



Legislation Details (With Text)

File #:	18-0188	Version:	0	Name:	Zoning - Auxiliary Dwelling Units
Type:	Ordinance	Status:	Withdrawn		
File created:	2/5/2018	In control:	City Council		
On agenda:		Final action:	7/6/2020		
Enactment date:		Enactment #:			
Title:	Zoning - Auxiliary Dwelling Units For the purpose of allowing, as a conditional use requiring approval by the Board of Zoning Appeals, "auxiliary dwelling units" in certain districts; defining certain terms; imposing certain use standards; and requiring compliance with certain additional bulk and yard regulations.				
Sponsors:	Ryan Dorsey, Bill Henry, Kristerfer Burnett, John T. Bullock, Zeke Cohen, Robert Stokes, Sr., Shannon Sneed, Edward Reisinger, President Young, Sharon Green Middleton, Eric T. Costello, Isaac "Yitzy" Schleifer, Brandon M. Scott				
Indexes:	Auxiliary, Dwellings, Zoning				
Code sections:					
Attachments:	1. 18-0188~1st Reader, 2. DOT 18-0188				

Date	Ver.	Action By	Action	Result
7/6/2020	0	City Council	Withdrawn	
7/22/2019	0	City Council	Reassigned	
2/8/2018	0	The City Council	Refer to Dept. of Transportation	
2/8/2018	0	The City Council	Refer to Dept. of Housing and Community Development	
2/8/2018	0	The City Council	Refer to City Solicitor	
2/8/2018	0	The City Council	Refer to Board of Municipal and Zoning Appeals	
2/8/2018	0	The City Council	Refer to Planning Commission	
2/5/2018	0	City Council	Assigned	
2/5/2018	0	City Council	Introduced	

Introductory*

City of Baltimore Council Bill

Introduced by: Councilmember Dorsey

A Bill Entitled

An Ordinance concerning

Zoning - Auxiliary Dwelling Units

For the purpose of allowing, as a conditional use requiring approval by the Board of Zoning Appeals, "auxiliary

dwelling units” in certain districts; defining certain terms; imposing certain use standards; and requiring compliance with certain additional bulk and yard regulations.

By adding

Article 32 - Zoning
Sections 1-302(w) and 14-301.2
Baltimore City Code
(Edition 2000)

By redesignating

Article 32 - Zoning
Section 1-302(w)
to be
Section 1-302(x)
Baltimore City Code
(Edition 2000)

By repealing and reordaining, with amendments

Article 32 - Zoning
Tables 8-301, 8-401, 9-301, 9-401, and 16-406
Baltimore City Code
(Edition 2000)

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

Baltimore City Code

Article 32. Zoning

Title 1. General Provisions

Subtitle 3. Definitions

§ 1-302. “Abut” to “Awning”.

(w) *Auxiliary dwelling unit.*

“Auxiliary dwelling unit” means a detached single-family dwelling that is:

- (1) located on the same lot as a principal structure; and
- (2) *subordinate in lot coverage and floor area to that principal structure.*

(x) [(w)] *Awning.*

“Awning” means an architectural projection that:

- (1) comprises a lightweight frame structure over which a covering is attached;
- (2) is designed to provide weather protection, identity, or decoration; and

- (3) is partially or wholly supported by the building to which it is attached.

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

- (1-1) *Dwelling: Auxiliary dwelling unit.*

See “Auxiliary dwelling unit”.

Title 14. Use Standards

Subtitle 3. Use Standards

§ 14-301.2. Auxiliary dwelling units.

- (a) *Number of ADUs on a lot.*

More than 1 auxiliary dwelling unit may be allowed on a lot as long as, in the aggregate, the auxiliary dwelling units and the principal structure comply with the applicable bulk and yard regulations of the district in which the property is located.

- (b) *Maximum gross floor area.*

- (1) *In general.*

The gross floor area of an auxiliary dwelling unit may not exceed 750 square feet.

- (2) *Measurement inclusions and exclusions.*

This gross floor area measurement:

- (i) includes garage and storage areas; but

- (ii) excludes:

1. porches and decks, up to a maximum exclusion of not more than 75 square feet; and
2. areas below grade.

- (c) *Placement in front yard prohibited.*

An auxiliary dwelling unit may not be located in the front yard of the lot.

Zoning Tables

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 [REDACTED]. [REDACTED]Day-Care Home: Adult or Child P P P P

P P P P P Per §14-310 Dwelling: Auxiliary dwelling unit CB CB CB CB CB CB CB CB CB CB Per §14-301.2

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: Auxiliary dwelling unit In Accord w/ Req'ts of Principal Structure In Accord w/ Req'ts of
 Principal Structure In Accord w/ Req'ts of Principal Structure In Accord w/ Req'ts of Principal Structure In Accord w/ Req'ts of Principal Structure In Accord w/ Req'ts of Principal Structure In
 Accord w/ Req'ts of Principal Structure In Accord w/ Req'ts of Principal Structure 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. . . .
Minimum Lot Width Dwelling: Auxiliary dwelling unit In Accord w/ Req'ts of Principal Structure In Accord w/ Req'ts of Principal Structure In Accord w/ Req'ts of Principal Structure In Accord
 w/ Req'ts of Principal Structure In Accord w/ Req'ts of Principal Structure In Accord w/ Req'ts of Principal Structure In Accord w/ Req'ts of Principal Structure In Accord w/ Req'ts of Principal
 Structure In Accord w/ Req'ts of Principal Structure Dwelling: Semi-Detached 100 feet 75 feet 75 feet 60 feet 60 feet 50 feet 30 feet 45 feet 30 feet . .
Maximum Building Height Dwelling: Auxiliary dwelling unit 14 feet 14 feet 14 feet 14 feet 14 feet 14 feet 14 feet 14 feet 14 feet 14 feet All Other Uses 35 feet 35 feet 35 feet 35 feet 35 feet 35 feet 35 feet 35 feet 35 feet
Maximum Lot Coverage Dwelling: Auxiliary dwelling unit (together w/ principal structure) 50% 50% 50% 50% 50% 50% 50% 50% 50% All Other Uses 25%
 25% 25% 25% 25% 30% 30% 35% 35% **Maximum Impervious Surface** Dwelling: Auxiliary dwelling unit (together w/
 principal structure) 55% 55% 55% 55% 55% 55% 55% 55% 55% All Other Uses 40% 40% 40% 40% 40% 50% 50% 50% 50% .
 . . . {No Changes to Other Categories or to Any Footnotes}

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

Residential Day-Care Home: Adult or Child P P P P P Per § 14-310 Dwelling: Auxiliary Dwelling Unit CB CB CB CB CB CB
 Per §14-301.2

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

Minimum Lot Area Community ... Open-Space Garden or Farm None None None None None None Dwelling: Auxiliary Dwelling
 Unit In Accord w/ Req'ts of Principal Structure In Accord w/ Req'ts of Principal Structure In Accord w/ Req'ts of Principal Structure In Accord w/ Req'ts
 of Principal Structure In Accord w/ Req'ts of Principal Structure In Accord w/ Req'ts of Principal Structure 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. . . . **Maximum Bldg Height** Dwelling: Auxiliary Dwelling Unit 14 feet 14

feet 14 feet 14 feet 14 feet 14 feet Dwelling: Detached or Semi-Detached 35 feet 35 feet 35 feet 35 feet 35 feet 35 feet . . . ☐☐☐☐
Maximum Lot Coverage ☐☐☐☐ Dwelling: Auxiliary Dwelling Unit (together w/ principal structure) 60% 60% 60% 60% or 80% ⁴ 60%
80% Dwelling: Detached or Semi-Detached 35% 35% 35% 35% 35% 35% Dwelling: Rowhouse 40% 45% 50% 60% or 80% ⁴ 40%
80% . . . ☐☐☐☐**Maximum Impervious Surface** ☐☐☐☐ Dwelling: Auxiliary Dwelling Unit (together w/ principal structure) 65% 65% 65%
65% 65% 65% Dwelling: Detached or Semi-Detached 60% 60% 60% 60% 60% 60% . . . ☐☐☐☐ . . . *{No Changes to Other
Categories or to Any Footnotes}* ☐☐☐☐

. . .
⁴ 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%.
. . . .

Table 16-406: Required Off-Street Parking

Uses Parking Spaces Required ☐ . . Dwelling: All unless otherwise specified 1 per dwelling unit Dwelling: Auxiliary dwelling unit
None Dwelling: Live-Work 1 per dwelling unit Dwelling: Multi-Family - Age-Restricted Housing 1 per 2 dwelling units ☐

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

Section 3. And be it further ordained That this Ordinance takes effect on the 30th day after the date it