



# Plan Implementation

## Summary of Zoning and Land Use Recommendations

Baltimore City's Zoning Code was adopted in 1971 and has become increasingly outmoded in the 35 years since that time. Because our zoning code is outdated, we have used other tools such as urban renewal plans (URP) and planned unit development (PUD) overlay zones to accommodate modern land use needs. Although numerous amendments have been made over the years to address specific problems, important issues can only be addressed by an in-depth review and update of the entire zoning code.

The Department of Planning began updating discrete sections of the zoning code in 2004. The Maritime Industrial Overlay Zoning District and a first phase of changes to live entertainment provisions have been enacted. In 2005, provisions related to locating supportive group homes and treatment facilities were proposed and not enacted – but are still under discussion. After Planning Commission and City Council adoption of the CMP, the Department of Planning will propose updates to the City's Industrial Zoning, zoning in the Southeast District, and begin the total rewrite of the existing code, which will include a proposed transit oriented development overlay zone; a university district overlay zone; mixed-use categories; and a new park zoning classification.

## Zoning Recommendations

This Comprehensive Plan has identified numerous goals to be addressed during the subsequent Comprehensive Rezoning process. The following is a summary of the overarching goals followed by some of the specific framework and categories:

**Ease of use** – A new zoning code should be as brief and user-friendly as possible and should work seamlessly with the new electronic zoning maps.

**Flexibility** – Flexibility should be the key factor to consider when revising the zoning code in order to reflect and respect historic patterns in Baltimore while providing flexibility for contemporary development and design solutions.

**Use categories updated** – The use categories and their definitions need to be reviewed to meet modern spatial requirements, new and emerging land uses, residential needs and economic changes.

**Design standards** – A new Zoning Code should include form-based approaches and design standards that offer opportunities to neighborhoods and reflect the variety of existing building types.

**Parking standards** – Parking standards need to be completely rewritten to encourage transit oriented developments and reduce auto dependency.

## **Residential Districts**

Residential zoning covers large portions of the City, including everything from detached houses on half-acre lots to high-rise apartment buildings. These categories need to be reviewed and revised to include urban design considerations such as setback and lot area requirements. In addition, the residential zones have a minimum dwelling width of sixteen feet. This causes over 75 % of the rowhouses in the R-8 district to be non-conforming structures because the lots are less than sixteen feet wide. At the same time, the current code has no design standards for major or minor additions to an existing rowhouse. This has caused a 400% increase in appeals to the Board of Municipal and Zoning Appeals (BMZA) for variances. About half of these appeals would not need BMZA hearings were it not for the structures' non-complying width.

## **Mixed-Use Zones with Residential**

### **A. Commercial Mixed Use Nodes**

Our existing business districts, which are inherently mixed use, need to be reviewed to ensure that they encourage the development of commercial nodes that meet the needs of our business and residential users. The updating of these districts will include a review of density, FAR, parking and design standards.

### **B. Office-Residence**

The existing OR Districts will be retained and will be included in the mixed-use with residential category, instead of remaining separate. It will be retained because it provides high density office and residential with retail limited to the internally-accessed shops which are either accessory uses in multi-unit buildings with fifty or more units, or in a building that contains more than 20,000 square feet of gross floor area is devoted to business and professional office use.

### **C. Neighborhood District**

This district will be used principally in the row house neighborhoods, and will provide an accounting for existing nonconforming uses which are located based on historic use patterns. It will allow a variety of by-right commercial

uses that exist presently as nonconforming uses throughout the City. The benefit is that this district will provide a stable and predictable mixed-use district that does not require a public hearing or BMZA approval for each change in use, as is currently required for lawfully established nonconforming uses. It will encourage moving commercial uses within residential areas to appropriately planned and designed portions of the neighborhood instead of perpetuating existing nonconforming uses, as those locations are presently the only opportunity to have commercial uses in our neighborhoods.

#### **D. Bioscience/University/Hospital Districts**

Bioscience areas, universities and hospitals tend to be large land owners with complex, interrelated buildings and functions that districts need to be created to manage, zone and develop them. The Zoning Code should provide a tool for adoption of the campus and hospital master plans. A district master plan directs expansion so that property owners can continue to invest in the area with some assurance of stability. This can trade flexibility in uses, design, parking and review process with comprehensive planning with public input. The communities surrounding these areas and institutions provide a unique opportunity for housing and retail support for the area and the surrounding neighborhoods. This category should support the mix of use (biotechnology companies, medical offices, educational institutions, retail, and housing) that can support both the institutions and neighborhoods. This district will be different from the other mixed use categories based on the use mix, and the general purpose statements that will guide development in this district.

#### **F. Transit Oriented Development (TOD)**

The working definition for TOD set out by the Maryland Department of Transportation (MDOT) in 2000 is the following: “A place of relatively higher density that includes a mixture of residential, employment, shopping, and civic uses and types, located within an easy walk of a bus or transit center.” (TOD Task Force, MDOT, 2000). It is important to stress that Transit Oriented Development is an approach, rather than a pre-determined program of development, the object of which is to create pedestrian-friendly activity zones near transit stations. The resulting densities around transit hubs can and will vary around the city to reflect the needs and form of surrounding areas (See Appendix D for more details).

#### **Mixed-Use Zones Without Residential**

Business and Industrial mixed-use zones are intended to be non-residential in order to protect the business and industrial users from residential conflict as well as land speculation that would put undue pressure on business and industry through increasing the cost of land and being out-competed for key properties.

#### **A. Industrial Mixed-Use**

According to the Industrial Land Use Analysis from the Baltimore Development Corporation (January 2004), the current requirements of industrial users no longer fit into the strictly industrial models in our present Zoning Code. Today’s industrial users have a mix of office and other supporting uses that are not traditionally industrial in nature, but are necessary to include within the same buildings. Likewise, the forms of the structures that are desired for modern industrial applications are very different from the older stock of buildings

that exist in our older industrial areas within Baltimore. This new model of mixed-use district will include design guidelines that will encourage an industrial park feel within the district, while providing the mix of industrial with supporting commercial uses that are needed. One of the fundamental purposes for our existing industrial districts is to protect the industrial uses by intrusion from other uses. The commercial uses allowed in this mixed-use district will have to be carefully controlled so as not to allow them to overrun the industrial uses that are not able to afford the same property prices, else they will be out-competed and will moot the mixed-use district.

#### **B. Light Industrial Mixed-Use**

This district is the inverse of the Industrial Mixed-Use District, in that there are currently clean industrial uses that are able to perform well with and benefit from commercial activity that supports these industries. In some cases, some M-2 uses in the current zoning code can be managed well enough to fit within this proposed district. The design guidelines and performance standards will ensure that this degree of flexibility is provided, while adding a measure of security that the industrial uses allowed will not create otherwise typical negative externalities on surrounding properties.

#### **C. Industrial**

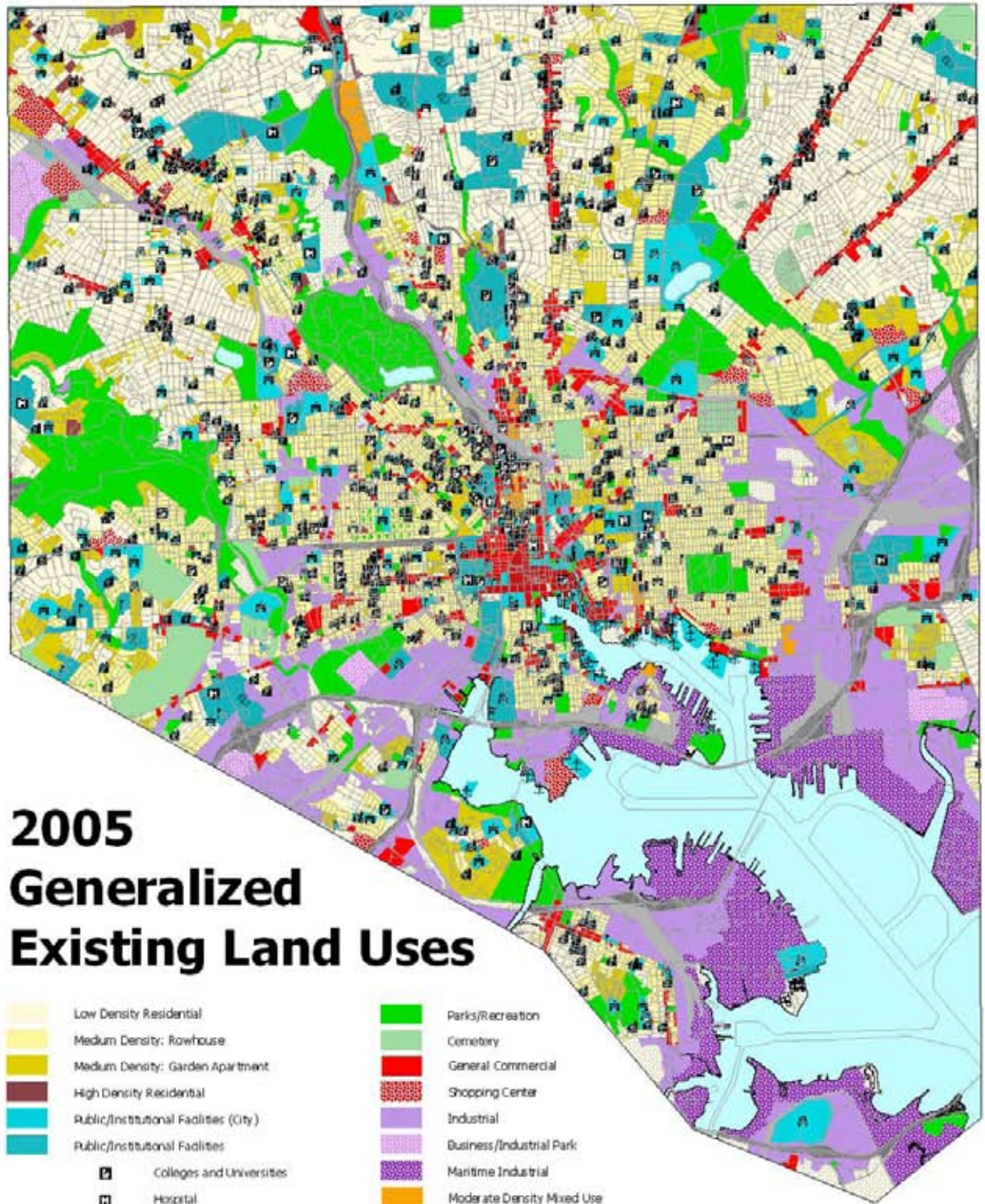
These districts will be essentially our existing exclusively industrial and manufacturing zones. They need to be reviewed and updated to ensure that the needs of our industrial users are met. This will also provide protection, as they are not able to afford the same property prices as business and residential uses. Without this protection, industrial uses can be out-competed and will leave the City in a shortage of consolidated industrial core areas. This review will include a review of density, FAR, parking and design standards.

#### **D. Maritime Industrial (MIZOD)**

The Maritime Industrial Overlay Zoning District is intended to protect the City's maritime shipping industries associated with the Port of Baltimore by reducing development pressure of the City's waterfront areas due to new mixed-use residential development. The district protects maritime uses in deep-water areas, which are to be reserved for industrial use. The current overlay, which was enacted in 2004, prohibits incompatible developments in the overlay area such as Planned Unit Developments (PUDs are currently the principal method of accomplishing conversion from industrial to mixed use. PUDs in industrial zones may include any use allowed in business zones, including office, residential, etc.); offices, business and professional, other than accessory; hotels and motels; restaurants, other than accessory; live entertainment or dancing in accessory restaurants; taverns.

#### **Park and Open Space (PO)**

The proposed Park and Open Space Zoning District is intended to protect parks and critical open space resources against development pressures. Currently, Baltimore's public parks and environmentally sensitive lands are located in a variety of residential and business districts, permitting them to be perceived as available for development. In addition, it would implement more flexible use of land within parks and open space than the current zoning does. More appropriate regulations will improve the quality of park environments and protect the integrity of natural resources.



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|--|--|--|-----------------------------|
|  | Low Density Residential                |  | Parks/Recreation            |
|  | Medium Density: Rowhouse               |  | Cemetery                    |
|  | Medium Density: Garden Apartment       |  | General Commercial          |
|  | High Density Residential               |  | Shopping Center             |
|  | Public/Institutional Facilities (City) |  | Industrial                  |
|  | Public/Institutional Facilities        |  | Business/Industrial Park    |
|  | Colleges and Universities              |  | Maritime Industrial         |
|  | Hospital                               |  | Moderate Density Mixed Use  |
|  | Private School                         |  | High Density Mixed Use      |
|  | Public Building                        |  | Railroad                    |
|  | Public Schools                         |  | Transportation Right-of-way |
|  | Public Utility                         |  | Undeveloped Land            |
|  | Recreational Marina                    |  | Water                       |
|  | Religious Organization                 |  |                             |
|  | Stadium, Arena, Performing Arts        |  |                             |



**Martin O'Malley**  
Mayor

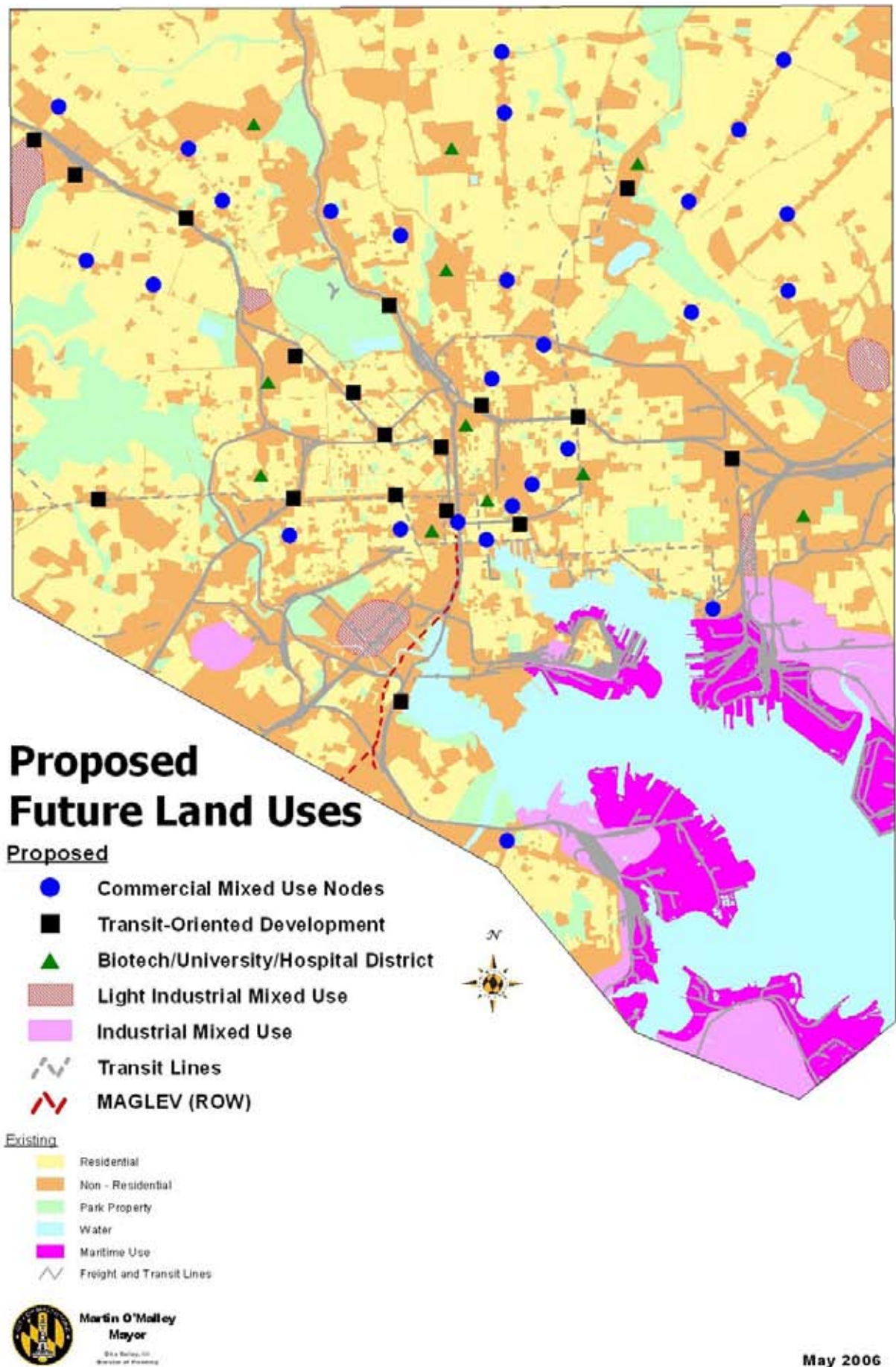
Otis Rolley, III  
Director of Planning



ONE INCH EQUALS 1000 FEET

July 1, 2005

## Proposed Future Land Uses



Growth Promotion Areas

Based on initiatives set out by the State of Maryland’s Smart Growth Program, the entire City of Baltimore has been designated a Priority Funding Area (PFA). This means the City has the infrastructure, transit and school capacity for a significant increase in residents. We welcome new residential development throughout the City and encourage a variety of new housing products to be built.

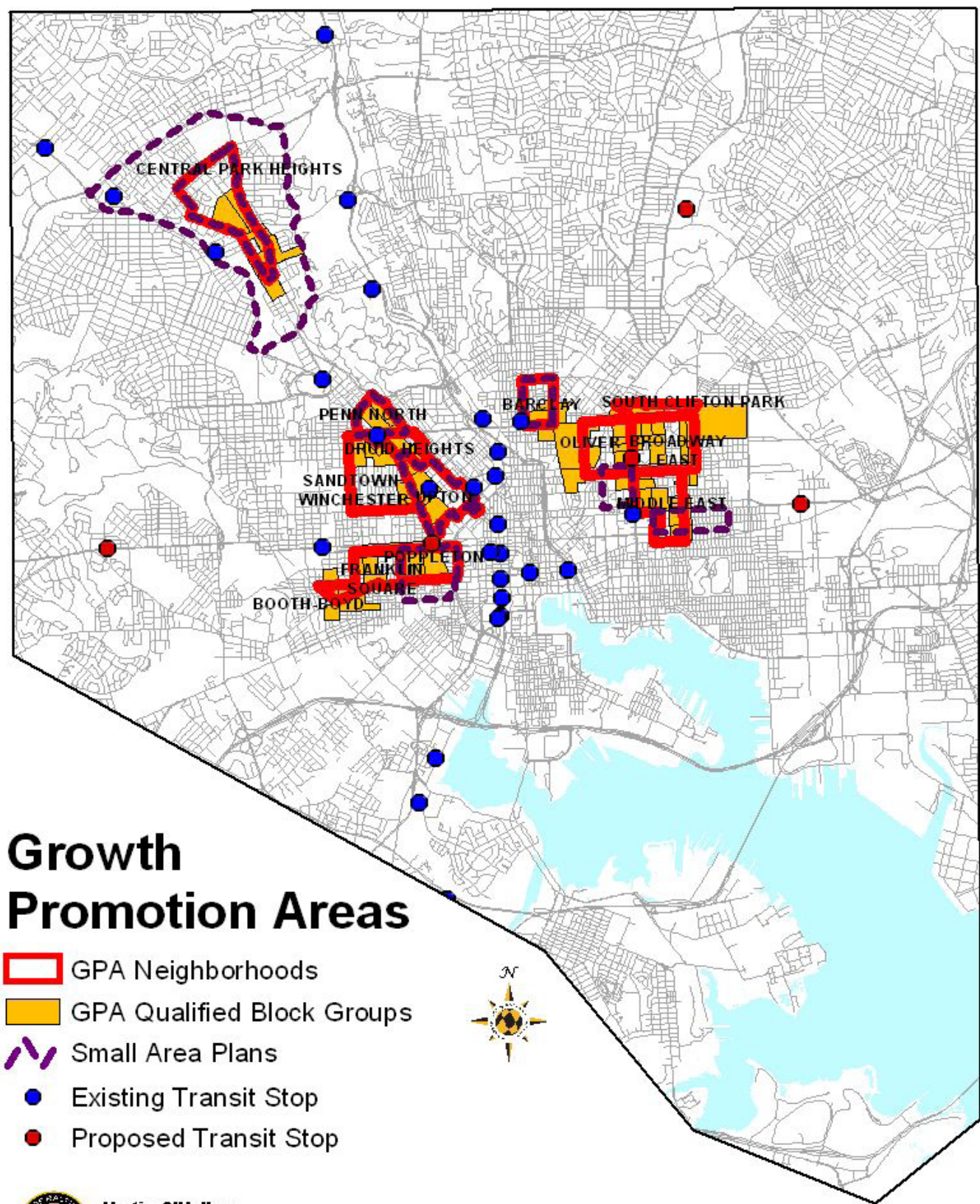
While it is our goal to promote the entire City, there are many areas with naturally strong markets where development moves forward with only limited City intervention. However, there are other areas where the City needs substantially more resources to effect lasting change to the real estate market. This Plan recommends further refining the City by designating Growth Promotion Areas (GPA) to provide us with specific areas within the City to strategically attract additional resources and capital to capture a substantial part of future State growth.

The Growth Promotion Areas are areas of Baltimore City where:

- 1. Existing roads, utilities and other infrastructure and services can accommodate growth while minimizing environmental impacts;
- 2. There is significant growth capacity as evident in the significant amount (20% or greater) of vacant housing stock and/or land;
- 3. The market has failed to spur sustainable economic and community development;
- 4. The ability to leverage or generate significant private investment to an area is dependent on state resources above existing allocations;
- 5. Planning efforts have been adopted that are designed to achieve market stability;
- 6. Transit Oriented Development provides 1) economic efficiency and growth; 2) expanded transportation choice; 3) efficient land use; and 4) measurable neighborhood benefits.

Analysis of all block groups in the City shows that the following neighborhoods had some portion of their land meeting the first 3 criteria (has existing infrastructure, has capacity for significant growth, and has a distressed housing market based on the Housing Typology). Choosing the City’s GPAs from the initial list required further consideration of existing and proposed transit stops and current neighborhood planning areas. This led to the identification of 13 GPAs for the City (see Table below). Further development of the 13 will be achieved during the comprehensive rezoning process as planning initiatives and funding availability are assembled as well as consensus among several stakeholders. Below is a table and map showing the neighborhoods that meet the first 3 GPA criteria and the ones that were chosen based on the last 3 criteria.

Growth Promotion Areas



Neighborhood	Existing Infrastructure	Growth capacity	Distressed Housing Market	% of neighborhood covered by qualifying block groups	Existing or Proposed transit station within ½ mile of any qualifying block group in neighborhood	Neighborhood covered within existing SNAP, SAP or AMP
<b>Booth-Boyd</b>	•	•	•	<b>86.53%</b>	<b>Existing</b>	
<b>Penn North</b>	•	•	•	<b>77.65%</b>	<b>Existing</b>	<b>Y</b>
<b>Poppleton</b>	•	•	•	<b>76.18%</b>	<b>Both</b>	<b>Y</b>
<b>Druid Heights</b>	•	•	•	<b>68.53%</b>	<b>Existing</b>	
<b>Middle East</b>	•	•	•	<b>64.88%</b>	<b>Both</b>	<b>Y</b>
<b>Broadway East</b>	•	•	•	<b>64.61%</b>	<b>Both</b>	
Berea	•	•	•	62.73%		
<b>South Clifton Park</b>	•	•	•	<b>60.42%</b>	<b>Proposed</b>	
<b>Oliver</b>	•	•	•	<b>59.36%</b>	<b>Proposed</b>	<b>Y</b>
Milton-Montford	•	•	•	58.77%		
<b>Franklin Square</b>	•	•	•	<b>54.54%</b>	<b>Both</b>	
<b>Upton</b>	•	•	•	<b>52.62%</b>	<b>Both</b>	<b>Y</b>
McElderry Park	•	•	•	45.20%		Y
<b>Sandtown-Winchester</b>	•	•	•	<b>43.00%</b>	<b>Both</b>	
<b>Central Park Heights</b>	•	•	•	<b>42.80%</b>	<b>Existing</b>	<b>Y</b>
<b>Barclay</b>	•	•	•	<b>40.69%</b>	<b>Existing</b>	<b>Y</b>
Carrollton Ridge	•	•	•	40.40%		
Johnston Square	•	•	•	38.25%	Proposed	Y
Greenspring	•	•	•	36.49%		Y
Midtown-Edmondson	•	•	•	35.47%	Existing	Y
New Southwest/ Mount Clare	•	•	•	31.53%		
Northwest Community Action	•	•	•	31.20%		Y
Gay Street	•	•	•	28.25%	Both	Y
Greenmount West	•	•	•	26.77%	Both	
Biddle Street	•	•	•	21.52%		
Madison East End	•	•	•	21.16%		
Harlem Park	•	•	•	21.04%	Both	
East Baltimore Midway	•	•	•	17.56%		
Edmondson Village	•	•	•	16.93%		Y
Patterson Place	•	•	•	16.78%		
Coldstream Homestead Montebello	•	•	•	16.06%		Y
Walbrook	•	•	•	13.95%		Y
Towanda-Grantley	•	•	•	13.01%	Existing	Y
Better Waverly	•	•	•	12.18%		
Park Circle	•	•	•	10.16%		Y
Mondawmin	•	•	•	6.44%	Both	Y
Penrose/Fayette Street Outreach	•	•	•	6.36%	Existing	