STEPHANIE
RAWLINGS-BLAKE
MAYOR

BALTIMORE CITY
DPW
DEPARTMENT OF PUBLIC WORKS
RUDOLPH S. CHOW, P.E.
DIRECTOR

10 Year Solid Waste Management Plan for 2013-2023

CITY OF BALTIMORE

DEPARTMENT OF PUBLIC WORKS

BUREAU OF SOLID WASTE

Appendix E

Baltimore City Zoning Code Summary

ZONING SUMMARY

General Background

The purpose of zoning is to protect the general health, safety and welfare of our citizens and to create stability. This is done by creating zoning categories which allow certain land and building uses. Baltimore City's Zoning Ordinance was created after a comprehensive zoning plan was approved by Ordinance #1051 in 1971.

Baltimore City's authority to create zoning is outlined in Article 66B of the State Charter. The City's regulations also authorize the Boards and Commissions which make reports on zoning issues. The Planning Commission is required to review and make recommendations to the City Council within 100 days of introduction on all zoning changes and text amendments.

The City's Zoning Ordinance sets forth four (4) basic land use categories and lists those uses allowed in each zoning district. If a use is not listed it is not allowed. Each zoning district lists uses permitted by right, conditional to the Board of Municipal and Zoning Appeals (BMZA) and conditional with the approval of the City Council and Mayor (bills).

The Planning Department staff makes written recommendations on conditional uses requiring BMZA approval. Staff makes recommendations to the Planning Commission on bills. The Commission makes recommendations to the City Council. The Planning Commission is unique because they are the only recommending body which holds a public hearing. All other Agencies and Boards make written recommendations based solely on professional expertise. The Land Use Committee of City Council also holds a public hearing and makes a recommendation to the City Council.

Zoning Categories

Below are the four (4) basic zoning categories (residential, office-residential, business and manufacturing):

RESIDENTIAL

There are ten (10) residential districts in Baltimore City. "R" is used to designate these areas. The main purpose is to meet the housing needs of the City's present and future population, and to promote the stability and desirability of residential districts. They include both single-family and general residential districts. Basically, the density increases with the number following the "R" designation.

Single-family Residential Districts

There are four (4) single-family residential categories.

? R-1 - maximum 5.9 units per acre allowed; and

? R-3 - maximum 8.7 units per acre allowed.

In 1992, the Zoning Ordinance was amended to create two (2) lower density single-family districts.

? R-1A - maximum 3 units per acre allowed; and

? R-1B - maximum 2 units per acre allowed.

Examples of R-1 neighborhoods include: Ten Hills, Hunting Ridge and Guilford. A portion of Mt. Washington was the first area designated R-1B. R-3 area examples include Ashburton and Harford-Echodale.

BALTIMORE CITY DEPARTMENT OF PLANNING
Douglas B. McCoach, III
Director

417 East Fayette Street, 8th Floor
(410) 396-7526
TTY#: (410) 545-7580

General Residential Districts

There are eight (8) general residential districts. These districts allow a wider variety of housing types. All of these categories allow for single-family detached dwellings (5.9 per acre). As the number after the "R" increases, the variety of types of housing increases and more density is allowed.

- R-2 also allows for single-family semi-detached and multi-family housing (5.9 units per acre) Howard Park is an example of an R-2 neighborhood.
- R-4 also allows for single-family semi-detached, and multi family housing (8.7 units per acre). Portions of Lauraville and Beverly Hills are examples of R-4 areas.
- R-5 also allows for single-family semi-detached (14.5 units per acre), single-family attached townhouses (17.4 per acre) and multi-family housing (17.4 per acre). Portions of West Hills and Rognel Heights are zoned R-5.
- R-6 also allows for single-family semi-detached (14.5 units per acre), single-family attached townhouses (29 units per acre) and multi-family housing (29 units per acre). Examples of R- 6 neighborhoods includes Brooklyn- Curtis Bay, Edmondson Village, Belair Edison and Cherry Hill.
- R-7 also allows for single-family semi-detached (17.4 units per acre), single-family attached townhouses (39.6 units per acre) and multi-family housing (39.6 units per acre) The majority of the Hamden and the eastern portion of the Rosemont neighborhoods are zoned R-7.
- R-8 also allows for single-family semi-detached housing (21.7 units per acre), single family attached townhouses (58 units per acre) and multi-family housing (58 units per acre). Most of the neighborhoods surrounding downtown are zoned R-8.
- R-9 also allows single-family semi-detached housing (21.7 units per acre), single-family attached townhouses (58 dwelling units per acre) and multi-family housing (79.2 units per acre). The area north of University Parkway along Charles Street is zoned R-9.
- R-10 is the densest area. It also allows for single-family semi-detached housing (21.7 units per acre), single family attached townhouses (58 units per acre) and multi-family housing (217.8 units per acre). The northern end of Calvert Street at University Parkway is zoned R-10.

The aforementioned residential uses and compatible uses such as schools, recreational facilities and churches are also permitted in the residential districts.

Examples of conditional uses allowed in residential districts by the BMZA include: antennae, day care centers, cemeteries, fire and police stations, and boats or trailers stored in the rear yards.

Examples of conditional uses which require a City Council ordinance to be passed include: parking as a principal use, nursing homes, elderly housing, and drug abuse treatment centers. These City Council bills (which become ordinances after passage by the City Council and signature by the Mayor) are referred to the Planning Commission.

OFFICE-RESIDENTIAL

The Office-Residential (O-R) district was created to accommodate mixed uses near major thoroughfares and encourage sound development while promoting the stability and desirability of adjacent residential districts.

The O-R district allows for a variety of general professional, business and governmental offices in addition to the uses allowed in residential zones. There are O-R-1 through O-R-4 districts. The number refers to the density allowed in each district. The conditional uses are similar to those outlined in the "R" category. Retail uses are not allowed in this district. The 25th Street area in Lower Charles Village is a prime example of an O-R zone.

BUSINESS

There are five (5) business districts which are created to provide for the variety of shopping and consumer needs. The Business or "B" categories become more intense as the number following the "B" increases. The uses range from neighborhood oriented uses to a wide variety of regional uses.

- B-1 Neighborhood Commercial: This category is designed to meet daily shopping needs. The uses are limited as is the maximum square footage for a store. The areas are designed primarily to accommodate pedestrian and minimal vehicular traffic. The conditional uses are similar to those in residential districts.

- B-2 Community Commercial: This area is designed for a variety of commercial activity for occasional shopping needs. The uses include a wide variety of retail. All uses in the B-1 category and some auto related uses such as service stations, repair garages; and trade schools and hand gun sales are conditional to the BMZA. Some of the conditional uses reviewed as bills include: parking as a principal use, homeless shelters, drug treatment centers, drive-in restaurants without pick-up windows, pharmacies with pick-up windows, dance halls, pawnshops, and meeting and banquet halls. Examples of B-2 areas include the following commercial areas South Baltimore, Eastern Avenue-Highlandtown, Park Heights and Belvedere, and Cherry Hill.

- B-3 Community & Highway Commercial: This category is designed primarily for commercial activity of a highway oriented nature. It includes the widest variety of commercial uses by right, including all of those in B-2 and such uses as live entertainment. Conditional uses to the BMZA include such things as auto repair including body work, car washes, after-hours establishments and tattoo parlors. Uses requiring an ordinance include some of those in B-2, however, in this category allows drive-in restaurants with the drive-through window.

  This is the most intense commercial zoning. It is found along commercial corridors such as Reisterstown Road, Belair Road, Potee Street, and North Avenue.

- B-4 and B-5 Downtown Commercial: B-4 is cumulative from B-2 and B-5 is cumulative from B-3. Conditional uses are similar to those for the other commercial districts. The main difference is that these districts allow for a much greater building mass and much less parking. The uses are expected to be part of a dense urban area and much of the trade is anticipated to come from office workers or residents nearby. Parking would by-in-large be located in garages in the area and mass transportation is readily available.

  Charles Center is B-4; the Inner Harbor and portions of Howard Street are primarily B-5.

MANUFACTURING

The purpose of the "M" or manufacturing districts is to provide a job base for the City and to preserve land for industrial development. The "M" districts are the only districts which prohibit residential development. There are three (3) "M" districts.

- M-1 Light Manufacturing: This district is designed to be a nuisance-free environment. It allows for a variety of clean industrial uses. This zoning category has performance standards for noise, smoke and particulate matter, vibration and toxic matter.

  This category is used for office parks such as Seton Business Park, and also is used as a buffer zone for industrial uses adjacent to or surrounded by residential areas.

- M-2 and M-3 General Manufacturer: They allow for a wide variety of intense industrial uses. M-3 is the heaviest industrial area and includes conditional use by bill for incinerators, and hazardous materials and storage areas.

  The largest concentrations of general manufacturing areas are Fairfield, Hawkins Point, and Canton. The manufacturing zones are also frequently adjacent to railroad lines, or have interstate or port access.

BULK REGULATIONS

Each zoning category also includes bulk regulations for such things as height, density, floor area ratio, yard set backs and parking requirements. Requests for variance of these regulations can be considered by the Board of Municipal and Zoning Appeals.

Environmental

Both the Flood Plain and Critical Areas regulations for the City are part of the Zoning Ordinance. These regulations are reviewed as the City evaluates a zoning or other development request. They are implemented at the time the Planning Department's Environmental staff reviews permits for projects. Forest Conservation is also a program implemented by the Planning Department.

FLOOD PLAIN

Baltimore City is a participating jurisdiction in the National Flood Insurance Program. In order for the property owners within Baltimore City to be eligible for the Federally underwritten flood insurance and to insure that minimal negative impacts occur in case of a flood, the City implements certain Zoning and Building Code requirements. The Zoning Ordinance lists what uses are allowed in the flood areas. Development is allowed in the flood plain, in certain cases, provided the structure can be elevated above the 100-year flood level. The Planning Department has maps that can be used to see if your site is in a flood plain. If your property is in a flood area you will be required to adhere to these special regulations. For more information contact the Planning Department at (410) 396-5902 or (410) 396-4264.

CRITICAL AREA

The Critical Area Management Program is a State mandated program to assist in pollution reduction and to enhance the quality of the Chesapeake Bay. Every property within 1,000 feet of the shoreline (measured from the 2' contour line) is impacted. If a project within this boundary, and disturbs more than 10,000 square feet or includes substantial renovations to an existing site, they must meet special requirements for storm water management. If development occurs within 100' of the shoreline additional special requirements must be met. Contact the Planning Department at (410) 396-5902 for further information.

FOREST CONSERVATION

This is a State mandated program triggered by any plan that requires 20,000-square feet of grading. If a project triggers this criteria, a Forest Stand Delineation (evaluation of what exists on the site) and a Forest Conservation Plan (what is to be retained and what is to be planted) is required for a project. For more information contact the Planning Department at (410) 396-8360.