard required but, if one is provided, it may not exceed 5 feet <sup>3</sup> No front yard required but, if one is provided, it may not exceed 5 feet <sup>3</sup> No front yard required but, if one is provided, it may not exceed 5 feet <sup>3</sup>
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <b>Minimum Interior-Side Yard</b>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> All Uses	None None None None <sup>3</sup>
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <b>Minimum Corner-Side Yard</b>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> All Uses	None None None None
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <b>Maximum Rear Yard</b>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> All Uses	15 feet 15 feet None None



<sup>1</sup> A higher height - up to a maximum of 100 feet - may be allowed by the Zoning Board as a conditional use.

<sup>2</sup> A higher height may be allowed by the Zoning Board as a conditional use.

<sup>3</sup> However, the front yard may be increased to the extended needed accommodate a courtyard, plaza, or seating area adjacent to the public street.

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**Table 12-502: Educational Campus Districts - Bulk and Yard Regulations**

**Categories Specifications (Per District)**

EC-1 EC-2

**Maximum Bldg Height** All Uses 35 feet 65 feet **Maximum Floor Area Ratio** All uses 0.8 None **Minimum Front Yard** All Uses None None **Minimum Interior-Side Yard** All Uses None <sup>1</sup> None <sup>2</sup> **Minimum Corner-Side Yard** All Uses None None **Minimum Rear Yard** All Uses None <sup>3</sup> None <sup>4</sup>

<sup>1</sup> However, if the interior-side lot line abuts a Residential Zoning District, a minimum interior-side yard of 20 feet is required.

<sup>2</sup> However, if the interior-side lot line abuts a Residential Zoning District, a minimum interior-side yard of 10 feet is required.

<sup>3</sup> However, if the rear lot line abuts a Residential Zoning District, a minimum rear yard of 40 feet is required.

<sup>4</sup> However, if the rear lot line abuts a Residential Zoning District, a minimum rear yard of 15 feet is required.

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**Table 12-602: Hospital Campus Districts - Bulk and Yard Regulations**

Categories  Specifications (For All HC Districts) **Maximum Building Height**  Adjacent to a Residential Zoning District (other than R-9 and R-10)  40 feet <sup>1</sup>  Adjacent to an R-9, R-10, or a C-1 to C-4 Zoning District  65 feet <sup>1</sup>  Adjacent to any other Zoning District  50 feet or, if higher, up to the height of the tallest structure existing on the campus as of June 5, 2017. **Minimum Front Yard**  All Uses  None **Minimum Interior-Side Yard**  All Uses  None <sup>2</sup> **Minimum Corner-Side Yard**  All Uses  None **Minimum Rear Yard**  All Uses  None <sup>3</sup>

<sup>1</sup> The structure may then rise at an angle of 45 degrees to a maximum of 150 feet.

<sup>2</sup> However, if the interior-side lot line abuts a Residential Zoning District, a minimum interior-side yard of 20 feet is required.

<sup>3</sup> However, if the rear lot line abuts a Residential Zoning District, a minimum rear yard of 10 feet is required.

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**Table 12-903(1): Canton Waterfront Area**

**Height Limitations** - The height of structures along the waterfront shall not exceed 35 feet, except in Areas 1 through 4. Height controls are provided in Areas 1 through 4 to minimize the impact of building heights on adjacent neighborhoods. Specific locations for higher buildings are provided, as well as guidelines for building setbacks and stepbacks. The maximum building height shall be defined as the vertical distance measured, in the case of flat roofs, from the mean curb level of the highest point of the roof adjacent to the street wall, and in the case of pitched roofs, from the mean curb level to the mean height level of the roof. Where the walls of a building are not adjacent to a street curb, the height of a building shall be measured from the average

elevation of the ground adjoining the walls.

Area	Height Limitations
1	Average height of the built area may not exceed 45 feet Maximum building height may be 50 feet. Maximum building height along Aliceanna Street, Chester Street, and the water's edge may be 40 feet. Additional height above 40 feet up to the maximum of 50 feet may be constructed so that it is not visible from that portion of the promenade adjacent to the area or may step up at an angle of no more than 45 degrees. The building may be setback a minimum of 20 feet from the Chester Street right-of-way.
2	Average height of the built area may not exceed 65 feet. Maximum height, excluding HVAC or other mechanical systems, is 75 feet. Maximum height for the HVAC and other mechanical systems may not exceed 90 feet. The maximum building height on Boston Street, the northwest and the water's edge may be 60 feet. Additional height above 60 feet up to the maximum of 75 feet may be constructed so it is not visible from that portion of the promenade adjacent to the area and from the sidewalk on the north side of Boston Street adjacent to the area or may step up at an angle of no more than 45 degrees.
3	The water's edge may have a maximum height of 40 feet. Additional height above 40 feet up to a maximum height no higher than the existing properties at 2351- 2439 Boston Street may be constructed so that it is not visible from that portion of the promenade adjacent to the area or may step up at an angle of no more than 45 degrees.
4	Average height of the built area may not exceed 50 feet Maximum height is 79 feet. The water's edge may have a maximum height of 40 feet. Additional height above 40 feet may be setback at an angle of no more than 45 degrees up to 79 feet.

**Public Access Corridors** - Minimum width of the corridors may be 50 feet, unless otherwise noted below. Landscaping, trees, lights, benches, tables, and other public amenities that will enhance, not impede, public view of the water may be permitted. All access corridors should connect sidewalk and promenade and be physically and visually uninterrupted. In cases where a public access corridor is to be located between 2 properties, the center of the corridor may be on the property line and the width of the corridor may be evenly divided between the 2 properties.

Corridor	Location
1	From a point at the approximate intersection of Boston and Aliceanna Streets south to the water between 2201 and 2121 Boston Street.
2	A 30 foot wide public access corridor may be designated between 2301 Boston Street (North shore) and 2351 Boston Street (Anchorage Townhomes), consisting of a 15 foot wide public access corridor each on 2301 Boston Street and 2351 Boston Street.
3	A 15-foot wide public access corridor may be designated between 2369 and 2371, between 2389 and 2401, and between 2419 and 2421 Boston Street.
4	A 30-foot wide public access corridor may be designated between 2439 and 2449 Boston Street.
5	From a point at the approximate intersection of Luzerne Avenue and Hudson Street due south along the axis of Luzerne Avenue to the waterfront park. In the Luzerne Avenue corridor, if financially necessary and subject to the review and approval of the Commissioner of Housing and Community Development, a second level pedestrian bridge may be allowed.
6	From a point at the approximate intersection of Lakewood Avenue and Boston Street due south along the axis of Lakewood Avenue through to the water.
7	From a point at the approximate intersection of Kenwood Avenue and Boston Street along the axis of the existing 2809 Boston Street approximately southwest to the water.

8	From a point at the approximate intersection of Linwood Avenue and Boston Street along the axis of the existing 2809 Boston Street approximately southwest to the water.
9	This public access corridor may be described by a set of parallel lines. The northern line may extend west from the intersection of Elliott Street and Kenwood Avenue along the north axis of Elliott Street to the water; the southern will be parallel and 50 feet south of the above line.

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*Table 12-903(2): Fells Point Waterfront Area*

**Height Limitations** - The maximum building height may be defined as the vertical distance measured, in the case of flat roofs, from the mean curb level of the highest point of the roof adjacent to the street wall, and in the case of pitched roofs, from the mean curb level to the mean height level of the roof. Where the walls of a building are not adjacent to a street curb, the height of a building may be measured from the average elevation of the ground adjoining the walls.

Area	Height Limitations
1	The maximum building heights may be as set forth in the Constellation PUD.
2	The maximum building heights may be as set forth in the Constellation PUD.
3	Thames Street elevations may be no higher than 40 feet. A building addition up to a maximum of 53 feet will be permitted if it is set back and designed so that it is not visible from the street frontage opposite this area.
4	Maximum building height may not exceed 40 feet.
5	Maximum building height may not exceed 60 feet, except on the property known as 1000 Fell Street where rehabilitation of the roof structure to accommodate a seventh story is permitted, provided that this seventh story is recessed so as not to be Subject ton from the street frontage of the subject property, and a further exception is provided for the property known as 932-944 Fell Street (Belt’s Wharf Condominium Property) for a building addition up to a maximum of 74 feet if recessed 40 feet from the street frontage of the property.
6	The average height of built area may be no more than 50 feet, with a maximum height of 60 feet. The maximum height along the water’s edge is 40 feet. Additional height over 40 feet up to the maximum of 60 feet may be constructed so that it is not visible from that portion of the promenade adjacent to the area or may step up at an angle of no more than 45 degrees.
7	The average height of built area may be no more than 75 feet, with a maximum height of 90 feet. The maximum height along Wolfe Street and the water’s edge is 40 feet. The maximum height along Thames Street is 60 feet. Additional height over the 40 feet and 60 feet up to the maximum of 90 feet may be constructed so that it is not visible from that portion of the promenade adjacent to the area, Wolfe Street or Thames Street or may step up at an angle of no more than 45 degrees.
8	The average height of built area may be 45 feet, with a maximum height of 65 feet. The maximum height on Aliceanna Street, Chester Street and the water side may be 40 feet for a minimum of 40 feet depth. The building may be set back a minimum of 20 feet from the Chester Street right-of-way. Additions to the existing building at 705 S. Wolfe Street are permitted up to 65 feet. These additions may be set back so as not to be Subject ton from Wolfe Street, Aliceanna Street and the promenade adjacent to the area.

**Public Access Corridors** - In order to assure public access to the Pedestrian Promenade and to preserve and enhance views of the water, the following public access corridors may be designated. The minimum width of the corridors may be 50 feet. Landscaping, trees, lights, benches, tables, and other public amenities that will enhance, not impede, public view of the water may be permitted. Off-street parking is not permitted within these corridors, except following review and approval of the Commissioner of the Department of Housing and Community Development. All access corridors should connect sidewalk and promenade and be physically and visually uninterrupted, and they must be accessible 24 hours daily. The general location of the following public access corridors are shown on the accompanying exhibit.

Corridor	Location
1	From a point at the approximated intersection of Thames, Philpot, and Caroline Streets extended south to the water.
2	From a point at the approximate intersection of Thames and existing Caroline Street southeast to the water.
3	From the eastern right-of-way of Bond and Thames Streets, 50 feet west to a point, southeast to the water’s edge to a point, 100 feet east on the water’s edge to the point of the existing right-of-way of Bond Street north to the intersection of Bond and Thames Streets.
4	From the end of Broadway south to the water.

5	From the end of Ann Street south to the water.
6	From a point approximately in front of 929 Fell Street southwest to the water.
7	From a point at the end of Fell Street east to the water along the property line between 1001 Fell Street and 935 S. Wolfe Street. The corridor may extend 25 feet on either side of the property line.
8	From a point at the intersection of Washington Street extended and Thames Street south to the water.
9	From point at the approximate intersection of Fell and Wolfe Streets southeast to the water.
10	From the end of Thames Street east to the water.
11	From the end of Lancaster Street east to the water.
12	From a point at the approximate intersection of Aliceanna and Chester Streets south to the water.
13	The following public streets - Broadway, Ann, and Chester Streets - may be designated as long view corridors. New obstructions, such as balconies, bridges or structures may be permitted only with prior approval of the Commissioner of the Department of Housing and Community Development.
14	From a point at the approximate intersection of the realigned Wills Street and Philpot Street south to the water.

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***Table 12-903(3): Key Highway Waterfront Area***



Area	Height Limitations
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1	Building height may not exceed 290 feet above Mean Low Tide. Building coverage in this area may not exceed the following percentages of the existing aggregate of those areas: (a) Grade to El. 58 feet: 65%. (b) El. 58 feet to El. 150 feet: 30%. (c) El. 150 feet to El. 390 feet: 16%. Maximum height of El. 58 feet in the area north of the eastward extension of Grindall Street and Key Highway. No structure located between El. 150 feet and El. 390 feet shall exceed 14,000 square feet in area nor be located less than 100 feet from any structure located between El. 150 feet and El. 390 feet. Rooftop mechanical equipment may exceed such a maximum permitted elevations, as approved by DHCD.
2	Minimum Building Height along Key Highway - 35 feet. Maximum Base Building Height - 60 feet. 15 foot stepback for building above 40 feet along Key Highway. All new buildings shall be setback a minimum of 18' from the existing curb line of Key Highway. Towers (building above 60 feet base building height) subject to the following: Maximum Floor-plates above 60 feet - 11,000 Gross Square Feet (GSF). Spaced no less than 100 feet from another tower. Maximum Total Building Height - 140 feet. Priority Open Space Bonus: additional height and density above 140 feet may be earned for the development of priority open space in Areas A, B, and C as labeled on the Table 12-903(3) Key Highway Waterfront Area, at a rate of 10 GSF building/ 1.0 GSF of priority open space provided. Only bonus density may be used above 140 feet. Maximum building height with bonuses shall not exceed 290 feet. Priority Open Space created to calculate bonus density may not exceed 37,500 total square feet in Area A and may not exceed 28,000 total square feet in Areas B and C combined. Priority open space does not include the required Promenade and is to be built and maintained by the landowner for credit. Open spaces shall be established by public easements granted to the City.

Area	Public-Access and Public-View Corridors
1	Public-Access Corridors must be provided from Key Highway to the water's edge from the five locations shown and connect the public sidewalk along Key Highway to the Public Promenade.
2	Public-Access Corridors must be a minimum of 20 feet in width of permanently constructed hard scape within a Public-View Corridor. The associated Public-View Corridor must be a minimum of 60 feet wide that connects the public sidewalk along Key Highway to the Public Promenade.

***Table 12-903(4): Middle  
Branch Waterfront Area***



{To Be Determined}

Table 12-1302: Port Covington District - Permitted and Conditional Uses

Uses Subdistricts Use Standards

PC-1 PC-2 PC-3 PC-4 Residential Day-Care Home: Adult or Child Per § 14-310 Dwelling (Above Non-Residential Ground Floor) Dwelling: Multi-Family Per § 14-327 Dwelling: Rowhouse Dwelling: Live-Work Fraternity or Sorority House Residential-Care Facility (16 or Fewer Residents) Residential-Care Facility (17 or More Residents) Institutional Community Center Cultural Facility Per § 14-308 Educational Facility: Commercial-Vocational Educational Facility: Post-Secondary Educational Facility: Primary and Secondary Government Facility Homeless Shelter Hospital Place of Worship Per § 14-332 Open-Space Community-Managed Open-Space Farm Per § 14-307 Community-Managed Open-Space Garden Per § 14-307 Fishing Pier Open-Space (cont'd) PC-1 PC-2 PC-3 PC-4 Forest and Nature Preserve Horse Stable Marina: Recreational Per § 14-323 Park or Playground Recreational Boat Launch Urban Agriculture Per § 14-339 Zoo Commercial Animal Clinic Per § 14-317 Art Gallery Arts Studio Arts Studio: Industrial Banquet Hall Per § 14-302 Body Art Establishment Broadcasting Station (TV or Radio) Car Wash (Fully Enclosed Structure) Car Wash (Outdoor) Carry-Out Food Shop Check-Cashing Establishment Convention Center Country Club Day-Care Center: Adult or Child Per § 14-309 Drive-Through Facility Per § 14-311 Driving Range Entertainment: Indoor Per § 14-312 Commercial (cont'd) PC-1 PC-2 PC-3 PC-4 Entertainment: Live Per § 14-319 Fairground Financial Institution Funeral Home Gas Station Per § 14-314 Greenhouse or Nursery Per § 14-339 Health-Care Clinic Health Center Heavy Sales, Rental, or Service Hotel or Motel Kennel Per § 14-317 Lodge or Social Club Per § 14-320 Motor Vehicle Dealership (Fully Enclosed Structure) Per § 14-325 Motor Vehicle Dealership (Outdoor Vehicle Display) Per § 14-325 Motor Vehicle Rental Establishment (Fully Enclosed Structure) Per § 14-325 Motor Vehicle Rental Establishment (Outdoor Vehicle Display) Per § 14-325 Motor Vehicle Service and Repair: Major Per § 14-326 Motor Vehicle Service and Repair: Minor (Fully Enclosed Structure) Per § 14-326 Motor Vehicle Service and Repair: Minor (Outdoor Vehicle Storage) Per § 14-326 Nursery (See "Greenhouse or Nursery") Office Outdoor Dining Pawn Shop Commercial (cont'd) PC-1 PC-2 PC-3 PC-4 Personal Services Establishment Racetrack Recreation: Indoor Per § 14-312 Recreation: Outdoor Per § 14-312 Recreational Vehicle Dealership Restaurant Retail Goods Establishment (No Alcoholic Beverages Sales) Retail Goods Establishment (With Alcoholic Beverages Sales) Stadium Tavern Per § 14-337 Video Lottery Facility Industrial Alternative Energy System: Commercial Boat Manufacturing, Repair, and Sales Per § 14-303 Commercial composting facility Per § 14-305 Food Processing: Light Contractor Storage Yard Per § 14-330 Freight Terminal Helicopter Helistop Industrial Boat Repair Facility Per § 14-323 Industrial: General Per § 14-315 Industrial: Light Industrial: Maritime-Dependent Marina: Dry Storage Per § 14-323 Industrial (cont'd) PC-1 PC-2 PC-3 PC-4 Marine Terminal Materials Recovery Facility Per § 14-324 Mini-Warehouse Motor Vehicle Operations Facility Movie Studio Outdoor Storage Yard Per § 14-330 Passenger Terminal Printing Establishment Recyclable Materials Recovery Facility Per § 14-333 Research and Development Facility Resource Recovery Facility Per § 14-335 Shipyard Truck Stop Truck Terminal Warehouse Waterfreight Terminal Wholesale Goods Establishment Other Alternative Energy System: Community-Based Electric Substation: Enclosed, Indoor, or Outdoor Per § 14-340 Parking Lot (Principal Use) Per § 14-331 Parking Garage (Principal Use) Per § 14-331 Telecommunications Facility 2 CB, P CB, P CB, P CB, P Per § 14-338 Utilities Per § 14-340 Wireless Communications Services 3 CB, P CB, P CB, P CB, P Per § 14-338

1 Subject to conformance with the Marina Master Plan.

2 Only telecommunications base stations that comply with the stealth design standards of § 14-338 are considered permitted uses.

3 Only Wireless Communication Services that are modifications to - and do not substantially change the physical dimension of - an

existing telecommunications facility, are considered permitted uses.

**Table 12-1303: Port Covington District - Bulk and Yard Regulations**

**Categories Specifications (Per Subdistrict)**

Categories	TOD-1	TOD-2	TOD-3	TOD-4	Minimum Lot Area	Minimum Building Height	Minimum Interior-Side Yard	Minimum Corner-Side Yard	Minimum Rear Yard	Maximum Building Height	Maximum Rear Yard
	100 feet	None	200 feet	None	None	None	None	None	None	None	None
	None	None	None	None	None	20 feet <sup>1</sup>	20 feet <sup>1</sup>	None	None	None	None
	None	None	None	None	None	None	None	None	None	None	None

<sup>1</sup> However, a structure used for one or more of the following purposes has no minimum height requirement: open-space uses, alternative energy systems, utilities, or government facilities .

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**Table 15-405: Mount Vernon Neighborhood Height Map**

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**Table 15-601: Permitted Encroachments into Required Yards**

**Permitted Encroachments** Front Yard/ Corner-Side Yard Interior- Side Yard Rear Yard Accessibility ramp x x x Alternative energy system, solar, ground-mounted - As in § 15-517 x x x Alternative energy system, wind - As in § 15-518  Amateur (ham) radio equipment (§ 15-202) - Not incl. tower x x x Amateur (ham) radio equipment (§ 15-202) - Tower  Arbor or trellis - Attached to principal structure x x x Arbor or trellis - Freestanding  Awning, sun shade, or canopy extending from a window, porch, or door - No more than 3' into a required yard x x x Balcony - At least 5' from front lot line or corner-side lot line x  Chimney - No more than 2' into a required yard x x x Compost pile - Must be (i) within a bin (no open air composting); and (ii) at least 3' from any lot line  Cornice, eave, belt course, sill, 1-story bay window, or similar architectural feature - No more than 2' into a required yard x x x Deck  Exterior stairwell - No more than 4' into a required yard  Fence or wall (Front or corner-side yard) - No more than 3.5' high x  Fence or wall (Rear or interior-side yard) - No more than 6' high  Fire escape x Corner-side yard only x x Fireplace  Flagpole x x x Garage (Residential, detached) (§ 15-511)  Greenhouse or hoop-house (§ 15-506)  Laundry-drying equipment  **Permitted Encroachments** Front Yard/ Corner-Side Yard Interior- Side Yard Rear Yard Lawn furniture (benches, bird baths, sundials, etc.) x x x Lighting, exterior x x x Mechanical equipment (§ 15-508) x x x Patio or terrace, open x x x Playground equipment and playhouses x Corner-side yard only x x Porch (§ 15-512), unenclosed, with or without roof - No more than 1 story high; No more than 8' into a required yard. x x x Rain barrel or above-ground cistern x x x Recycling collection station (§ 15-514)  Refuse disposal container or storage area (§ 15-515)  Satellite dish antenna (§ 15-516) - 1 meter or less in diameter x x x Satellite dish antenna (§ 15-516) - More than 1 meter in diameter  Non-res'l districts only x Shed, tool house, or similar storage structure x x x Steps, open x x x Stormwater management facilities x x x Swimming pool  Tennis court  Terrace (See "Patio or terrace") -   Tool house (See "Shed...") -   Walls (See "Fence or wall") -

**Table 16-402: Off-Street Parking Dimensions**

Parking Angle x° Minimum Dimensions

<input type="checkbox"/> Stall Width	(a)	Stall Depth	(b)	Skew Width	(c)	Aisle Width (Two-Way)	(d)	Aisle Width (One-Way)	(e)	Overall Module	(f)						
Wheel Stop	(g)	0° (Parallel)	9 feet	18 feet	9 feet	22 feet	11 feet	41 feet	-	90° (Head-In)	9 feet	18 feet	9 feet	22 feet	20 feet	58 feet	
		60°	9 feet	21 feet	9.8 feet	-	18 feet	60 feet	55.75 feet	45°	9 feet	19.8 feet	12 feet	-	12.5 feet	52 feet	46 feet

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**Table 16-406: Required Off-Street Parking**

**Uses Parking Spaces Required** □Adult Use 3 per 1,000 sq. ft. of GFA Alternative Energy System 2 per 1,000 sq. ft. of office area  
Animal Clinic 1 per examination room Art Gallery 1 per 1,000 sq. ft. of GFA Arts Studio 1 per 2,000 sq. ft. of studio area Arts Studio:  
Industrial 1 per 2,000 sq. ft. of studio area Bail Bond Establishment 2 per 1,000 sq. ft. of GFA Banquet Hall 1 per 10 persons of fire-rated  
capacity Boat Manufacturing, Repair, and Sales 1 per 4 employees on peak shift + 1 per company vehicle maintained on the premises Body  
Art Establishment 1 per 1,000 sq. ft. of GFA Broadcasting Station (Tv or Radio) 1 per 2 employees on peak shift + 1 per company vehicle  
maintained on the premises Carry-Out Food Shop 2 per 1,000 sq. ft. of GFA + 3 stacking spaces per drive-through lane Car Wash 2 per  
service bay Cemetery 2 per 1,000 sq. ft. of office area + 1 per 4 persons of fire-rated capacity in chapel Check-cashing Establishment 2 per  
1,000 sq. ft. of GFA Commercial composting facility 1 per employee on peak shift Community Center 1 per 10 persons of fire-rated capacity  
Contractor Storage Yard 2 per 1,000 sq. ft. of office and public-use areas Convention Center 1 per 10 persons of fire-rated capacity Country



Club Cumulative of various uses within the development (golf course, restaurant, etc.) Cultural Facility 1 per 4,000 sq. ft. of GFA Day-Care Center: Adult or Child 1 per 4 employees on peak shift Driving Range 1.5 per tee stand Dwelling: All unless otherwise specified 1 per dwelling unit Dwelling: Live-Work 1 per dwelling unit Dwelling: Multi-Family (Age-Restricted) 1 per 2 dwelling units Educational Facility: Commercial-Vocational 1 per 4 employees on peak shift + 1 per 25 students, based on maximum student capacity + 1 per facility vehicle if outdoor component (e.g., driving track) is present Educational Facility: Post-Secondary 1 per 4 employees on peak shift + 1 per 25 students based on the maximum student capacity Educational Facility: Primary and Secondary 1 per 4 employees on peak shift + 1 per 50 students, based on maximum student capacity Entertainment: Indoor - Generally 1 per 10 persons of fire-rated capacity Entertainment: Indoor - Movie Theater 1 per 4 seats for first 400 seats + 1 per 6 seats after first 400 Entertainment: Live (Principal Use) 1 per 10 persons of fire-rated capacity Financial Institution 2 per 1,000 sq. ft. of GFA + 2 stacking spaces per drive-through lane Food Processing: Light Lesser of (i) 1 per 4 employees on peak shift, or (ii) 1 per 1,000 sq. ft. of GFA Fraternity or Sorority House 1 per 2 rooming units Freight Terminal 3 per 20,000 sq. ft. of warehousing area + 3 per 1,000 sq. ft. of office area Funeral Home 2 per 1,000 sq. ft. of office area + 1 per 4 persons of fire-rated capacity in chapel + 1 per company vehicle maintained on the premises Gas Station 2 per 1,000 sq. ft. of accessory retail area Golf Course 3 per hole Government Facility 1 per 1,000 sq. ft. of office and public-use areas + 1 per government vehicle maintained on the premises Greenhouse or Nursery 2 per 1,000 sq. ft. of GFA (including outdoor sales or display area) Health-Care Clinic 3 per 1,000 sq. ft. of GFA Health Center 2 per 1,000 sq. ft. of public use area Heavy Sales, Rental, or Service Lesser of (i) 1 per 4 employees on peak shift, or (ii) 1 per 1,000 sq. ft. of GFA Horse Stable 1 per 5 stalls Hospital 1 per 10 hospital beds + 1 per 4 employees (including staff doctors) on peak shift + 1 per 2 examination rooms in medical offices Hotel or Motel 1 per 4 rooms Industrial Boat Repair Facility Lesser of (i) 1 per 4 employees on peak shift, or (ii) 1 per 1,000 sq. ft. of GFA Industrial: General Lesser of (i) 1 per 4 employees on peak shift, or (ii) 1 per 1,000 sq. ft. of GFA Industrial: Light Lesser of (i) 1 per 4 employees on peak shift, or (ii) 1 per 1,000 sq. ft. of GFA Industrial: Maritime-Dependent Lesser of (i) 1 per 4 employees on peak shift, or (ii) 1 per 1,000 sq. ft. of GFA Kennel 2 per 1,000 sq. ft. of public waiting area Landfill: Industrial Lesser of (i) 1 per 4 employees on peak shift, or (ii) 1 per 1,000 sq. ft. of office area Lodge or social club 1 per 10 persons of fire-rated capacity Marina: Dry Storage 1 per 4 slips (Note: During the off-season, September 15 to May 14, the parking area may be used for the storage of boats, trailers, or other related materials, as long as at least 10% of required parking remains) Marina: Recreational 1 per 2 slips Marine Terminal Lesser of (i) 1 per 4 employees on peak shift, or (ii) 1 per 1,000 sq. ft. of GFA Materials Recovery Facility Lesser of (i) 1 per 4 employees on peak shift, or (ii) 1 per 1,000 sq. ft. of office area Mini-Warehouse 1 per 50 storage units Motor Vehicle Dealership 1 per 1,000 sq. ft. of GFA Motor Vehicle Operations Facility Lesser of (i) 1 per 4 employees on peak shift, or (ii) 1 per 1,000 sq. ft. of office area Motor Vehicle Rental Establishment 2 per 1,000 sq. ft. of office and public-use areas + 1 per company vehicle maintained on the premises Motor Vehicle Service and Repair, Major or Minor 2 per service bay Movie Studio Lesser of (i) 1 per 4 employees on peak shift, or (ii) 1 per 1,000 sq. ft. of office area Nursery (*See* "Greenhouse or Nursery") Office 1 per 800 sq. ft. of GFA Outdoor Storage Yard 1 per 1,000 sq. ft. of office and public-use areas Passenger Terminal 3 per 1,000 sq. ft. of GFA Pawn Shop 2 per 1,000 sq. ft. of GFA Personal Services Establishment 2 per 1,000 sq. ft. of GFA Place of Worship 1 per 4 persons of fire-rated capacity; or, for places of worship whose worshipers are required to walk to worship because of religious tenet, 1 per 8 persons of fire-rated capacity + 1 or more additional spaces as required by this Code for other uses on the site Printing Establishment Lesser of (i) 1 per 4 employees on peak shift, or (ii) 1 per 1,000 sq. ft. of GFA Racetrack 1 per 10 persons of fire-rated capacity Recreation: Indoor 1 per 2,000 sq. ft. of GFA Recreation: Outdoor 2 per 1,000 sq. ft. of public-use area (not including actual playing field or pool) Recreational Vehicle Dealership 1 per 1,000 sq. ft. of GFA Recyclable Materials Recovery Facility Lesser of (i) 1 per 4 employees on peak shift, or (ii) 1 per 1,000 sq. ft. of office area Recycling and Refuse Collection Facility Lesser of (i) 1 per 4 employees on peak shift, or (ii) 1 per 1,000 sq. ft. of office area Research and Development Facility Lesser of (i) 1 per 4 employees on peak shift, or (ii) 1 per 1,000 sq. ft. of GFA Residential-Care Facility 1 per 4 employees on peak shift + 1 per 6 residents; however, if the facility does not permit residents to have vehicles at the facility, the facility need not provide off-street parking spaces for residents Resource Recovery Facility Lesser of (i) 1 per 4 employees on peak shift, or (ii) 1 per 1,000 sq. ft. of office area Restaurant 1 per 1,000 sq. ft. of indoor public seating area + 3 stacking spaces per drive-through lane Retail: Big Box Establishment 2 per 1,000 sq. ft. of GFA Retail Goods Establishment 2 per 1,000 sq. ft. of GFA Rooming House 1 per 2 rooming units Shipyard Lesser of (i) 1 per 4 employees on peak shift, or (ii) 1 per 1,000 sq. ft. of GFA Stadium 1 per 10 persons of fire-rated capacity Tavern 1 per 1,000 sq. ft. of indoor public seating area Truck Repair 2 truck-sized parking spaces per service bay + 1 per 4 employees on peak shift Truck Stop 1 truck-sized space per 5,000 sq. ft. of site area + 1 per 4 employees on peak shift Truck Terminal Lesser of (i) 1 per 4 employees on peak shift, or (ii) 1 truck-sized space per 5,000 sq. ft. of site area Urban Agriculture 1 per company vehicle maintained on the premises Video Lottery Facility 1 per 10 persons of fire-rated capacity Warehouse 1 per 20,000 sq. ft. of warehousing area + 3 per 1,000 sq. ft. of office area Waterfreight Terminal Lesser of (i) 1 per 4 employees on peak shift, or (ii) 1 per 1,000 sq. ft. of GFA Wholesale Goods

Establishment Lesser of (i) 1 per 4 employees on peak shift, or (ii) 1 per 1,000 sq. ft. of GFA **Table 16-501: Collective Parking Calculation** □

Land Use □Weekdays Weekends

	Mid - 7am	7am - 6pm	6pm - Mid	Mid - 7am	7am - 6pm	6pm - Mid	Residential	100%	55%	85%	100%	65%	75%							
<b>Commercial</b> □□□□	Hotel or Motel	100%	50%	90%	100%	65%	80%	Movie Theater	0%	70%	100%	5%	70%	100%	Office					
	5%	100%	5%	0%	40%	10%	Restaurant	50%	70%	100%	45%	70%	100%	All Other Comm'l	0%	100%	80%	0%	100%	60%
<b>Industrial</b>	5%	100%	5%	0%	60%	10%														

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**Table 16-705: Required Bicycle Spaces** *Caution: The requirements of this Table are subject to various statutory qualifications, exemptions, standards, minimum requirements, and adjustments. For specifics, consult § 16-705 of this Code.*

Uses □Long-Term Spaces Req'd Short-Term Spaces Req'd Art Gallery 1 per 10,000 sq. ft. of GFA 1 per 5,000 sq. ft. of GFA Arts Studio 1 per 10,000 sq. ft. of GFA 1 per 5,000 sq. ft. of GFA Banquet Hall 1 per 200 persons of fire-rated capacity None Cemetery 1 per 10,000 sq. ft. of office and chapel areas 1 per 7,500 sq. ft. of office and chapel areas Convention Center 1 per 20,000 sq. ft. of GFA 1 per 40,000 sq. ft. of GFA Cultural Facility 1 per 10,000 sq. ft. of GFA 1 per 10,000 sq. ft. of GFA Day-Care Center: Adult or Child 1 per 10,000 sq. ft. of GFA None Dwelling: Multi-Family (Generally) 1 per 4 dwelling units 1 per 12 dwelling units Dwelling: Multi-Family (Age-Restricted) 75% of general multi-family requirement 75% of general multi-family req't Educational Facility: Commercial-Vocational or Post-Secondary 1 per 20 employees on peak shift + 1 per 25 students based on maximum student capacity None Educational Facility: Primary and Secondary 1 per 20 employees on peak shift + 1 per 50 students based on maximum student capacity None Entertainment: Indoor (Generally) 1 per 150 persons of fire-rated capacity None Entertainment: Indoor (Movie Theater) 1 per 10,000 sq. ft. of GFA 1 per 5,000 sq. ft. of GFA Entertainment: Outdoor 1 per 15,000 sq. ft. of public-use area 1 per 5,000 sq. ft. of public-use area Financial Institution 1 per 10,000 sq. ft. of GFA 1 per 25,000 sq. ft. of GFA Government Facility 1 per 8,000 sq. ft. of GFA 1 per 15,000 sq. ft. of GFA Health-Care Clinic 1 per 50,000 sq. ft. of GFA 1 per 30,000 sq. ft. of GFA Hospital 1 per 50,000 sq. ft. of GFA 1 per 30,000 sq. ft. of GFA

Uses Long-Term Spaces Short-Term Spaces Hotel or Motel 1 per 8 guest units None Industrial: General 1 per 30,000 sq. ft. of GFA None Office 1 per 10,000 sq. ft. of GFA 1 per 25,000 sq. ft. of GFA Parking Lot or Garage (Principal Use) 1 per 20 vehicle parking spaces None Park or Playground None None Passenger Terminal None None Personal Services Establishment 1 per 10,000 sq. ft. of GFA 1 per 5,000 sq. ft. of GFA Place of Worship 1 per 15,000 sq. ft. of GFA 1 per 7,500 sq. ft. of GFA Recreation: Indoor 1 per 150 persons of fire-rated capacity None Recreation: Outdoor 1 per 15,000 sq. ft. of public-use area 1 per 5,000 sq. ft. of public-use area Residential-Care Facility 1 per 8 residents; however, if the facility does not permit residents to have bicycles at the facility, the facility need not provide bicycle parking spaces for them 1 per 16 residents; however, if the facility does not permit residents to have bicycles at the facility, the facility need not provide bicycle parking spaces for them Restaurant 1 per 4,000 sq. ft. of GFA 1 per 4,000 sq. ft. of GFA Retail Goods Establishment 1 per 10,000 sq. ft. of GFA 1 per 5,000 sq. ft. of GFA Stadium 1 per 200 seats None Tavern 1 per 4,000 sq. ft. of GFA 1 per 4,000 sq. ft. of GFA

**Table 16-902: Off-Street Loading Requirements**

Uses Loading Spaces Required Commercial and Institutional Uses □ 20,000 - 100,000 sq. ft. of GFA 1 loading space Over 100,000 sq. ft. of GFA 2 loading spaces Industrial Uses □ 5,000 - 10,000 sq. ft. of GFA 1 loading space 10,001 - 40,000 sq. ft. of GFA 2 loading spaces 40,001 - 100,000 sq. ft. of GFA 3 loading spaces Plus, for each additional 100,000 sq. ft. of GFA 1 additional loading space

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**Table 17-804: Freestanding Sign Regulations**

Districts Monument Sign □ Pole Sign

□ Maximum Area Maximum Height □ Maximum Area Maximum Height Residential □ R-1A through R-10 32 sq. ft. 6' Prohibited Prohibited Commercial □ C-1 32 sq. ft. 6' Prohibited Prohibited C-1-E 32 sq. ft. 6' Prohibited Prohibited C-1-VC 32 sq. ft. 6' Prohibited Prohibited C-2 32 sq. ft. 6' 14 sq. ft. 16' C-3 50 sq. ft. 8' 32 sq. ft. 20' C-4 50 sq. ft. 8' 32 sq. ft. 20' C-5 50 sq. ft. 8' Prohibited Prohibited Industrial □ I-C 50 sq. ft. 8' 50 sq. ft. 24' BSC 50 sq. ft. 8' 50 sq. ft. 24' I-MU 50 sq. ft. 8' 50 sq. ft. 24' I-1 and I-2 50 sq. ft. 8' 50 sq. ft. 24' MI 50 sq. ft. 8' 50 sq. ft. 24' Special Purpose □ OR 32 sq. ft. 6' Prohibited Prohibited EC-1 and EC-2 50 sq. ft. 8' 32 sq. ft. 20' H 50 sq. ft. 8' 32 sq. ft. 20' TOD-1, -2, -3, and -4 32 sq. ft. 6' Prohibited Prohibited Open Space and Environmental OS: See § 17-809 {"Open-Space directional signs"} and § 17-810 {"Open-Space identification signs"} □

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**Table 17-812: Projecting Sign Regulations**

Districts Maximum Sign Area □

□ Ground Floor □ 2<sup>nd</sup> Floor Residential □ R-1A through R-10 Prohibited Prohibited Commercial □ C-1 12 sq. ft. 6 sq. ft. C-1-E 12 sq. ft. 6 sq. ft. C-1-VC 12 sq. ft. 6 sq. ft. C-2 16 sq. ft. 8 sq. ft. C-3 24 sq. ft. 12 sq. ft. C-4 24 sq. ft. 12 sq. ft. C-5 36 sq. ft. 12 sq. ft.

**Industrial** □□OIC 48 sq. ft. Prohibited BSC 48 sq. ft. Prohibited I-MU 48 sq. ft. Prohibited I-1 and I-2 48 sq. ft. Prohibited MI 48 sq. ft. Prohibited **Special Purpose** □□OR Prohibited Prohibited EC-1 Prohibited Prohibited EC-2 36 sq. ft. 12 sq. ft. H 36 sq. ft. 12 sq. ft. TOD-1, -2, -3, and -4 16 sq. ft. 8 sq. ft.

**Open Space and Environmental** OS: See § 17-809 {"Open-Space directional signs"} & § 17-810 {"Open-Space identification signs"} □

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**Section 4. And be it further ordained** , That if a section, subsection, paragraph, subparagraph, tabulated item or subitem, or other statutory unit is added to or repealed from City Code Article 32 {"Zoning"} by this or any subsequent Ordinance, the Department of Legislative Reference, in codifying the amendatory Ordinance, is authorized to renumber or reletter related statutory units as appropriate to reflect the added or repealed unit and is further authorized to conform cross-references to the renumbered or relettered statutory units.

**Section 5. And be it further ordained** , That the Department of Legislative Reference is further authorized to edit Code Article 32 {"Zoning"}, as enacted by Ordinance 16-581 and amended by this Ordinance, to substitute one for