



## Agenda

6 – 6:50 Overview of Zoning Code + CityView

6:50-7:00: Break

7:05-7:15: BMZA Introduction

7:15-7:30: How to Navigate BMZA as a Baltimore Resident: Best Practices

**7:30-7:55: Team activity**

7:55-8:30: Groups Report Out



# **Zoning 101 & Development Process Overview**

**Planning Academy  
September 26, 2018**

# Land Use & Urban Design

## **Shaping Development**

- The Land Use and Urban Design Division serves as staff to the Planning Commission and the Urban Design and Architectural Advisory Panel (UDAAP).
- The Division reviews all major construction and renovation projects to ensure that they meet high development standards and are appropriate to their surroundings.

# Development & Legislation Review

- Pre-development meeting with Planning Staff
- Technical and Design Processes (SPRC, SWM, TIS and Design Review)
- Environmental (Critical Area, Forest Conservation, Flood Plain)
- Community Input
- Planning Commission Approvals
- City Council Approvals
- BMZA Approvals



# Designing Solutions

- Zoning Analysis
- Impact of potential ?
- Indentify other alternatives?
- Outline Implementation strategy and players



# The Role of the Commission for Historical & Architectural Preservation (CHAP) and the Development Process

## •What does CHAP Review?

- Rehabilitation
- Demolition
- New Construction



# CHAP and the Development Process

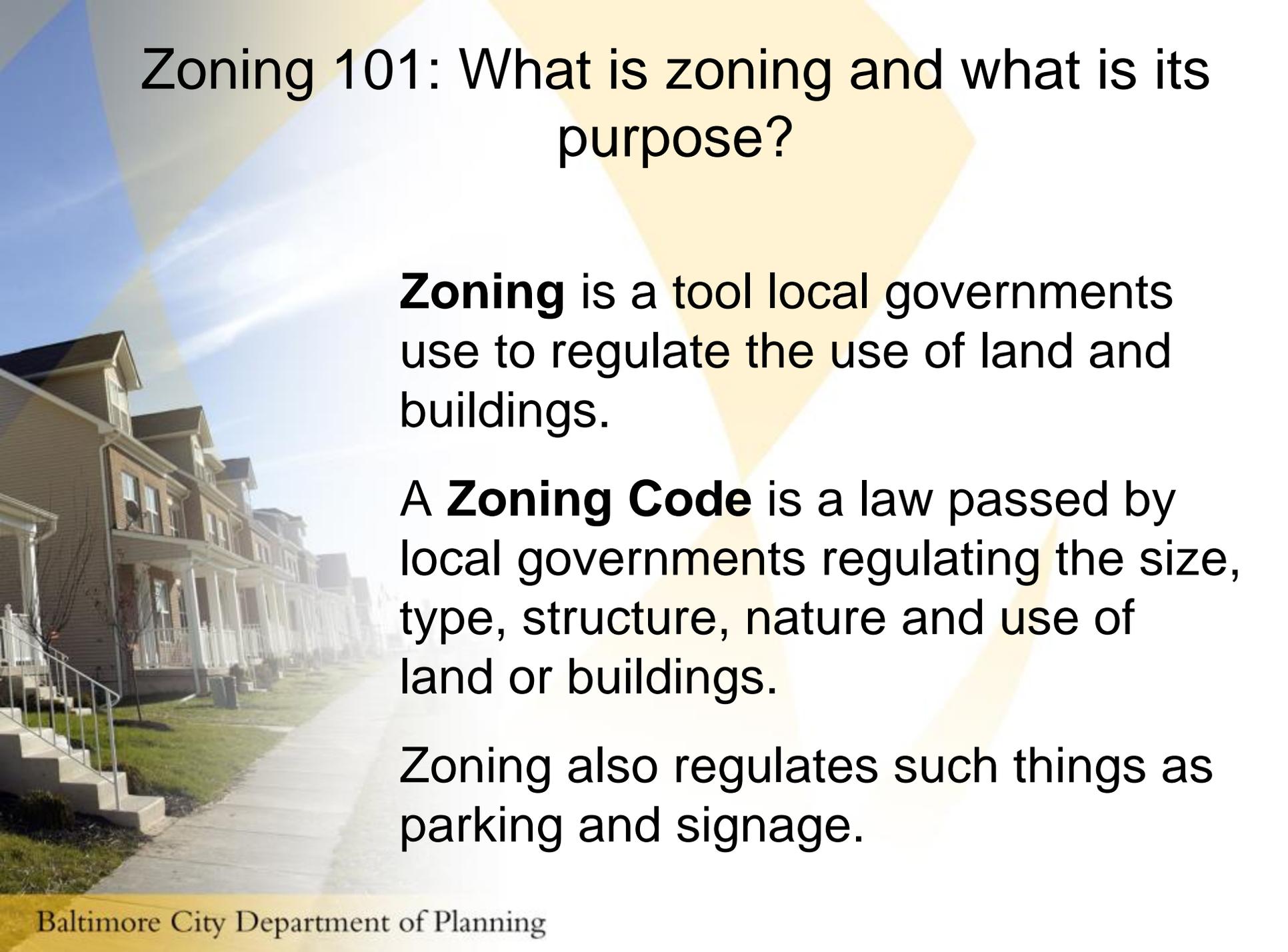
- **All exterior work within a Baltimore City Historic District or on a Baltimore City Landmark:**

- Must meet CHAP's Historic Preservation Design Guidelines
  - Emphasizes repair of historic materials over replacement
  - Outlines proper treatments for historic materials
  - Provides guidance on additions and new construction
- Requires an Authorization to Proceed
  - Major projects require review by the full Commission
  - Minor projects can be reviewed at the staff level
  - Must be obtained in order to get a building permit



# Community Role in Public Hearings

- Community groups are notified of hearings
- Applicants are advised to contact community associations for their review
- Letters can be sent to the reviewing body (Commissions, City Council, BMZA)
- Community Groups, residents and other stakeholders can testify at the hearings



# 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 local governments regulating the size, type, structure, nature and use of land or buildings.

Zoning also regulates such things as parking and signage.

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

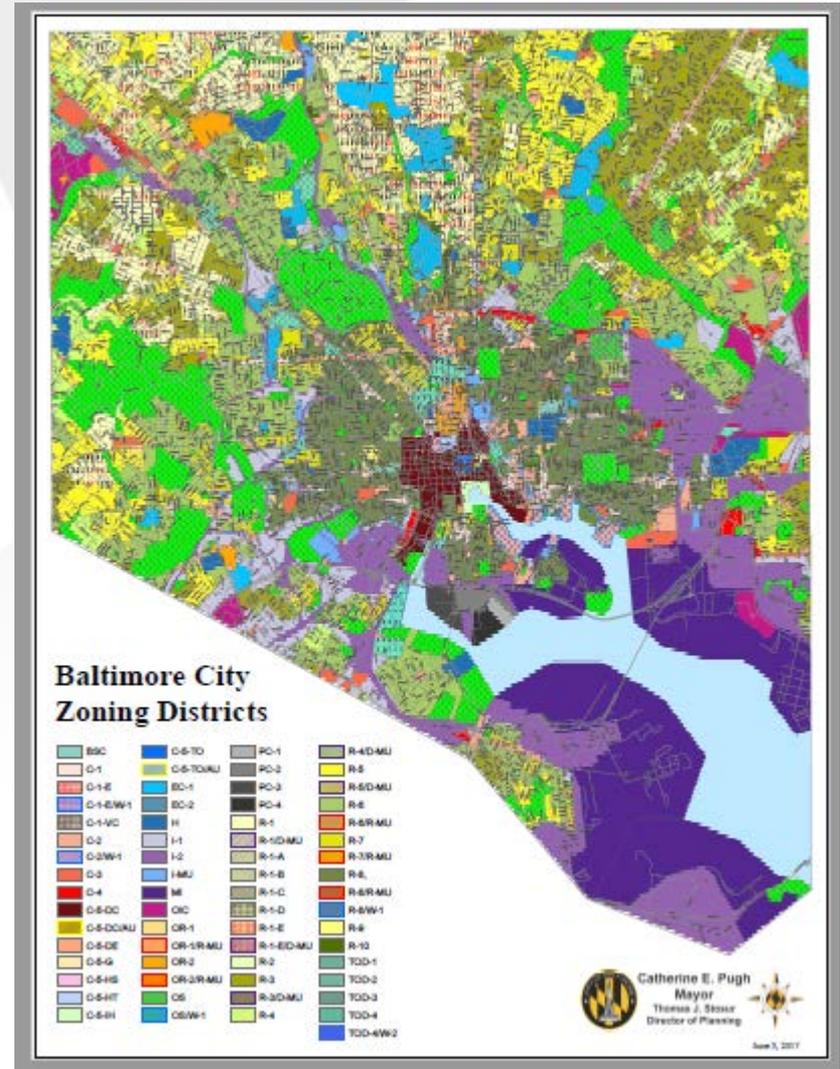
- To protect the general health, safety and welfare of our citizens.
- To create stability and predictability within zoning districts that allow a range of compatible uses and building types.
- To establish the uses and allowable size of a structure within a zoning district.

# Zoning 101: How does zoning affect me and my neighborhood?

- Applying zoning regulations is the first step in determining what is allowed to be built on a property.
- Zoning determine what uses are permitted within the area by zoning districts, the process by which they are allowed, as well as the size and types of buildings that could be built in the future.

# Zoning 101: How does zoning affect me and my neighborhood?

- The Zoning Code is Article 32 of the City Code.
- Article 32 includes a zoning map and text.
- The zoning map designates the areas of the city that relate to a zoning district designation that is defined and regulated in the text.



# Zoning 101: Can the zoning of a property change?

**A rezoning is a process** which changes the actual zoning category.

- A zoning category lists possible uses for land. Rezoning also includes changing the density or bulk regulations of a given category.
- Rezoning property and amending the zoning code is done by an ordinance that is passed by the City Council and signed by the Mayor.
- This process includes public hearings at the Planning Commission level and the in the City Council.
- Rezoning property is a significant step and must meet stringent criteria in accordance with State regulations and prove Substantial Change or Mistake. A comprehensive multi-property rezoning is possible as well.

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

- The zoning code makes a provision for appeals. If the project being proposed has lot area or setbacks that are less than the minimums required in the zoning code, a property owner or developer can appeal to the Board of Municipal Zoning Appeals (BMZA) to get what is called a variance.
- In addition to hearing appeals for site guidelines, the BMZA hears appeals for conditional uses and non-conformities.

# Zoning 101: Frequently Used Terms

<b>Area</b>	The space within a shape.
<b>Bulk</b>	Type of regulations that determine the size of a structure; the massing.
<b>Density</b>	The average number of individuals or building units within a given space
<b>Height</b>	The extent of elevation above a certain level
<b>Land</b>	A portion of earth distinguishable by boundaries or ownership
<b>Parcel</b>	A tract or plot of land
<b>Setback</b>	Distance of a structure from the property line
<b>Variance</b>	An administrative exception to a zoning or land use regulation.

# Zoning 101: How Do I Evaluate A Project Using The Zoning Code?

1. Determine the underlying zoning of the property.
2. Go to the use table and determine if the use is permitted, conditional or not allowed for that zoning category.
3. Know the lot size, heights and proposed setbacks of the development
4. If doing residential, determine the type and density.
5. Use the bulk regulations table to determine if the proposal conforms to the requirements in the table.

# How do I know what uses I can do on my property?

ZONING

ART. 32, Tbl 10-301

- The zoning code lists allowable uses for land through zoning districts in use tables.
- They are either permitted, conditional or not allowed.
- There are use standards referenced.

TABLE 10-301: COMMERCIAL DISTRICTS – PERMITTED AND CONDITIONAL USES								
USES	DISTRICTS							USE STANDARDS
	C-1	C-1-LC	C-1-F	C-2	C-3	C-4	C-5	
<b>RESIDENTIAL</b>								
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	
<b>INSTITUTIONAL</b>								
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

# How Big Can The Building Be?

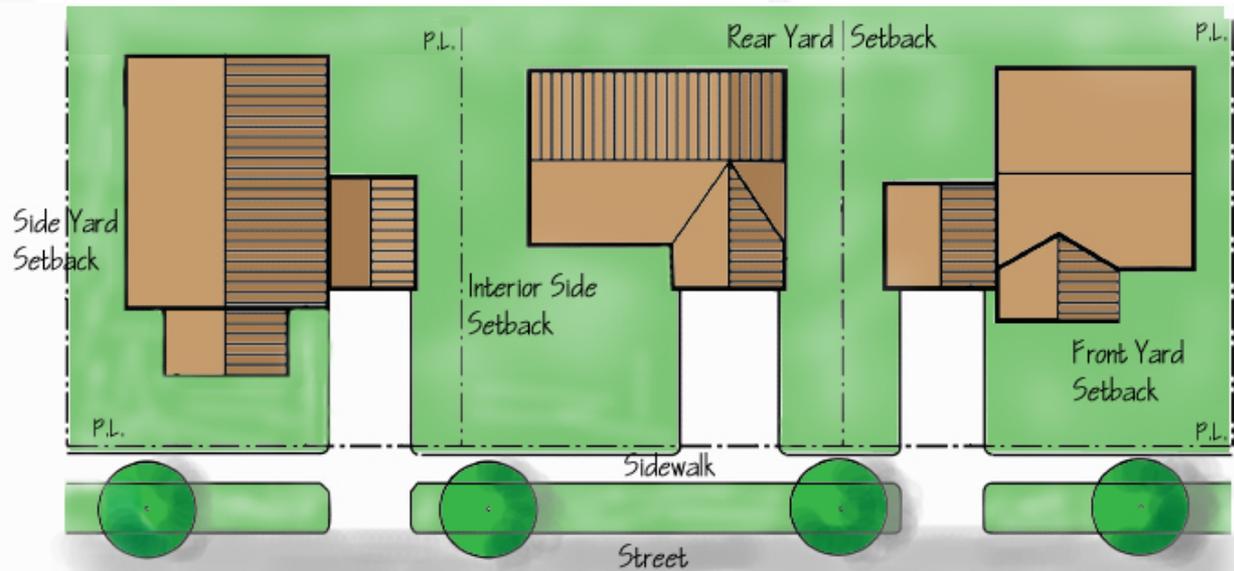
**The zoning code defines the placement and size of a building through what are called bulk regulations.**

The purpose of “**Bulk**” regulations is to:

- Define where a structure can be built on a site and how big it can be.
- Establish the building “envelope” and set the criteria for site placement and design.
- Regulate the size of structures and the relationship of structures to one another, to open areas, and to lot lines.
- Govern maximum height, maximum lot coverage, minimum lot area, minimum size of yards, and maximum floor area ratios.

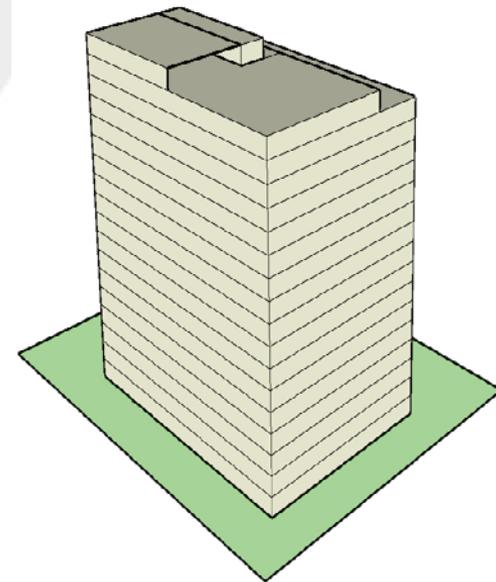
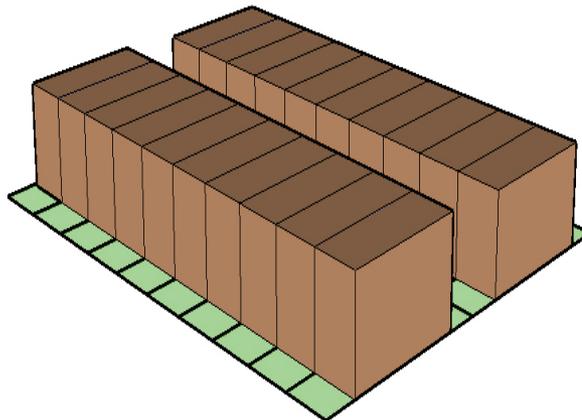
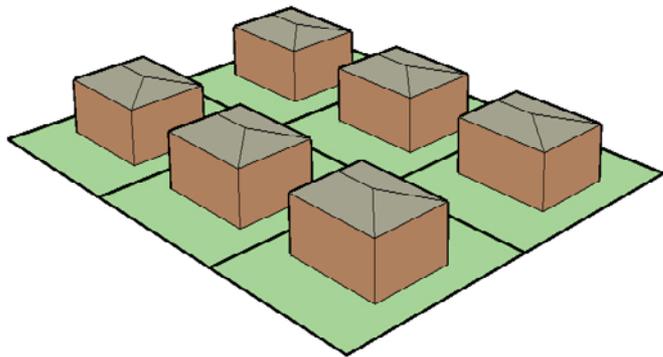
# Identifying Setbacks

- Each zoning district has a minimum front, side, and rear yard setbacks.
- All street frontages have front yard setbacks. Setbacks are measured from the property line, not from the sidewalk, the curb, or the edge of the roadway.
- 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?

The zoning code defines the allowable density (r number of units allowed in an area) by minimum lot area requirements.



## 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.

# Zoning 101: How do I know how big a building can be?

ZONING

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

The zoning code has bulk tables that list things such as minimum lot area, required yards, heights, etc.

*TABLE 10-401: COMMERCIAL DISTRICTS (C-1 TO C-4) – BULK AND YARD REGULATIONS*

CATEGORIES	SPECIFICATIONS (PER DISTRICT)					
	C-1	C-1-VC <sup>1</sup>	C-1-E	C-2	C-3	C-4
<b>MINIMUM LOT AREA</b>						
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
<b>MAXIMUM LOT AREA</b>						
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
<b>MAXIMUM BLDG HEIGHT</b>						
Dwelling: Multi-Family	60 feet	40 feet	60 feet	60 or 100 feet <sup>2</sup>	60 or 100 feet <sup>2</sup>	60 feet
Mixed-Use w/ Dwelling Above the Ground Floor	60 feet	40 feet	60 feet	60 or 100 feet <sup>2</sup>	60 or 100 feet <sup>2</sup>	60 feet
Residential Care Facility (Elderly)	60 feet	40 feet	60 feet	60 or 100 feet <sup>2</sup>	60 or 100 feet <sup>2</sup>	60 feet
All Other Uses	40 feet	40 feet	40 feet	60 feet	60 feet	60 feet
<b>MINIMUM BLDG HEIGHT</b>						
All Uses	20 feet	None	20 feet	20 feet	20 feet	None
<b>MAXIMUM FLOOR AREA RATIO</b>						
All Uses	None	0.8	None	None	None	None

# Zoning 101: 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 is 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.

# CityView: A tool to review zoning code and other city data

<http://cityview.baltimorecity.gov/>

CityView is an online mapping application from the City of Baltimore. Launched in 2011, CityView was envisioned as an interactive, online mapping 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.

In the coming months, a redesigned and improved version of CityView will be launched.