

# Proposed C-2 Entertainment Overlay District (C-2-E)

**Public Meeting**

**July 29, 2020**



## Virtual Meeting Ground Rules / Agenda

- All muted for presentation
- Questions and answers will follow, please use the raise hand function if possible.
- Identify yourself before you speak
- Mute yourself when you are not speaking
- Speak slowly and clearly
- Be patient with yourself and others
- Meeting is being recorded



# Webex Controls, Ground Rules, and Tips

Welcome to the Webex video conference.

- Please mute yourself when you are not speaking - this will minimize feedback and extra noise
- You will be called to be recognized to speak for each item - use the Raise your Hand feature

- BLUE = ENGAGED / ON
- BLACK = DISENGAGED / OFF
- RED = MICROPHONE IS OFF (always, unless you are speaking)  
CAMERA IS OFF

YOUR MICROPHONE

YOUR VIDEO

PARTICIPANTS

CHAT

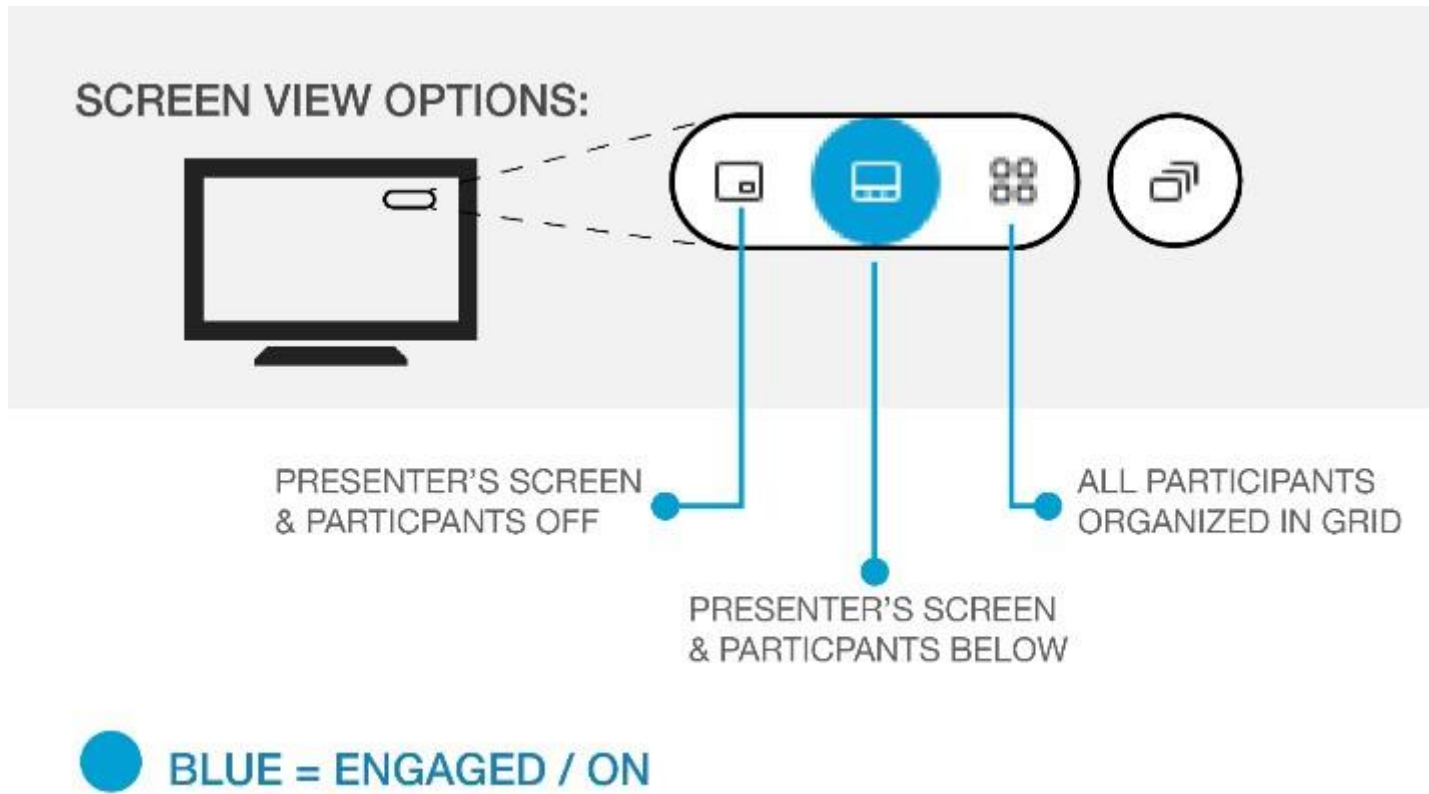
MORE OPTIONS

LEAVE MEETING



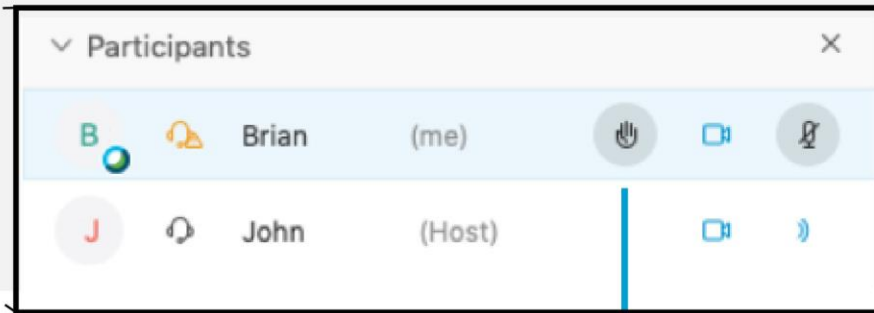
# Webex Controls, Ground Rules, and Tips

- There are several screen options when viewing this meeting
- Screen options are found in the upper right corner of your screen



# Webex Controls, Ground Rules, and Tips

## CHAT & RAISE HAND FUNCTIONS:



PARTICIPANTS

CHAT



IN PARTICIPANTS PANEL:  
HOVER OVER NAME TO  
SHOW YOUR HAND  
(CLICK TO RAISE)

ENTER QUESTIONS / COMMENTS IN CHAT  
BOX AT BOTTOM OF PARTICIPANTS LIST.



# Agenda

1. Zoning Overview
2. C-2-E
  - a. How established
  - b. District Size
  - c. Permitted & Conditional Uses
  - d. Parking
3. Timeline & Next Steps
4. Q&A



# ZONING OVERVIEW



# What is Zoning ?

Zoning is a tool used by local governments to regulate the use of land and buildings.

A Zoning Code is a law passed by local governments regulating the size, type, structure, nature and use of land or buildings, it also regulates such things as parking and signage.

## ARTICLE 32 ZONING

(As Enacted & Corrected, Effective June 5, 2017, by Ords. 16-581 & 17-015  
and  
As Last Amended by Ord. 20-360)

Published by  
BALTIMORE CITY DEPARTMENT OF LEGISLATIVE REFERENCE  
Avery Aisenstark, Director  
2020

More information and a copy of Baltimore City's code is [found here.](#)





# Zoning Code Can't Solve Everything

- Zoning does not distinguish between 'good' and 'bad' businesses
- Zoning does not determine human behavior
- Zoning does not compel a property owner to do something



# OVERLAY DISTRICT

§ 12-102.

An overlay district is a district, established by ordinance, by which a layer of regulations is superimposed on the regulations of an underlying zoning district. The overlay district is intended to modify or supplement the regulations of its underlying zoning districts in recognition of unique circumstances in the area, while maintaining the general character and purpose of the underlying zoning districts over which it is located.



# LIVE ENTERTAINMENT

§ 1-306.

(c) Entertainment: Live.

(1) In general.

“Entertainment: Live” means 1 or more of any of the following, performed live by 1 or more individuals, whether or not done for compensation and whether or not admission is charged:

(i) musical act, including karaoke;

(ii) theatrical act, including a play, revue, or stand-up comedy;

(iii) dance;

(iv) magic act;

(v) disc jockey; or

(vi) similar activity.

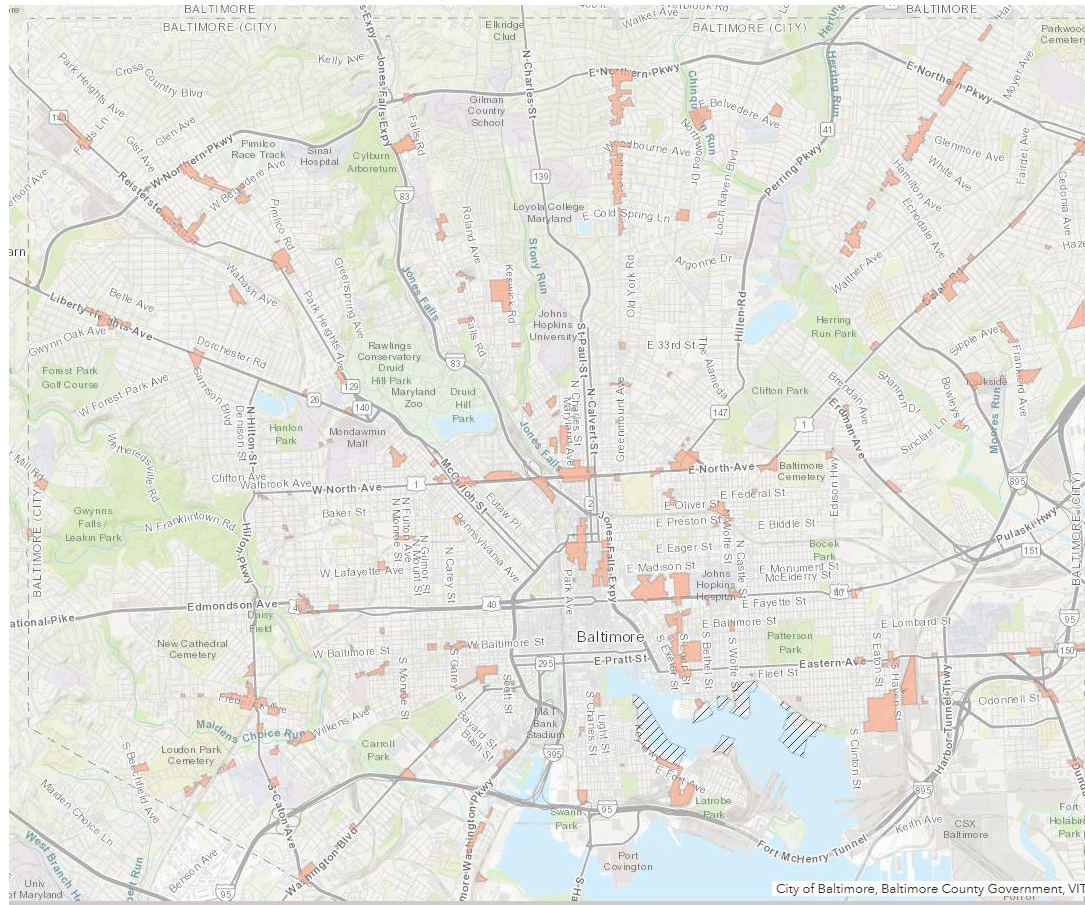
(2) Exclusions.

“Entertainment: Live” does not include any adult use.



# C-2 DESCRIPTION

Small to medium-scale commercial use, typically located along urban corridors. Designed to accommodate pedestrians and, in some instances, the automobile. Mixed-use development is appropriate within this district.



PROPOSED C-2-E OVERLAY DISTRICT



# OVERLAY VS. ZONING CATEGORY

Zoning Category - uses become Permitted (P) with the possible ability for use standards from the outset of mapping the district and enactment. A standalone zoning category will also allow for any property within the area/the City to request a zoning change to that new category (ex. C-1-E)

Overlay -allows for conditions of approval to be set through the initial establishment of the district on an individual basis within the overlay.



# C-2-E PROPOSAL



# APPLICABILITY

- Intended to address areas of commercial development in the C-2 zoning district where standalone live entertainment uses are desired. (live entertainment can be an accessory use in C-2)
- The overlay district is tied directly to the underlying commercial district in order to maintain the existing character of the development and the neighborhood.
- This overlay district allows the commercial building to be used for 1 or more of the live entertainment uses.
- The establishment of a new overlay district or expansion of an existing overlay district requires passage of a city council ordinance.



# DISTRICT SIZE

An Entertainment Overlay District may only be applied to a minimum of:

- (1) 50% of the blockface (must be contiguous); or
- (2) two opposing corner lots.  
Lots must be at least 4,000 sq. ft. and buildings must be at least 3,000 sq. ft.





# USE REGULATIONS

## 1. Permitted Uses

In an Entertainment Overlay District, 1 or more of the live entertainment uses as defined in § 1-306 (c) of this code is permitted on the ground floor of a commercial structure

- a. Musical act, including karaoke
- b. theatrical act, including a play, revue, or stand-up comedy;
- c. Dance;
- d. Magic act;
- e. Disc jockey; or
- f. Similar activity

## 2. Conditional uses

In an Entertainment Overlay District, the following uses are conditional uses requiring approval by the Board of Municipal and Zoning Appeals:

- (1) Use of upper floor for any of the live entertainment uses listed. Mezzanines and indoor balconies are considered part of the upper floor.
- (2) Outdoor live entertainment with amplified sound



# PARKING

Parking follows C-2 zoning and live entertainment uses

1. 1 per 10 persons of fire-rated capacity.
2. Square footage exemption in C-2 which states “The first 2,500 square feet of gross floor area for commercial uses in the C-2 District are exempt from the parking requirements”

Bulk & Yard standards follow underlying C-2 zoning requirements.  
Design & Performance standards follow underlying C-2 zoning requirements.



# SUMMARY

- This bill will establish the category in the zoning code and ability to happen, but not make it happen automatically
- Individual overlay districts established by ordinance
- Allows live entertainment, as defined in 1-306 of the code, as a stand alone use
- Overlay applicable only to properties zoned C-2
- District minimum size is 50% of blockface (must be contiguous) or 2 opposing corner lots
- Permits live entertainment on the ground floor, upper floors and outdoor live entertainment with amplified sound conditional to BMZA
- Parking requirements remain the same for the live entertainment use and C-2 square footage exemption remains



## TIMELINE & NEXT STEPS



- Collect additional comments- through August 7th
- Review ideas received and edit/revise C-2-E legislation as needed - through August 12<sup>th</sup>
- City Council Introduction - August 17th
- Planning Commission hearing - September 10th
- City Council Hearings - September through November
- Mayor's Signature - by December 10th

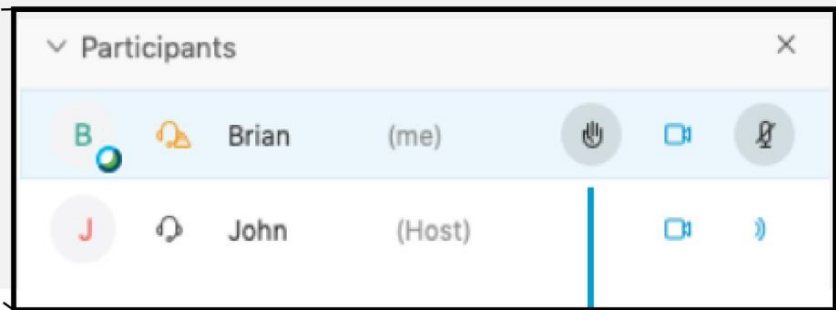


## QUESTION & ANSWER



- Please mute yourself when you are not speaking - this will minimize feedback and extra noise
- You will be called to be recognized to speak for each item - use the Raise your Hand feature

### CHAT & RAISE HAND FUNCTIONS:



PARTICIPANTS

CHAT



IN PARTICIPANTS PANEL:  
HOVER OVER NAME TO  
SHOW YOUR HAND  
(CLICK TO RAISE)

ENTER QUESTIONS / COMMENTS IN CHAT  
BOX AT BOTTOM OF PARTICIPANTS LIST.

