



Legislation Details (With Text)

File #:	17-0096	Version:	0	Name:	Zoning - After-Hours Establishments; Lounges
Type:	Ordinance	Status:		Status:	Enacted
File created:	7/17/2017	In control:		In control:	City Council
On agenda:		Final action:		Final action:	8/23/2017
Enactment date:		Enactment #:		Enactment #:	17-056
Title:	Zoning - After-Hours Establishments; Lounges For the purpose of allowing certain after-hours establishments and certain lounges only in certain commercial and industrial zoning districts; defining certain terms; imposing certain standards; providing for a special effective date; and generally relating to the zoning and development laws of Baltimore City.				
Sponsors:	City Council President (Administration)				
Indexes:	After-hours, Establishment, Lounges, Zoning				
Code sections:					
Attachments:	1. 17-0096~1st Reader, 2. BMZA 17-0096, 3. HCD 17-0096, 4. Planning 17-0096, 5. Law 17-0096, 6. BDC 17-0096, 7. DOT 17-0096, 8. 17-0096~3rd Reader, 9. Completed Legislative File 17-0096, 10. Completed Legislative File 17-0096				

Date	Ver.	Action By	Action	Result
9/11/2017	0	Mayor	Signed by Mayor	
8/14/2017	0	City Council	Advanced to 3rd Reader on same day	
8/14/2017	0	City Council	Approved and Sent to the Mayor	
8/14/2017	0	Land Use and Transportation Committee	Recommended Favorably with Amendment	
8/9/2017	0	Land Use and Transportation Committee	Recommended Favorably with Amendment	Pass
7/24/2017	0	Land Use and Transportation Committee	Advertising	
7/20/2017	0	The City Council	Refer to Dept. of Housing and Community Development	
7/20/2017	0	The City Council	Refer to Baltimore Development Corporation	
7/20/2017	0	The City Council	Refer to Dept. of Transportation	
7/20/2017	0	The City Council	Refer to City Solicitor	
7/20/2017	0	The City Council	Refer to Board of Municipal and Zoning Appeals	
7/20/2017	0	The City Council	Refer to Planning Commission	
7/17/2017	0	City Council	Assigned	
7/17/2017	0	City Council	Introduced	
7/17/2017	0	Land Use and Transportation Committee	Scheduled for a Public Hearing	

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

* **Warning:** This is an unofficial, introductory copy of the bill.

The official copy considered by the City Council is the first reader copy.

Introductory*
City of Baltimore
Council Bill

Introduced by: The Council President

At the request of: The Administration (Department of Housing and Community Development)

A Bill Entitled

An Ordinance concerning

Zoning - After-Hours Establishments; Lounges

For the purpose of allowing certain after-hours establishments and certain lounges only in certain commercial and industrial zoning districts; defining certain terms; imposing certain standards; providing for a special effective date; and generally relating to the zoning and development laws of Baltimore City.

By adding

Article 32 - Zoning
Sections 1-302(i-1), 1-309(h-1), 14-301.1, and 14-321
Baltimore City Code
(Edition 2000)

By repealing and reordaining, with amendments

Article 32 - Zoning
Tables 10-301 and 11-301
Baltimore City Code
(Edition 2000)

Section 1. Be it ordained by the Mayor and City Council of Baltimore, That the Laws of Baltimore City read as follows:

Baltimore City Code

Article 32. Zoning

Title 1. Definitions

§ 1-302. “Abut” to “Awning”.

(i-1) *After-hours establishment.*

“After-hours establishment” means any of the following uses that remains open after 2 a.m. on any day:

- (1) an adult use, banquet hall, lodge or social club, or similar place; or
- (2) a lounge, a restaurant with accessory live entertainment, or live entertainment as a principal use.

§ 1-309. “Lot line” to “Motel”.

(h-1) *Lounge.*

(1) *In general.*

“Lounge” means a business establishment that:

- (i) is open to the general public;
- (ii) provides seating or a designated area for social gathering; and
- (iii) does not serve or permit the on-site consumption of alcohol.

(2) *Exclusions.*

“Lounge” does not include any of the following uses:

- (i) adult use;
- (ii) banquet hall;
- (iii) carry-out food shop;
- (iv) entertainment: indoor;
- (v) entertainment: live;.
- (vi) lodge or social club;
- (vii) restaurant; or
- (viii) tavern.

Title 14. Use Standards

Subtitle 3. Use Standards

§ 14-301.1. After-hours establishments.

(a) *General considerations.*

For an after-hours establishment, the Zoning Board must consider imposing conditions, as appropriate, concerning:

- (1) days and hours of operation;
- (2) use of amplification, noise levels, and need for noise proofing;
- (3) limits on the size of the establishment or on the size, location, or configuration of any entertainment or dancing venue within the establishment;
- (4) number of live entertainers;
- (5) whether to place limits on the type of entertainment use;

(6) exterior lighting; and

(7) the establishment and maintenance of:

(i) a traffic and parking management plan; and

(ii) an indoor and outdoor security plan.

(b) *Required findings and conditions.*

The board must find, and require as a condition of approval, that the establishment cannot be entered from a tavern.

§ 14-321. Lounges.

(a) *In general.*

The establishment, location, construction, maintenance, and operation of a lounge may not be detrimental to or endanger the public health, safety, or welfare.

(b) *Effect on the community.*

The lounge must be designed so that the location of entrances and exits, exterior lighting, noise levels, service areas, and parking and loading facilities will minimize traffic congestion, pedestrian hazards, and adverse impacts on adjacent properties.

[§§ 14-321 to] § 14-322. {Reserved}

Zoning Tables

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

Uses	C-1	C-1-VC	C-1-E	C-2	C-3	C-4	C-5	Use Standards
...								
Commercial								
After-Hours Establishment			CB		CB	CB	CB	Per § 14-301.1
...								
Lounge			P		P	P	P	Per § 14-321
....								

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

Uses	OIC	BSC	I-MU	I-1	I-2	MI	Use Standards
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...					
Commercial					
...					
Lounge		CB			Per § 14-321
....					

Section 2. And be it further ordained, That the catchlines contained in this Ordinance are not law and may not be considered to have been enacted as a part of this or any prior Ordinance.

~~Section 2. And be it further ordained, That this Ordinance takes effect upon its passage.~~