

Agenda:

6:15: Overview of the zoning code in Baltimore

6:45: Q&A

7: BREAK

7:15: Group Scenario Exercise

7:45: Groups Report Out

ZONING IN BALTIMORE

May 1, 2019



Zoning 101: What is zoning and what is its purpose?

- **Zoning** is a tool local governments use to regulate the use of land and buildings.
- A **Zoning Code** is a law passed by a local government regulating the size, type, structure, nature and use of land or buildings.
- Zoning also regulates such things as off-street parking, and signage.
- Zoning's purpose, as stated in the Zoning Code, includes: protect public health, welfare, and quality of life (see 2-101).



Zoning 101: What is zoning and what is its purpose?

- **Zoning** is intended to create stability within zoning districts by allowing a reasonable range of compatible uses and building types.
- A **Zoning Code** is intended to define size, type, structure, nature and use of land or buildings so as to prevent or minimize negative effects of one building or land use on other lots, buildings, or uses, especially those nearest to the new building or land use.
- Zoning Districts are usually mapped with their boundaries being streets or alleys.



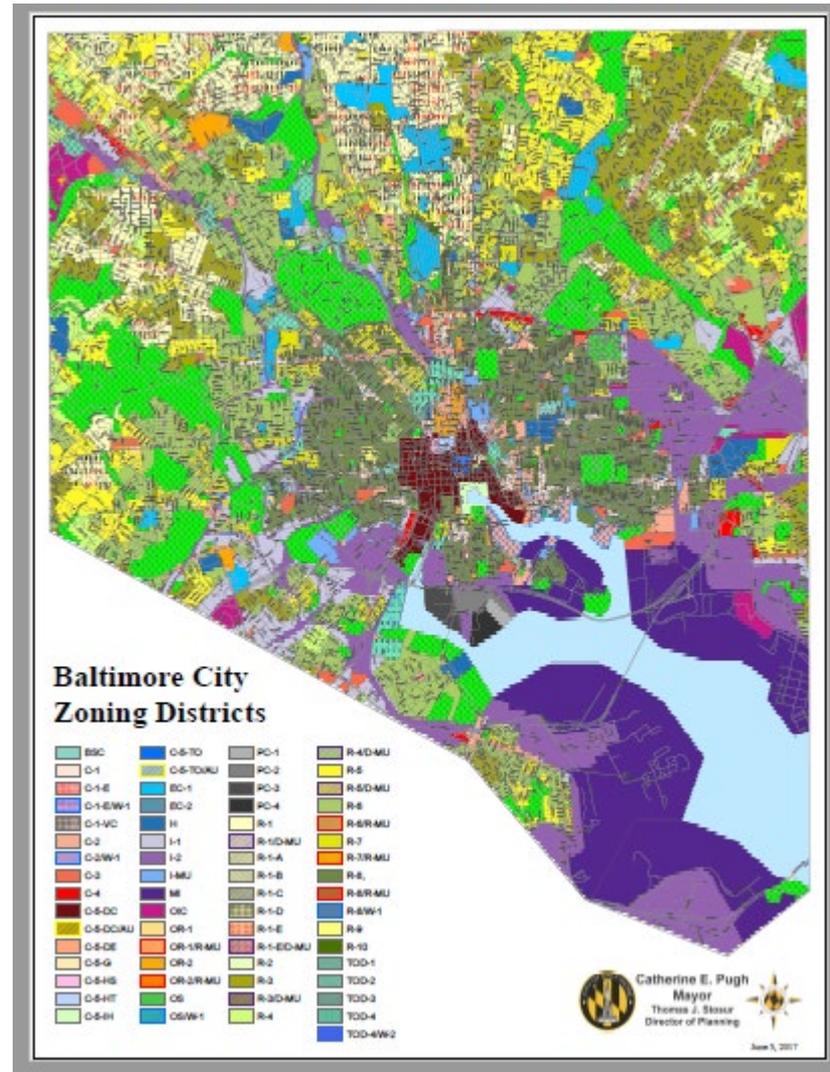
Zoning 101: How does Zoning affect Me?

- Applying zoning regulations is the first step in determining what is allowed to be built on a property, or how its use could be changed.
- Zoning determines what uses are permitted within your (or any) area by zoning districts, and the process by which they are allowed, as well as the size and types of buildings, or building additions, that could be built in the future.
- Zoning controls “the use, not the user” ... zoning “runs with the land”.



Zoning 101: How does Zoning Affect Me?

- The Zoning Code is Article 32 of the City Code. It was created by ordinance.
- Article 32 includes a zoning map and text.
- The zoning map designates which areas of the city relate to a zoning district that is defined and regulated in the text.



Zoning 101: Can zoning of a property change?

YES.

A **rezoning** is a process which changes the actual zoning designation or category of property.

Rezoning may also include changing the density or bulk regulations of a given zoning category.

- Rezoning is done by an ordinance, from a bill passed by the City Council and signed by the Mayor.
- This requires public hearings by the Planning Commission and the City Council. The City Council Land Use and Transportation Committee hears zoning bills and makes reports on them to the City Council.



Zoning 101: What if I want to do something other than what is outlined in the Zoning Code?

- You may need a **variance** approved by the Board of Municipal Zoning Appeals (BMZA).
- In addition to hearing appeals of site regulations, the BMZA hears appeals for **conditional uses** and non-conformities.
- Some development proposals need both conditional use approval and variances.



Reading & Interpreting the Zoning Code

- The Zoning Code lists allowable uses for land in zoning districts in use tables.
 - Uses may be:
 - permitted,
 - conditional or
 - not allowed.

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							
Day-Care Home: Adult or Child	P	P	P	P	P	P	Per § 14-310
Dwelling: Detached or Semi-Detached	P	P	P	P	P	CB	
Dwelling: Multi-Family	P	P	P	P	P	P	Per § 14-327
Dwelling: Rowhouse	P	P	P	P	P	P	
Fraternity or Sorority House					CO	CO	Per § 14-313
Home Occupation	P	P	P	P	P	P	Per § 15-507
Residential-Care Facility (16 or Fewer Residents)	P	P	P	P	P	P	Per § 14-334
Residential-Care Facility (17 or More Residents)	CB	CB	CB	CB	CB	CB	Per § 14-334
Rooming House (10 or Fewer Units)				CB	CB	CB	
Rooming House (11 or More Units)					CB	CB	
INSTITUTIONAL							
Community Center	CB	CB	CB	CB	CB	CB	
Cultural Facility	CB	CB	CB	CB	CB	CB	Per § 14-308
Educational Facility: Post-Secondary	CB	CB	CB	CB	CB	CB	
Educational Facility: Primary and Secondary	P	P	P	P	P	P	
Government Facility	CB	CB	CB	CB	CB	CB	
Hospital	CB	CB	CB	CB	CB	CB	
Place of Worship	P	P	P	P	P	P	Per § 14-332



Reading & Interpreting the Zoning Code

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ZONING

ART. 32, TBL 10-301

TABLE 10-301: COMMERCIAL DISTRICTS – PERMITTED AND CONDITIONAL USES

USES	DISTRICTS							USE STANDARDS
	C-1	C-1A/C	C-1E	C-2	C-3	C-4	C-5	
RESIDENTIAL								
Day-Care Home: Adult or Child	P	P	P	P	P		P	Per § 14-310
Dwelling (Above Non-Residential Ground Floor)	P	P	P	P	P	CB	P	
Dwelling: Live-Work	P	P	P	P	P	CB	P	
Dwelling: Multi-Family	P	CB	P	P	P		P	
Dwelling: Rowhouse	P	P	P	CB	CB		P	
Dormitory							P	
Fraternity or Sorority House	CO	CO	CO	CO	CO	CO	CO	Per § 14-313
Residential-Care Facility (16 or Fewer Residents)	P	P	P	P	P		P	Per § 14-334
Residential-Care Facility (17 or More Residents)	CO	CO	CO	CO	CB		CB	Per § 14-334
Rooming House	CB	CB	CB	CB	CB		CB	
INSTITUTIONAL								
Community Center	CB	CB	CB	CB	P		P	
Cultural Facility	CB	CB	CB	CB	P		P	Per § 14-308
Educational Facility: Commercial-Vocational				CB	P	P	P	
Educational Facility: Post-Secondary	CB	CB	CB	P	P	P	P	
Educational Facility: Primary and Secondary	CB	CB	CB	CB	CB		P	
Government Facility	CB	CB	CB	CB	CB	CB	CB	
Homeless Shelter					CB	CB	CB	
Hospital				CB	CB	CB	P	
Place of Worship	P	P	P	P	P	P	P	Per § 14-332



Reading & Interpreting the Zoning Code

- The Zoning Code controls placement and **size** of a building through what are called **bulk regulations**.
- Bulk regulations govern:
 - maximum height,
 - maximum lot coverage
 - minimum lot area,
 - minimum size of yards, and
 - maximum floor area ratios.
 - Different zoning districts can have different bulk limits.

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
Dwelling: Detached	3,000 sq.ft.					
Dwelling: Semi-Detached	2,500 sq.ft.	2,000 sq.ft.	2,000 sq.ft.	2,000 sq.ft.	2,500 sq.ft.	2,000 sq.ft.
Dwelling: Rowhouse	2,500 sq.ft.	1,500 sq.ft.	1,100 sq.ft.	750 sq.ft.	750 sq.ft.	500 sq.ft.
Dwelling: Multi-Family	2,500 sq.ft./du	1,500 sq.ft./du	1,100 sq.ft./du	750 sq.ft./du	550 sq.ft./du	200 sq.ft./du
Dwelling: Multi-Family (Age-Restricted)	1,875 sq.ft./du	1,125 sq.ft./du	825 sq.ft./du	575 sq.ft./du	550 sq.ft./du	200 sq.ft./du
Park or Playground	None	None	None	None	None	None
Residential-Care Facility	Lot area to be comparable to that for a like-sized M-FD	Lot area to be comparable to that for a like-sized M-FD	Lot area to be comparable to that for a like-sized M-FD	Lot area to be comparable to that for a like-sized M-FD	Lot area to be comparable to that for a like-sized M-FD	Lot area to be comparable to that for a like-sized M-FD
Residential-Care Facility (Age-Restricted)	Lot area to be comparable to that for a like-sized M-FD (Age-Restrctd)	Lot area to be comparable to that for a like-sized M-FD (Age-Restrctd)	Lot area to be comparable to that for a like-sized M-FD (Age-Restrctd)	Lot area to be comparable to that for a like-sized M-FD (Age-Restrctd)	Lot area to be comparable to that for a like-sized M-FD (Age-Restrctd)	Lot area to be comparable to that for a like-sized M-FD (Age-Restrctd)
Rooming House	N/A	N/A	N/A	375 sq.ft./ru	275 sq.ft./ru	100 sq.ft./ru
Urban Agriculture	None	None	None	None	None	None
All Other Uses	3,000 sq. ft.					
MAXIMUM BLDG HEIGHT						
Dwelling: Detached or Semi-Detached	35 feet					
Dwelling: Rowhouse	35 feet	35 feet	35 feet	35 or 45 feet ¹	35 or 45 feet ¹	35 or 45 feet ¹
Dwelling: Multi-Family	35 or 45 feet ²	35 or 45 feet ²	35 or 45 feet ²	45 or 60 feet ³	3.0 FAR	6.0 FAR
All Other Uses	35 or 45 feet ²	35 or 45 feet ²	35 or 45 feet ²	45 or 60 feet ³	45 feet	45 feet



Reading & Interpreting the Zoning Code

- The Zoning Code controls placement and **size** of a building though what are called **bulk regulations**.
- Bulk regulations govern:
 - maximum height,
 - maximum lot coverage,
 - minimum lot area,
 - minimum size of yards, and
 - maximum floor area ratios.
 - Different zoning districts can have different bulk limits.

ZONING

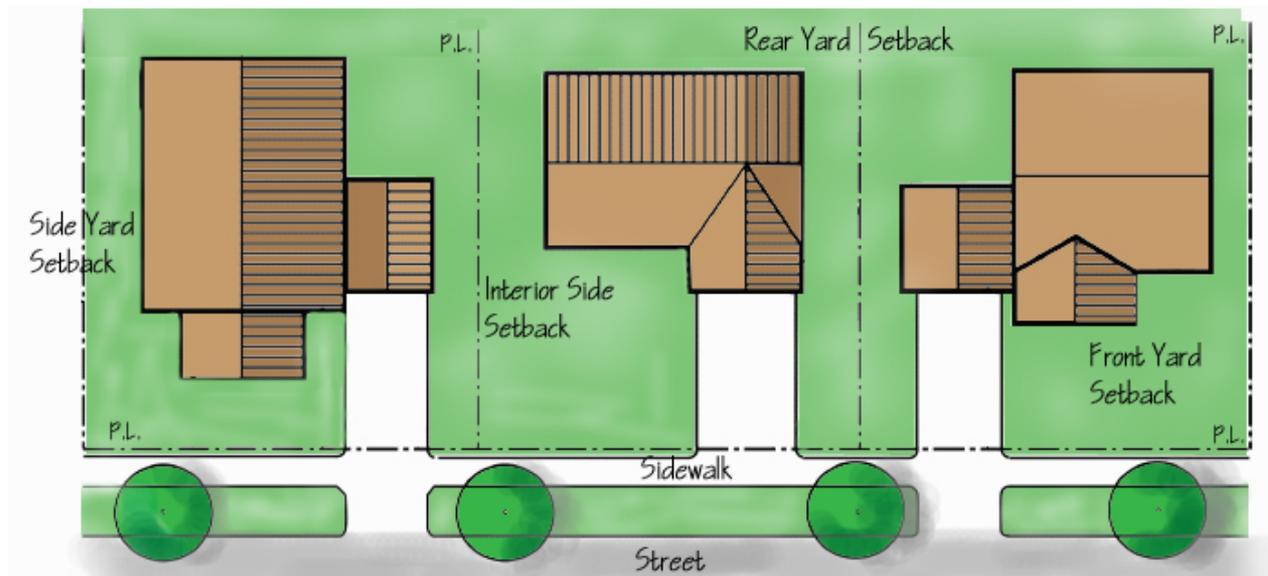
ART. 32, TBL 10-401(C-1 TO C-4)

<i>TABLE 10-401: COMMERCIAL DISTRICTS (C-1 TO C-4) – BULK AND YARD REGULATIONS</i>						
CATEGORIES	SPECIFICATIONS (PER DISTRICT)					
	C-1	C-1-VC ¹	C-1-E	C-2	C-3	C-4
MINIMUM LOT AREA						
Dwelling: Live-Work, Multi-Family, or Rowhouse	300 sq.ft	5,000 sq.ft	550 sq.ft	225 sq.ft	300 sq.ft	300 sq.ft
Residential-Care Facility (Age-Restricted)	200 sq.ft/du	200 sq.ft/du	200 sq.ft/du	120 sq.ft/du	120 sq.ft/du	120 sq.ft/du
Rooming House	None	2,500 sq.ft/ru	None	None	None	N/A
All Other Uses	None	None	None	None	None	None
MAXIMUM LOT AREA						
Restaurant	None	4,000 sq. ft.	None	None	None	None
Retail Goods Establishment (Food Store)	20,000 sq. ft.	15,000 sq. ft.	20,000 sq. ft.	None	None	None
All Other Uses	10,000 sq. ft.	2,000 sq. ft.	10,000 sq. ft.	None	None	None
MAXIMUM BLDG HEIGHT						
Dwelling: Multi-Family	60 feet	40 feet	60 feet	60 or 100 feet ²	60 or 100 feet ²	60 feet
Mixed-Use w/ Dwelling Above the Ground Floor	60 feet	40 feet	60 feet	60 or 100 feet ²	60 or 100 feet ²	60 feet
Residential Care Facility (Elderly)	60 feet	40 feet	60 feet	60 or 100 feet ²	60 or 100 feet ²	60 feet
All Other Uses	40 feet	40 feet	40 feet	60 feet	60 feet	60 feet
MINIMUM BLDG HEIGHT						
All Uses	20 feet	None	20 feet	20 feet	20 feet	None
MAXIMUM FLOOR AREA RATIO						
All Uses	None	0.8	None	None	None	None

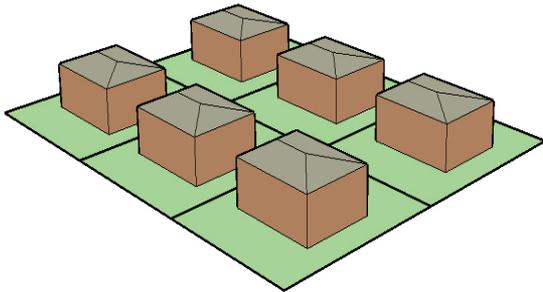


Setbacks

- Each zoning district may have minimum front, side, and rear yard **setbacks**.
- Yard setbacks provide for the circulation of light and air, permit access around buildings for emergency personnel, and provide a fire break between structures.

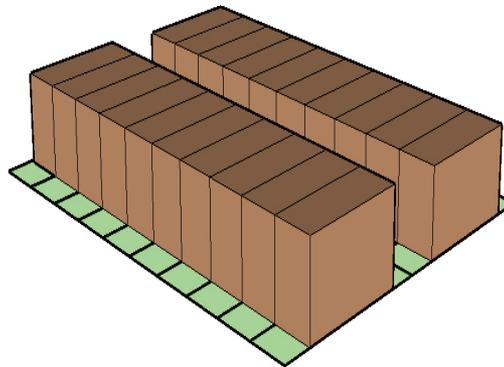


How big can my building be?



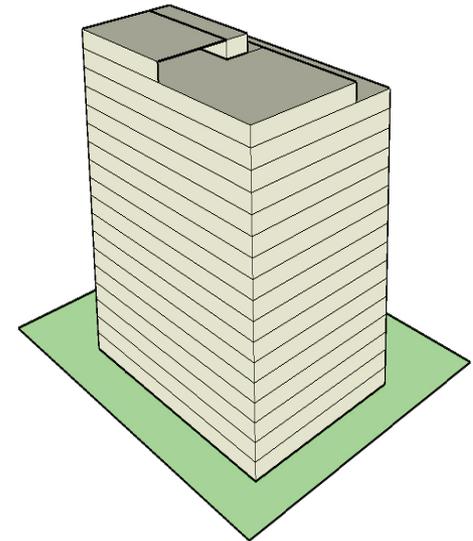
Low Density →

This example of low density housing shows a single family home community. Zoning for this type of community would range from R-1A to R-4. You may find duplexes in low density areas also.



← Medium Density

This example of medium density housing shows a rowhome community where the number dwelling units are more. A community similar to this would fit in a zoning category of R-5 to R-8. Such developments may consist of detached, semi-attached and attached (or multi-unit) housing.



High Density →

This example of high density housing shows an apartment, condominium, or terrace community where the number of units is high which makes the community's population denser. Developments to this magnitude would fit in the higher zoning category such as R-9 to R-10. Higher density zoning categories are most common seen in downtown areas of cities or major corridors.



How Do I Calculate Residential Density?

Density Allowed:

1. Determine the type of residential being proposed (rowhouse, detached, semi-detached, multi-family, etc.)
2. Go to the bulk table for the underlying zoning and find the minimum lot area for the residential type.
3. Divide the total area of the lot by the area # (sq. ft.) provided in the table.
4. The resultant # will tell you how many units of that type of residential are allowed on that lot.
5. Match this # to the # of units proposed. If the number of units proposed is larger than the number of units allowed, then a lot area variance is required or the number of proposed units should be reduced.



Using CityView

[Zoning Code](#) - This is a copy of Article 32, which is the Zoning Code.

[CityView](#) is an on-line mapping application from the City of Baltimore.

Launched in 2011, CityView was envisioned as an interactive, on-line map tool designed to provide residents, visitors, researchers, and individuals doing business in the city easy access to a host of useful information about the City of Baltimore's services and amenities.

