



Legislation Details (With Text)

File #: 24-0599 **Version:** 0 **Name:** Zoning - Conditional Use - Crematorium
Type: Ordinance **Status:** Failed - End of Term
File created: 9/30/2024 **In control:** Ways and Means
On agenda: **Final action:** 12/4/2024
Enactment date: **Enactment #:**

Title: Zoning - Conditional Use - Crematorium
For the purpose of creating a stand-alone use in the Zoning Code for crematoriums; amending certain related definitions; revising certain zoning tables to include the use "crematorium"; making conforming changes; providing for a special effective date; and generally related to creating the stand-alone use "crematorium" in the Zoning Code.

Sponsors: Mark Conway, Ryan Dorsey, Antonio "Tony" Glover, Zeke Cohen, Odette Ramos

Indexes: Conditional Use, Crematorium, Zoning

Code sections:

Attachments: 1. 24-0599~1st Reader, 2. Newspaper Affidavit 24-0599, 3. Newspaper Affidavit 2 24-0599, 4. Letter to Eric Costello 10.25.2024, 5. Attachments Enclosures 10.25.2024, 6. Planning Commission - 24-0599, 7. Law 24-0599, 8. Baltimore Funeral Homes Map_Council Distr_Print - Legend2, 9. Email Testimony, 10. Email Testimony 2, 11. OECR 24-0599, 12. DHCD 24-0599, 13. DOT 24-0599, 14. BDC 24-0599, 15. BCFD 24 ~ 0599, 16. BMZA 24-0599, 17. Senator Mary Washington Testimony for 24-0599, 18. A. Public Notice Instructions - Zoning Code Amendment, 19. Final Bill Synopsis_24-0599, 20. WM Hearing Notes 24-0599, 21. A. Public Notice Instructions - Zoning Code Amendment - 24-0599, 22. Seltzer,Shaiyel Testimony_24-0599, 23. Final Bill Synopsis_24-0599, 24. WM Hearing Notes 24-0599

Date	Ver.	Action By	Action	Result
11/19/2024	0	Ways and Means		
10/24/2024	0	Ways and Means	Advertising	
10/21/2024	0	Ways and Means	Scheduled for a Public Hearing	
10/7/2024	0	Ways and Means	Advertising	
10/3/2024	0	Baltimore City Council	Refer to Office of Civil Rights and Wage Enforcement	
10/3/2024	0	Baltimore City Council	Refer to Planning Commission	
10/3/2024	0	Baltimore City Council	Refer to Dept. of Housing and Community Development	
10/3/2024	0	Baltimore City Council	Refer to Fire Department	
10/3/2024	0	Baltimore City Council	Refer to Baltimore Development Corporation	
10/3/2024	0	Baltimore City Council	Refer to Dept. of Transportation	
10/3/2024	0	Baltimore City Council	Refer to Parking Authority Board	
10/3/2024	0	Baltimore City Council	Refer to City Solicitor	
10/3/2024	0	Baltimore City Council	Refer to Board of Municipal and Zoning Appeals	
9/30/2024	0	Baltimore City Council	Assigned	

9/30/2024	0	Baltimore City Council	Introduced
9/30/2024	0	Ways and Means	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: Councilmember Conway

A Bill Entitled

An Ordinance concerning

Zoning - Conditional Use - Crematorium

For the purpose of creating a stand-alone use in the Zoning Code for crematoriums; amending certain related definitions; revising certain zoning tables to include the use “crematorium”; making conforming changes; providing for a special effective date; and generally related to creating the stand-alone use “crematorium” in the Zoning Code.

By repealing and re-ordaining, with amendments,

Article 32 - Zoning
Sections 1-303(u) and 1-306(u) and Tables 7-702 and 10-301
Baltimore City Code
(Edition 2000)

By adding

Article 32 - Zoning
New Section 1-304(u)
Baltimore City Code
(Edition 2000)

By renumbering

Article 32 - Zoning
Sections 1-304(u) through (z)
to be
Sections 1-304(v) through(aa), respectively
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

§ 1-303. “Bailbond establishment” to “Child day-care home”.

. . .

(u) *Cemetery.*

(1) *In general.*

“Cemetery” means land used or dedicated to the burial of the dead.

(2) *Inclusions.*

“Cemetery” includes:

[(i) a crematorium;]

(i) [(ii)] mausoleums;

(ii) [(iii)] a funeral home, if operating within the boundaries of the cemetery; and

(iii) [(iv)] necessary sales and maintenance facilities.

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

. . .

(u) *Crematorium.*

(1) *In general.*

“Crematorium” means a furnace where a human or animal corpse, in whole or in part, is burned with:

(1) the container or bag in which the human or animal corpse is placed or transported; and

(2) the animal bedding, if applicable.

(2) *Inclusions.*

“Crematorium”:

(1) includes maintenance facilities; and

(2) may include sales facilities.

(v) [(u)] *Critical Area (CBCA).*

. . .

(w) [(v)] *Critical Area Management Program (CBCA).*

. . .

(x) [(w)] *Crude oil terminal.*

. . .

(y) [(x)] *Cultural facility.*

. . .

(z) [(y)] *Day-care center: Adult.*

. . .

(aa) [(z)] *Day-care center: Child.*

. . .

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

. . .

(u) *Funeral home.*

(1) *In general.*

“Funeral home” means an establishment for preparing deceased individuals for burial or cremation and for conducting rituals before burial or cremation.

(2) *Inclusions.*

“Funeral home” includes[:]

[(i)] chapels for viewing a deceased and for conducting rituals[; and]

[(ii) a crematorium].

Zoning Tables

<i>Table 7-202: Open-Space Districts - Permitted and Conditional Use</i>		
Uses	Districts	Use Standards
	OS	
...		
Commercial		
Country Club	CO	
Crematorium	CB	
Driving Range	CB	
...		

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	
...							
Commerci							
...							
Conventior							P
Crematoriu					P	P	
Day-Care (CB Child	CB	CB	P	P	P	P	Per § 14-3
...							

Section 2. And he is further enjoined that this Ordinance take effect on the date it is enacted.