



Legislation Text

File #: 18-0188, Version: 0

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										Day-Care Home: Adult or Child	P	P	P	P	
P	P	P	P	P	P	P	P	P	Per §14-3101	Dwelling: Auxiliary dwelling unit	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																			
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.	Dwelling: Detached or Semi-Detached	2 acres																					
								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			
								Dwelling: Auxiliary dwelling unit	14 feet	14 feet	14 feet	14 feet	14 feet	14 feet	14 feet	14 feet	14 feet	Maximum Building Height												
								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%	50%	Maximum Impervious Surface											
								Dwelling: Auxiliary dwelling unit (together w/ principal structure)	55%	55%	55%	55%	55%	55%	55%	55%	55%	55%												

... {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	Community	Day-Care Home: Adult or Child	P	P	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	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	Dwelling: Detached 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	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%	60% or 80% ⁴	60%	80%	Dwelling: Detached or Semi-Detached	35%	35%	35%	35%	35%	35%	Dwelling: Rowhouse	40%	45%	50%	60%	60% or 80% ⁴	40%	80%	. . .	
Maximum Impervious Surface	Dwelling: Auxiliary Dwelling Unit (together w/ principal structure)	65%	65%	65%	65%	65%	65%	65%	Dwelling: Detached or Semi-Detached	60%	60%	60%	60%	60%	60%	60%	60%	60%	60%	60%	60%	60%	60%	60%	. . .
<i>{No Changes to Other Categories or to Any Footnotes}</i>																									

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