ZONING CODE
OF
BALTIMORE CITY

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TITLE 1
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SUBTITLE 1
DEFINITIONS

§ 1-101. In general.

In this article, the following terms have the meanings indicated.
(City Code, 1976/83, art. 30, §13.0-2(intro).) (Ord. 99-547.)

§ 1-102. Accessory use or structure.

"Accessory use" or "accessory structure" means a use or structure, respectively, that:

(1) serves and customarily is incidental and subordinate to the principal use or structure;

(2) is subordinate in area, extent, or purpose to the principal use or structure;

(3) contributes to the comfort, convenience, or necessity of occupants, business, or industry in the principal use or structure served; and

(4) except in a planned unit development, is located on the same lot as the principal use or structure served.

(City Code, 1976/83, art. 30, §13.0-2-1.) (Ord. 99-547.)

§ 1-103. Adjacent.

"Adjacent" means lying near or close to, in the neighborhood or vicinity of.
(City Code, 1976/83, art. 30, §13.0-2-2.) (Ord. 99-547.)

§ 1-104. Adjoining.

"Adjoining" means touching, as distinguished from adjacent.
(City Code, 1976/83, art. 30, §13.0-2-3.) (Ord. 99-547.)

§ 1-105. Adult.

"Adult" means an individual who is 18 years old or older.
(Ord. 99-547.)

§ 1-106. Adult-entertainment business.

(a) *Supplemental terms defined.*

(1) *In general.*

In this section, the following terms have the meanings indicated.

(2) *Adult entertainment.*

"Adult entertainment" means entertainment:

(i) in which individuals appear for public view in a state of nudity or partial nudity;

(ii) that is intended to provide sexual stimulation or sexual gratification;

(iii) that is distinguished or characterized by an emphasis on material that depicts, describes, or relates to:

(A) human genitals in a discernible state of sexual stimulation or arousal; or

(B) acts of human masturbation, sexual intercourse, sodomy, or physical contact with an individual's clothed or unclothed genitals, pubic area, buttocks, or, if the individual is female, breast; or

(iv) that, applying contemporary standards, the average individual would find, taken as a whole, appeals to the prurient interest.

(3) *Nudity.*

"Nudity" means:

(i) the showing of the human male or female genitals, pubic area, or buttocks with less than a fully opaque covering;

(ii) the showing of the female breast with less than a fully opaque covering over any part below the top of the nipple; or

(iii) the depiction of covered male genitals in a discernibly turgid state.

(4) *Partial nudity.*

"Partial nudity" means a state of dress in which opaque clothing covers no more than:

(i) the human male or female genitals, pubic area, or buttocks;

(ii) the female breasts below the top of the nipples; and

(iii) portions of the body covered by supporting straps or devices.

(b) *"Adult-entertainment business" defined.*

"Adult-entertainment business" means any cabaret, lounge, night club, modeling studio, or other establishment whose major business is offering its customers adult entertainment.

(City Code, 1976/83, art. 30, §13.0-2-3A-1, 3A-2.) (Ord. 99-547.)

§ 1-107. After-hours establishment.

(a) *In general.*

"After-hours establishment" means any banquet hall, dance hall, meeting hall, private club or lodge, or similar place that remains open after 2 a.m. on any day.

(b) *Restaurants with live entertainment, etc.*

"After-hours establishment" includes a restaurant that provides live entertainment or dancing and remains open after 2 a.m. on any day.

(City Code, 1976/83, art. 30, §13.0-2-3b.) (Ord. 99-547.)

§ 1-108. Alley.

"Alley" means a way, other than a street, that:

(1) is open to common use; and

(2) affords a secondary means of vehicular access to adjoining or adjacent property.

(City Code, 1976/83, art. 30, §13.0-2-4.) (Ord. 99-547.)

§ 1-109. Amusement arcade.

"Amusement arcade" means a building in which 6 or more amusement devices are maintained.

(City Code, 1976/83, art. 30, §13.0-2-4a.) (Ord. 99-547.)

§ 1-110. Amusement device.

(a) *In general.*

"Amusement device" means, except as specified in subsection (c) of this section, any electronic or mechanical device that is designed to provide amusement and for which a fee is charged to operate or use.

(b) *Illustrations.*

"Amusement device" includes any video game, electronic game, claw machine, bowling machine, pinball machine, shuffleboard machine, pool table, console machine, target machine, baseball machine, or similar device.

(c) *Exclusions.*

"Amusement device" does not include any:

(1) peep show device;

(2) music box; or

(3) bona fide vending machine in which amusement features are not incorporated or made a part.

(City Code, 1976/83, art. 30, §13.0-2-15a.) (Ord. 99-547.)

§ 1-111. Apartment hotel.

"Apartment hotel" means a building:

(1) that contains 10 or more dwelling units; and

(2) in which more than 60% of the accommodations are rented and occupied or intended to be rented or occupied on a monthly or longer basis.

(City Code, 1976/83, art. 30, §13.0-2-5.) (Ord. 99-547.)

§ 1-112. Artisans' and craft work.

"Artisans' and craft work" means work produced by painters, sculptors, potters, carvers, and others engaged in the creation of handcrafts and art objects.

(City Code, 1976/83, art. 30, §13.0-2-5b(1st sen.).) (Ord. 99-547.)

§ 1-113. Automatic teller machine.

"Automatic teller machine" means any manned or unmanned electronic machine (and the structure housing it) that enables a customer to:

(1) withdraw money from an account or under an authorized line of credit with a financial institution;

(2) transfer money from one account with a financial institution to any other account with the financial institution; or

(3) deposit money into an account with a financial institution.

(City Code, 1976/83, art. 30, §13.0-2-5c.) (Ord. 99-547.)

§ 1-114. Automobile.

"Automobile" means a passenger car, station wagon, or multipurpose passenger vehicle, as these terms are defined or used in the Maryland Vehicle Law, Title 11 et seq. of the State Transportation Article.

(Ord. 99-547.)

§ 1-115. Bed and breakfast establishment.

"Bed and breakfast establishment" means an establishment:

(1) that is used both for a private residence and to provide lodging;

(2) in which no more than 10 guest rooms are available to transient visitors; and

(3) in which breakfast is the only meal served and is included in the charge for the room.

(City Code, 1976/83, art. 30, §13.0-2-6a(1st - 3rd sens.).) (Ord. 99-547.)

§ 1-116. Bed and breakfast home.

"Bed and breakfast home" means a single-family dwelling:

(1) that is owner-occupied;

(2) that is used primarily as a home, but also to provide lodging;

(3) in which no more than 3 guest rooms are available to transient visitors; and

(4) in which breakfast is the only meal served and is included in the charge for the room.
(City Code, 1976/83, art. 30, §13.0-2-6b(1st - 4th sens.).) (Ord. 99-547.)

§ 1-117. Block.

"Block" means the land adjoining one side of a street between two consecutive junctions of that street with other streets or with railway rights-of-way or waterways that cross or meet that side of the street.
(City Code, 1976/83, art. 30, §13.0-2-7.) (Ord. 99-547.)

§ 1-118. Board.

"Board" means the Board of Municipal and Zoning Appeals of Baltimore City.
(City Code, 1976/83, art. 30, §13.0-1-5.) (Ord. 99-547.)

§ 1-119. Book store: general.

"Book store: general" means any book or magazine store or similar establishment that is not an adult book or video store.
(City Code, 1976/83, art. 30, §13.0-2-8.) (Ord. 99-547.)

§ 1-120. Book or video store: adult.

(a) *Supplemental terms defined.*

(1) *In general.*

In this section, the following terms have the meanings indicated.

(2) *Harmful to minors.*

"Harmful to minors" means the quality of representation of nudity, sadomasochistic abuse, sexual conduct, or sexual excitement that:

(i) predominantly appeals to the prurient, shameful, or morbid interest of young individuals;
(ii) is patently offensive to prevailing standards in the adult community as a whole with respect to what is suitable material for young individuals; and

(iii) is utterly without redeeming social importance for young individuals.

(3) *Nudity.*

"Nudity" means:

(i) the showing of the human male or female genitals, pubic area, or buttocks with less than a fully opaque covering;

(ii) the showing of the female breast with less than a fully opaque covering of any part below the top of the nipple; or

(iii) the depiction of covered male genitals in a discernibly turgid state.

(4) *Sadomasochistic abuse*.

"Sadomasochistic abuse" means:

(i) flagellation or torture by or upon an individual clothed in undergarments, mask, or bizarre costume; or

(ii) the condition of being fettered, bound, or otherwise physically restrained on the part of one who is so clothed.

(5) *Sexual conduct*.

"Sexual conduct" means acts of masturbation, sexual intercourse, sodomy, or physical contact with an individual's clothed or unclothed genitals, pubic area, buttocks or, if the individual is female, breast.

(6) *Sexual excitement*.

"Sexual excitement" means the condition of human genitals in a discernable state of sexual stimulation or arousal.

(b) *"Book or video store: adult" defined.*

"Book or video store: adult" means a place of activity the principal use of which is to sell, transfer, or disseminate sexually explicit material, including the following:

(1) any picture, photograph, drawing, sculpture, video, or similar visual representation or image of an individual or part of the human body that:

(i) depicts nudity, sadomasochistic abuse, sexual conduct, or sexual excitement; and

(ii) is harmful to minors; or

(2) any book, pamphlet, magazine, printed matter however reproduced, or sound recording that:

(i) contains any matter enumerated in paragraph (1) of this subsection or any explicit and detailed verbal descriptions or narrative accounts of sadomasochistic abuse, sexual conduct, or sexual excitement ; and

(ii) taken as a whole, is harmful to minors.

(City Code, 1976/83, art. 30, §13.0-2-9.) (Ord. 99-547.)

§ 1-121. Building.

"Building" means all or any part of a structure that is:

(1) covered;

(2) affixed to the land; and

(3) built for the enclosure of people, animals, chattels, movable property, or operations of any kind.

(City Code, 1976/83, art. 30, §13.0-1-3, §13.0-2-10.) (Ord. 99-547.)

§ 1-122. Business establishment.

"Business establishment" means a place of business carrying on an operation that is physically separate and distinct from any other place of business.

(City Code, 1976/83, art. 30, §13.0-2-14.) (Ord. 99-547.)

§ 1-123. Car wash.

(a) *In general.*

"Car wash" means a structure that:

(1) contains facilities for washing or cleaning automobiles or other motor vehicles; and

(2) uses production-line methods with a chain conveyor, blower, sprayer, steam-cleaning device, or other mechanical device.

(b) *Self-service.*

"Car wash" includes self-service, coin-operated motor vehicle washing equipment, whether or not located within a structure, unless that equipment is accessory and clearly subordinate to a related principal use such as a gasoline service station.

(City Code, 1976/83, art. 30, §13.0-2-6.) (Ord. 99-547.)

§ 1-124. Central business district.

"Central business district" means that area of the City that lies within the following boundaries:

Beginning at Howard Street and North Avenue, thence easterly along North Avenue to Maryland Avenue, thence northerly to 20th Street, thence easterly to Lovegrove Alley, thence southerly to Lafayette Avenue,

thence easterly to Guilford Avenue, thence southerly to the Fallsway, thence southerly along the Fallsway to the end of East Falls Avenue, thence in a southwesterly extension to the intersection of Montgomery Street and Battery Avenue, thence westerly along Montgomery Street to Hanover Street, thence southerly to Henrietta Street, thence northwesterly to Montgomery Street, thence southwesterly to Fremont Avenue, thence northwesterly to Lexington Street, thence easterly to Myrtle Avenue, thence northerly to Biddle Street, thence northeasterly to Howard Street, thence northerly to the point of beginning.

(City Code, 1976/83, art. 30, §13.0-2-16.) (Ord. 99-547.)

§ 1-125. City Code.

"City Code" means:

(1) the 1976/83 Edition of the Baltimore City Code; and

(2) the Revised Code of Baltimore City.

(Ord. 99-547.)

§ 1-126. Clinic: medical or dental.

"Clinic: medical or dental" means a building the principal use of which is for offices of physicians or dentists for the examination and treatment of people on an out-patient basis.

(City Code, 1976/83, art. 30, §13.0-2-17.) (Ord. 99-547.)

§ 1-127. Club or lodge: private.

(a) *In general.*

"Club or lodge: private" means a club or lodge that:

(1) has a limited membership elected pursuant to its charter or bylaws;

(2) excludes the general public from its premises or place of meeting;

(3) is organized with officers and directors; and

(4) holds all property for the common benefit of its members.

(b) *Exclusions.*

"Club or lodge: private" does not include an establishment that permits nonmembers to pay a temporary membership fee at the door in order to enter and use the premises.

(City Code, 1976/83, art. 30, §13.0-2-69a.) (Ord. 99-547.)

§ 1-128. Community correction center.

"Community correction center" means a facility:

(1) that provides community-oriented treatment services to individuals under the jurisdiction of an agency in the criminal justice system; and

(2) to which only individuals classified as minimum security are assigned and allowed to participate in work-release, educational release, individual, group, or family counseling, recreation, pre-release orientation, and community involvement.

(City Code, 1976/83, art. 30, §13.0-2-19(1st, 2nd sens.).) (Ord. 99-547.)

§ 1-129. Convalescent, nursing, or rest home.

(a) *In general.*

"Convalescent, nursing, or rest home" means a home in which 3 or more people who are aged, chronically ill, infirm, incurable, or suffering bodily disorders are housed and provided with food and care.

(b) *Exclusions.*

"Convalescent, nursing, or rest home" does not include any hospital, clinic, or similar institution devoted primarily to the diagnosis and treatment of disease and injury, maternity cases, or mental illness.

(City Code, 1976/83, art. 30, §13.0-2-20.) (Ord. 99-547.)

§ 1-130. *{Reserved}*

§ 1-131. Day care home: family.

"Day care home: family" means a facility that:

(1) is registered with the State Department of Human Resources as a family day care home; and

(2) provides care to no more than 8 children.

(City Code, 1976/83, art. 30, §13.0-2-20.) (Ord. 99-547.)

§ 1-132. Day nursery.

"Day nursery" means any facility that, at any 1 time during the day or night, whether for compensation, reward, or otherwise, receives 2 or more children not of common parentage for temporary guardianship and nursery care while their parents or guardians are engaged in other activities.

(City Code, 1976/83, art. 11, §54, art. 30, §13.0-2-22.) (Ord. 99-547.)

§ 1-133. Dentist.

"Dentist" means an individual authorized by law to practice dentistry in the State of Maryland.

(City Code, 1976/83, art. 30, §13.0-2-23.) (Ord. 99-547.)

§ 1-134. Dog or cat kennel: private.

(a) *In general.*

"Dog or cat kennel: private" means any premises where 3 or more dogs or cats over 6 months old are boarded or maintained for noncommercial purposes.

(b) *Commercial establishments excluded.*

"Dog or cat kennel: private" does not include any establishment:

(1) for the commercial breeding of dogs or cats; or

(2) where dogs or cats are boarded, groomed, sold, or trained for a fee.

(City Code, 1976/83, art. 30, §13.0-2-24.) (Ord. 99-547.)

§ 1-135. Drive-in establishment.

(a) *In general.*

"Drive-in establishment" means a business establishment at which patrons are able to make purchases, transact business, or view motion pictures or other entertainment while occupying automobiles.

(b) *Establishments selling prepared food.*

"Drive-in establishment" includes a restaurant or other business establishment that sells prepared food for immediate consumption if:

(1) parking or pickup drives are located on the premises; and

(2) either:

(i) wait-staff service is not provided or is provided only incidentally to the primary service of selling food from a counter or window;

(ii) tables for the consumption of food within the premises are not provided or are provided only incidentally; or

(iii) any food sold is packaged to facilitate its consumption at places other than within the structure.

(City Code, 1976/83, art. 30, §13.0-2-25.) (Ord. 99-547.)

§ 1-136. Dwelling.

(a) *In general.*

"Dwelling" means a building or part of a building used for residential occupancy.

(b) *Exclusions.*

"Dwelling" does not include an apartment hotel, hotel, rooming house, trailer, or mobile home.

(c) *Types of dwellings.*

The following are the types of dwellings:

(1) *Attached dwelling*: a dwelling that is joined to another dwelling at 1 or more sides by an approved party wall or walls.

(2) *Detached dwelling*: a dwelling that is surrounded on all sides by yards on the same lot.

(3) *Multiple-family dwelling*: a dwelling that contains 2 or more dwelling units.

(4) *Semi-detached dwelling*: a dwelling that is:

(i) joined to another dwelling at only 1 side by an approved party wall; and

(ii) otherwise surrounded by yards on the same lot.

(5) *Single-family dwelling*: a dwelling that contains only 1 dwelling unit.

(City Code, 1976/83, art. 30, §13.0-2-26 - 31.) (Ord. 99-547.)

§ 1-137. Dwelling unit.

"Dwelling unit" means 1 or more rooms in a dwelling that:

(1) are used as living quarters for occupancy by 1 family; and

(2) contain permanently installed bathroom and kitchen facilities reserved for the occupants of the room or rooms.

(City Code, 1976/83, art. 30, §13.0-2-32.) (Ord. 99-547.)

§ 1-138. Efficiency unit.

"Efficiency unit" means a dwelling unit that consists of 1 principal room, exclusive of:

(1) a bathroom;

(2) a kitchen;

(3) a hallway;

(4) closets; and

(5) a dining alcove that:

(i) is directly off the principal room, and

(ii) does not exceed 125 square feet in floor area.

(City Code, 1976/83, art. 30, §13.0-2-33.) (Ord. 99-547.)

§ 1-139. Enclosed structure.

"Enclosed structure" means a structure that is separated on all sides from the adjoining yards or other open space, or from other structures, by exterior walls or approved party walls pierced only by normal windows and doors.
(City Code, 1976/83, art. 30, §13.0-2-34.) (Ord. 99-547.)

§ 1-140. Erect.

"Erect" means:

(1) to construct, reconstruct, or move a structure on a lot; or

(2) to excavate, fill, drain, or conduct physical operations of any kind in preparation for or while undertaking the construction, reconstruction, or moving of a structure on a lot.

(City Code, 1976/83, art. 30, §13.0-2-35.) (Ord. 99-547.)

§ 1-141. Expand.

"Expand" means to enlarge, expand, extend, or add to.
(Ord. 99-547.)

§ 1-142. Family.

(a) *In general.*

"Family" means one of the following, together with usual household helpers:

(1) an individual;

(2) 2 or more people related by blood, marriage, or adoption, living together as a single housekeeping unit in a dwelling unit; or

(3) a group of not more than 4 people, who need not be related by blood, marriage, or adoption, living together as a single housekeeping unit in a dwelling unit.

(b) *Roomers included.*

"Family" includes, with respect to those listed in subsection (a)(1) or (2) only, up to 2 roomers within the dwelling unit, as long as:

(1) they share a common entrance and cooking and bathroom facilities; and

(2) in the case of a multiple-family dwelling, no more than 2 roomers are in the entire dwelling, regardless of the number of dwelling units.

(c) *Exclusions.*

In no case, does more than 4 unrelated people, a rooming house, a hotel, or a fraternity or sorority house constitute a family.

(City Code, 1976/83, art. 30, §13.0-2-37.) (Ord. 99-547.)

§ 1-143. Firearm.

"Firearm" means any handgun, rifle, or shotgun, as defined in State Code Article 27, § 36F.
(City Code, 1976/83, art. 30, §13.0-2-42b, 70a, 73d.) (Ord. 99-547.)

§ 1-144. Floor area.

"Floor area" means:

(1) for purposes of determining floor area ratio, the area specified in § 1-302 {"Floor area, for determining floor area ratio"} of this title;

(2) for purposes of determining "gross floor area", the area specified in § 1-304 {"Gross floor area"} of this title; and

(3) for purposes of determining parking requirements, the area specified in § 10-401 {"Floor area for determining requirements"} of this article.
(Ord. 99-547.)

§ 1-145. Floor area ratio; FAR.

"Floor area ratio" means the factor determined and applied as specified in § 1-303 {"Floor area ratio"} of this title.
(Ord. 99-547.)

§ 1-146. Gasoline service station.

"Gasoline service station" means any premises or structure:

(1) that is used for the retail sale of motor vehicle fuels, oils, and accessories; and

(2) at which:

(i) repair service is incidental; and

(ii) no alcoholic beverages are sold.
(City Code, 1976/83, art. 30, §13.0-2-6.1.) (Ord. 99-547.)

§ 1-147. *{Reserved}*

§ 1-148. Heliport.

(a) *In general.*

"Heliport" means a designated landing area for discharging or picking up passengers or goods by helicopter or similar vertical lift aircraft.

(b) *Inclusions.*

"Heliport" includes terminal facilities for passengers, goods, aircraft servicing, or storage.
(City Code, 1976/83, art. 30, §13.0-2-43.) (Ord. 99-547.)

§ 1-149. Helistop.

"Helistop" means a designated landing area or touchdown pad used or intended for the landing and take-off of helicopters or similar vertical lift aircraft.
(City Code, 1976/83, art. 30, §13.0-2-44.) (Ord. 99-547.)

§ 1-150. Home occupation.

"Home occupation" means an occupation or profession:

(1) that is customarily conducted by a member of the family that resides on the premises; and

(2) in connection with which:

(i) no sign appears on the premises, other than a nameplate as permitted in § 11-316 {"Nameplates"} of this article;

(ii) no exterior display indicates that the building is being used, in whole or in part, for any purpose other than that of a dwelling;

(iii) no commodity is sold on the premises;

(iv) no one is employed on the premises other than a family member who resides on the premises; and

(v) no mechanical or electrical equipment is used on the premises except that which is normally used for purely domestic or professional purposes.
(City Code, 1976/83, art. 30, §13.0-2-45.) (Ord. 99-547.)

§ 1-151. Housing for the elderly.

(a) *In general.*

"Housing for the elderly" means a residential building:

(1) that contains 10 or more dwelling units specifically designed for the needs, use, and occupancy of people who are 60 years old or older or who are disabled;
(2) in which the only occupants other than those 60 years old or older or disabled are spouses, caretakers, or similar individuals; and

(3) in which no more than 10% of the occupied units contain spouses, caretakers, or similar individuals who are neither 60 years old or older nor disabled.

(b) *Inclusions.*

"Housing for the elderly" may contain medical and dental offices as an accessory use primarily for the occupants of the building.
(City Code, 1976/83, art. 30, §13.0-2-46(1st - 3rd sens.).) (Ord. 99-547.)

§ 1-152. Includes; including.

"Includes" or "including" means by way of illustration and not by way of limitation.
(Ord. 99-547.)

§ 1-153. Industrial trade school.

"Industrial trade school" means a school devoted to teaching a trade that is based on familiarity with tools and machinery, including automotive mechanics, automotive painting, machine making and repairing, welding, and truck driving.
(City Code, 1976/83, art. 30, §13.0-2-47a.) (Ord. 99-547.)

§ 1-154. Lot.

(a) *In general.*

"Lot" means a portion of land that:

(1) is a lot of record; or

(2) has been established as a lot by an approved subdivision plat.

(b) *Types of lots.*

The following are the types of lots:

(1) *Interior lot*: a lot that is not a street corner lot.

(2) *Street corner lot*: a lot that:

(i) is located at the intersection of two streets where the interior angle of the intersection does not exceed 135º; or

(ii) adjoins a curved street where the tangents to the curve at the points of intersection intersect at an interior angle that does not exceed 135º.
(City Code, 1976/83, art. 30, §13.0-2-48, 50, 55, 56.) (Ord. 99-547.)

§ 1-155. Lot area.

"Lot area" means the area of a horizontal plane bounded by lot lines.
(City Code, 1976/83, art. 30, §13.0-2-49.) (Ord. 99-547.)

§ 1-156. Lot line.

(a) *In general.*

"Lot line" means a line bounding a lot.

(b) *Types of lot lines.*

The following are the types of lot lines:

(1) *Front lot line*: the lot line that:

(i) coincides with the right-of-way line of an existing or dedicated public street; or

(ii) where no public street exists, coincides with the right-of-way line of a public or private way that, if it is not a dedicated street, is:

(A) at least 50 feet wide, unless otherwise authorized by the Planning Commission under § 2-123 of this article; or

(B) if limited exclusively to pedestrian traffic, at least 30 feet wide, unless otherwise authorized by variance.

(2) *Rear lot line*: the lot line that is most distant from and is opposite the front lot line.

(3) *Side lot line*: any lot line that is neither a front lot line nor a rear lot line.

(City Code, 1976/83, art. 30, §13.0-2-51, 52(1st sen.), 53, 54.) (Ord. 99-500; Ord. 99-547.)

§ 1-157. Marina.

(a) *In general.*

"Marina" means any facility designed to moor, berth, launch or store 5 or more water craft, whether as a principal use or an accessory use.

(b) *Types of marinas.*

The following are the types of marinas:

(1) *Accessory marina*: any marina for recreational water craft that is used exclusively for the benefit of the occupants of properties within 300 feet of a marina entrance.

(2) *Dry storage marina (boatel)*: any marina with waterfront access that is designed or used for the dry storage of recreational water craft in racks or other storage systems.

(3) *Industrial marina (boat repair facility)*: any facility with 5 or more slips (wet or dry) that is constructed solely for the manufacture, assembly, or repair of commercial water craft less than 120 feet long or recreational water craft.

(4) *Recreational boat launch/tie up marina*: a designated area at which recreational water craft may be launched or at which transient (for less than 1 week at a time) water craft may tie up, be launched, or have repairs made.

(5) *Recreational marina*: any facility that provides for the lease or purchase of 5 or more in-water moorings or wet slips for recreational water craft.

(City Code, 1976/83, art. 30, §13.0-2-56a.) (Ord. 99-547.)

§ 1-158. Marina entrance.

"Marina entrance" means the point or points where pedestrian access is provided from the land to the marina docks.

(City Code, 1976/83, art. 30, §13.0-2-56b.) (Ord. 99-547.)

§ 1-159. Massage therapist's office.

"Massage therapist's office" means a location at which massage therapy is practiced only by individuals certified by the State Board of Chiropractic Examiners.

(City Code, 1976/83, art. 30, §13.0-2-16b.) (Ord. 99-547.)

§ 1-160. Master Plan.

"Master Plan" means the maps, plats, charts, and descriptive matter adopted by the Planning Commission under Article VII, § 74 of the City Charter.

(City Code, 1976/83, art. 30, §13.0-2-57.) (Ord. 99-547.)

§ 1-161. Minor.

"Minor" means an individual under the age of 18.

(Ord. 99-547.)

§ 1-162. Motor vehicle.

"Motor vehicle" has the meaning stated in §11-135 of the State Transportation Article.

(Ord. 99-547.)

§ 1-163. Multi-purpose neighborhood center.

(a) *In general.*

"Multi-purpose neighborhood center" means a building or a group of buildings used, in whole or in part, for 2 or more governmental or community services, such as health, day care, recreation, legal aid, social services, education, and employment counseling.

(b) *Inclusions.*

"Multi-purpose neighborhood center" includes Mayor's Stations.

(City Code, 1976/83, art. 30, §13.0-2-58.) (Ord. 99-547.)

§ 1-164. *{Reserved}*

§ 1-165. Noncomplying structure.

"Noncomplying structure" has the meaning stated in § 13-101 {"Nonconformance: Definitions"} of this article.
(Ord. 99-547.)

§ 1-166. Nonconforming use.

"Nonconforming use" has the meaning stated in § 13-101 {"Nonconformance: Definitions"} of this article.
(Ord. 99-547.)

§ 1-167. Nonprofit.

"Nonprofit" means organized and operated exclusively for educational, social, fraternal, patriotic, political, athletic, or charitable purposes, with no part of its net income inuring to the benefit of any shareholder or individual.
(City Code, 1976/83, art. 30, §13.0-2-62.) (Ord. 99-547.)

§ 1-168. Nursery school.

"Nursery school" means any facility that:

(1) offers or supplies an educational program to children; and

(2) adheres to the requirements of and is approved by the State Department of Education.
(City Code, 1976/83, art. 30, §13.0-2-63.) (Ord. 99-547.)

§ 1-169. Parole and probation field office.

"Parole and probation field office" means an office that is:

(1) under the jurisdiction of the State Division of Parole and Probation; and

(2) staffed by parole agents who supervise and investigate parolees and probationers.
(City Code, 1976/83, art. 30, §13.0-2-64b.) (Ord. 99-547.)

§ 1-170. Pawnshop.

"Pawnshop" means a place of business of a person who engages in:

(1) lending money on the deposit or pledge of personal property or other valuable thing, other than securities or printed evidences of indebtedness; or

(2) purchasing personal property or other valuable things on condition of selling them back at a stipulated price.
(City Code, 1976/83, art. 30, §13.0-2-65-1, 65-2.) (Ord. 99-547.)

§ 1-171. Peep show device.

(a) *In general.*

"Peep show device" means any device operated for commercial purposes in which:

(1) motion picture or slide films are projected or viewed on a screen or through a viewer; or

(2) viewed images are exhibited by means of the projection of internal electronic reflection of motion picture or slide films.

(b) *Exclusions.*

"Peep show device" does not include a television receiver that reflects externally transmitted images.

(City Code, 1976/83, art. 30, §13.0-2-65a.) (Ord. 99-547.)

§ 1-172. Peep show establishment.

(a) *In general.*

"Peep show establishment" means a building that contains 1 or more peep show devices.

(b) *Exclusions.*

"Peep show establishment" does not include a theater for the production and viewing of performing arts or cinema productions, as described in § 303.2 of the Baltimore City Building Code.

(City Code, 1976/83, art. 30, §13.0-2-65a(part), 65b.) (Ord. 99-547.)

§ 1-173. Permanent open space.

"Permanent open space" means a land area the use of which is limited, by recorded covenant, as follows:

(1) the land area is used solely for educational, recreational, or similar purposes;

(2) the land area is devoted to providing open space for the permanent use and enjoyment of:

(i) the public; or

(ii) in the case of a planned unit development:

(A) the public; or

(B) residents and occupants of the planned unit development; and

(3) the only structures on the land area:

(i) are accessory and incidental to the purpose for which the open space is created and designed and contribute to or further that purpose; and

(ii) cover no more than 10% of the land area.
(City Code, 1976/83, art. 30, §13.0-2-67.) (Ord. 99-547.)

§ 1-174. Person.

(a) *In general.*

"Person" means:

(1) an individual;

(2) a receiver, trustee, guardian, personal representative, fiduciary, or representative of any kind; and

(3) a partnership, firm, association, corporation, or other entity of any kind.

(b) *Inclusions.*

"Person" includes, except as used in Title 17, Subtitle 5 {"Criminal penalties"} of this article, a governmental entity or an instrumentality or unit of a governmental entity.
(City Code, 1976/83, art. 30, §13.0-1-6.) (Ord. 99-547.)

§ 1-175. Physician.

"Physician" means an individual authorized by law to practice medicine in the State of Maryland.
(City Code, 1976/83, art. 30, §13.0-2-68.) (Ord. 99-547.)

§ 1-176. Premises.

"Premises" means all or any part of any premises.
(Ord. 99-547.)

§ 1-177. Principal use or structure.

"Principal use" or "principal structure" means the main use of land or of a structure or the main structure, respectively, as distinguished from an accessory use or accessory structure.
(City Code, 1976/83, art. 30, §13.0-2-97.) (Ord. 99-547.)

§ 1-178. Private pier.

"Private pier" means facilities with 4 or fewer slips designed and used exclusively for private, recreational purposes by the owner.
(City Code, 1976/83, art. 30, §13.0-2-69b.) (Ord. 99-547.)

§ 1-179. Recreational facility: indoor.

"Recreational facility: indoor" means an enclosed structure that houses recreational uses, such as a sports center, kiddie park, miniature golf course, batting cages, or similar recreational uses, but not gun ranges.

(City Code, 1976/83, art. 30, §13.0-2-69c-1.) (Ord. 99-547.)

§ 1-180. Recreational facility: outdoor.

"Recreational facility: outdoor" means a designated area for recreational uses, such as a golf driving range, archery range, miniature golf course, kiddie park, batting cages, or similar recreational uses, but not gun ranges.

(City Code, 1976/83, art. 30, §13.0-2-69c-2.) (Ord. 99-547.)

§ 1-181. Recyclable materials recovery facility.

"Recyclable materials recovery facility" means a facility:

(1) that collects, sorts, grades, or processes recyclable materials, including:

(i) paper (including corrugated boxes, high grade paper, and newspapers);

(ii) cans (aluminum, bi-metal, or tin);

(iii) aluminum scrap;

(iv) non-ferrous metal (copper, brass, zinc, lead, or tin);

(v) glass bottles; and

(vi) plastics; and

(2) at which:

(i) the processing is limited to pressing, crushing, cutting, baling, and other preparations of materials for shipping;

(ii) except as otherwise expressly specified, all operations are performed within the confines of an enclosed building;

(iii) no ferrous metals are accepted;

(iv) no retail sales are made; and

(v) all loading and unloading is performed:

(A) within the confines of an enclosed building; or

(B) within an area effectively screened by a masonry wall or by a combination of a masonry wall and a durable fence at least 8 feet high, together with a planting strip on the outside of that wall or fence.

(City Code, 1976/83, art. 30, §13.0-2-57a.) (Ord. 99-547.)

§ 1-182. Recycling collection station.

"Recycling collection station" means a receptacle, usually a trailer or roll-off, located on a hard surface:

(1) for collecting recyclable materials, including:

(i) paper (including corrugated boxes, high grade paper, and newspapers);

(ii) cans (aluminum, bi-metal, or tin);

(iii) aluminum scrap;

(iv) non-ferrous metal (copper, brass, zinc, lead, or tin);

(v) glass bottles; and

(vi) plastics; and

(2) at which:

(i) no mechanical processing or shredding is done on site;

(ii) no ferrous metals are accepted; and

(iii) if the station has an attendant present to purchase recyclable materials, no copper, brass, tin, zinc, or lead is accepted.

(City Code, 1976/83, art. 30, §13.0-2-69d.) (Ord. 99-547.)

§ 1-183. Revised Code.

"Revised Code" means the unnumbered revised articles of the City Code.

(Ord. 99-547.)

§ 1-184. Roomer.

"Roomer" means an individual who:

(1) occupies a room with a family in a dwelling unit; or

(2) occupies a rooming unit for compensation.

(City Code, 1976/83, art. 30, §13.0-2-71a.) (Ord. 99-547.)

§ 1-185. Rooming house.

(a) *In general.*

"Rooming house" means an establishment that:

(1) contains rooming units for the accommodation of 3 or more individuals; and

(2) rents these units to individuals on a daily, weekly, or monthly basis.

(b) *Meals irrelevant.*

"Rooming house" includes an establishment described in subsection (a) of this section, whether or not it provides meals.

(City Code, 1976/83, art. 30, §13.0-2-72.) (Ord. 99-547.)

§ 1-186. Rooming unit.

(a) *In general.*

"Rooming unit" means a room or suite of rooms in a house or other building that is rented as living and sleeping quarters, but without cooking facilities.

(b) *Suite of rooms.*

In a suite of rooms, each room that provides sleeping accommodations is counted as 1 rooming unit for purposes of this article.

(City Code, 1976/83, art. 30, §13.0-2-73.) (Ord. 99-547.)

§ 1-187. Service and housing center.

(a) *In general.*

"Service and housing center" means a facility for the transitional housing of 25 or more people.

(b) *Inclusions.*

"Service and housing center" includes a facility described in subsection (a) that provides, as a component of its overall program:

(1) counseling, education, job training, or related services as an accessory use; or

(2) longer term housing.

(City Code, 1976/83, art. 30, §13.0-2-73a.) (Ord. 99-547.)

§ 1-188. Shipyard.

"Shipyard" means any facility or area designed or used for the manufacture, assembly, or repair of ships, barges, or boats.

(City Code, 1976/83, art. 30, §13.0-2-73c.) (Ord. 99-547.)

§ 1-189. Sign.

(a) *In general.*

"Sign" means any writing (including letter, word, or numeral), pictorial representation (including illustration or graphic), emblem (including symbol or trademark), flag (including banner or pennant), device, or any other figure of similar character that:

(1) is a structure or is attached to, painted on, or in any other way represented on a building, window (including anything affixed to the interior and displayed within 12 inches of a window), or other structure;

(2) is used to announce, direct attention, or advertise; and

(3) is visible from outside a building.

(b) *Exclusions.*

"Sign" does not include any writing, representation, emblem, flag, device, or other figure of similar character that is wholly within a building, except as otherwise specified in subsection (a)(1) of this section.

(c) *Types of signs.*

The specific types of signs are as described in § 11-101 {"Sign Regulations: Definitions"} of this article.

(City Code, 1976/83, art. 30, §13.0-2-74.) (Ord. 99-547.)

§ 1-190. Street.

"Street" means any way that:

(1) is open to common use; and

(2) affords the principal means of vehicular access to adjoining or adjacent property.

(City Code, 1976/83, art. 30, §13.0-2-89.) (Ord. 99-547.)

§ 1-191. Street line.

"Street line" means a street right-of-way line that coincides with a lot line.

(City Code, 1976/83, art. 30, §13.0-2-90.) (Ord. 99-547.)

§ 1-192. Structural alteration.

"Structural alteration" means:

(1) a change in the permanent physical members of a structure, such as bearing walls, columns, beams, or girders; or

(2) any substantial change in the roof or in the exterior walls.

(City Code, 1976/83, art. 30, §13.0-2-91.) (Ord. 99-547.)

§ 1-193. Structure.

(a) *In general.*

"Structure" means all or any part of anything erected that:

(1) has a fixed location on the ground; or

(2) is attached to something having a fixed location on the ground.

(b) *Inclusions.*

"Structure" includes any building, fence, wall, sign, or tower.
(City Code, 1976/83, art. 30, §13.0-1-3, §13.0-2-92.) (Ord. 99-547.)

§ 1-194. Substance abuse treatment center.

"Substance abuse treatment center" means a facility that provides and represents or advertises itself as providing:

(1) nonresidential counseling, treatment, care, medication, or rehabilitation for individuals who show the effects of substance abuse; or

(2) transportation of individuals for the purpose of substance treatment, care, medication, or rehabilitation.
(City Code, 1976/83, art. 30, §13.0-2-25a.) (Ord. 99-547.)

§ 1-195. Travel trailer.

"Travel trailer" means a vehicular, portable structure that is:

(1) built on a chassis and designed as a temporary dwelling for travel, recreational, or vacation uses; or

(2) permanently identified "travel trailer" by the manufacturer.
(City Code, 1976/83, art. 30, §13.0-2-93.) (Ord. 99-547.)

§ 1-196. Use.

(a) *In general.*

"Use" means:

(1) any purpose for which a building, other structure, or tract of land can be used or occupied; and

(2) any activity, occupation, business, or operation that is carried on or intended to be carried on in a building or other structure or on a tract of land.

(b) *Types of use.*

The specific types of use are as described in Title 3, Subtitle 1 {"Use Regulations"} of this article.
(City Code, 1976/83, art. 30, §13.0-2-94.) (Ord. 99-547.)

§ 1-197. Wholesale establishment.

"Wholesale establishment" means a business establishment that is engaged in selling goods, merchandise, or commodities to retailers and others for resale, regardless of whether retail sales are made in addition to wholesale sales.
(City Code, 1976/83, art. 30, §13.0-2-99.) (Ord. 99-547.)

§ 1-198. Yard (required).

(a) *In general.*

"Yard", when used with respect to required yards, means the space on a lot that, except only for the obstructions permitted by § 3-209 {"Projections and obstructions into required yards"} of this article and the applicable district regulations, is open and unobstructed from ground level to the sky.

(b) *Types of yards.*

The following are the types of yards:

(1) *Front yard*: a yard that extends along the full length of a front lot line and back to a line drawn parallel with that front lot line at a distance equal to the required front yard.

(2) *Interior side yard*: a side yard that adjoins:

(i) another lot; or

(ii) an alley separating the side yard from another lot.

(3) *Rear yard*: a yard that extends along the full length of a rear lot line and back to a line drawn parallel with that rear lot line at a distance equal to the required rear yard.

(4) *Side yard*: a yard that extends along a side lot line to a line drawn parallel with that side lot line at a distance equal to the required side yard.

(5) *Street corner side yard*: a side yard that adjoins a street.
(City Code, 1976/83, art. 30, §13.0-2-100 - 105.) (Ord. 99-547.)

SUBTITLE 2
RULES OF CONSTRUCTION

§ 1-201. In general.

In interpreting and applying this article, the following rules of construction apply.
(City Code, 1976/83, art. 30, §13.0-1(intro).) (Ord. 99-547.)

§ 1-202. Article not a permit.

Nothing in this article may be taken to be a consent, license, or permit to:

(1) use any property;

(2) locate, erect, or maintain any structure or facility; or

(3) carry on any trade, industry, occupation, or activity.
(City Code, 1976/83, art. 30, §2.0-1d.) (Ord. 99-547.)

§§ 1-203 to 1-204. *{Reserved}*

§ 1-205. Captions or headings.

The captions or headings of the various sections and subsections:

(1) are for convenience of reference only, intended to summarize the statutory provisions that follow; and

(2) are not law and are not to be taken as affecting the meaning or effect of the law.
(Ord. 99-547.)

§ 1-206. Conflicting provisions.

(a) *Article sets minimum requirements.*

In their interpretation and application, the provisions of this article are intended as the minimum requirements for the promotion of the public health, security, general welfare, and morals.

(b) *Most restrictive provision governs.*

If any condition or requirement imposed by a provision of this article is either more or less restrictive than a comparable condition or requirement imposed by any other provision of this article or of any other law, rule, or regulation of any kind, including an applicable Urban Renewal Plan, the condition or requirement that is the more restrictive governs.
(City Code, 1976/83, art. 30, §2.0-1a, 1b.) (Ord. 99-547; Ord. 01-165.)

§ 1-207. Gender.

Words denoting one gender apply to the other genders as well.

(Ord. 99-547.)

§ 1-208. Table of Uses.

The Table of Uses accompanying this article:

(1) is for convenience of reference only, intended as a guide to this article; and

(2) is not law and is not to be taken as affecting the meaning or effect of the law.

(City Code, 1976/83, art. 30, §2.0-1f.) (Ord. 99-547.)

§§ 1-209 to 1-210. *{Reserved}*

§ 1-211. Mandatory, prohibitory, and permissive terms.

(a) *Mandatory terms.*

"Must" and "shall" are each mandatory terms used to express a requirement or to impose a duty.

(b) *Prohibitory terms.*

"Must not", "may not", and "no ... may" are each mandatory negative terms used to establish a prohibition.

(c) *Permissive terms.*

"May" is permissive.

(City Code, 1976/83, art. 30, §13.0-1-2.) (Ord. 99-547.)

§ 1-212. Number.

The singular includes the plural and vice versa.

(City Code, 1976/83, art. 30, §13.0-1-1(2nd cl.).) (Ord. 99-547.)

§ 1-213. *{Reserved}*

§ 1-214. References to other laws.

Whenever a provision of this article refers to any part of the City Code or to any other law, the reference applies to any subsequent amendment of the law referred to, unless the referring provision expressly provides otherwise.

(Ord. 99-547.)

§ 1-215. Revisor's Notes.

The Revisor's Notes following the various sections and subsections, including the accompanying lists of defined terms:

(1) are for convenience of reference only, intended to identify the sources of these provisions and highlight changes made to those sources; and

(2) are not law and are not to be taken as affecting the meaning or effect of the law.
(Ord. 99-547.)

§ 1-216. Severability.

(a) *In general.*

Except as specified in subsection (b) of this section:

(1) all provisions of this article are severable; and

(2) if a court determines that a word, phrase, clause, sentence, paragraph, subsection, section, or other provision is invalid or that the application of any part of the provision to any person or circumstances is invalid, the remaining provisions and the application of those provisions to other persons or circumstances are not affected by that decision.

(b) *Exceptions.*

Subsection (a) of this section does not apply:

(1) to the extent that a statute specifically provides otherwise; or

(2) if the court finds that the remaining provisions alone are incomplete and incapable of being executed in accordance with the legislative intent.
(City Code, 1976/83, art. 30, §2.0-3.) (Ord. 99-547.)

§ 1-217. Time computations.

(a) *Computation of time after an act, event, or default.*

(1) In computing any period of time prescribed by this article, the day of the act, event, or default after which the designated period of time begins to run is not included.

(2) If the period of time allowed is more than 7 days, intermediate Saturdays, Sundays, and legal holidays are counted.

(3) If the period of time allowed is 7 days or less, intermediate Saturdays, Sundays, and legal holidays are not counted.

(4) The last day of the period so computed is included unless it is a Saturday, Sunday, or legal holiday, in which event the period runs until the end of the next day that is not a Saturday, Sunday, or legal holiday.

(b) *Computation of time before a day, act, or event.*

(1) In determining the latest day for performing an act that is required by this article to be performed a prescribed number of days before a certain day, act, or event, all days preceding that day, including intervening Saturdays, Sundays, and legal holidays, are counted in the number of days so prescribed.

(2) The latest day is included in the determination unless it is a Saturday, Sunday, or legal holiday, in which event the latest day is the first preceding day that is not a Saturday, Sunday, or legal holiday.

(Ord. 99-547.)

§ 1-218. "Used" or "occupied".

Whenever the word "used" or "occupied" is used, it is to be construed as though followed by the phrase "or arranged, intended, or designed to be used/occupied".

(City Code, 1976/83, art. 30, §13.0-1-7.) (Ord. 99-547.)

SUBTITLE 3
MEASUREMENTS AND COMPUTATIONS

§ 1-301. In general.

In taking measurements and making computations under this article, the following rules apply. *(Ord. 99-547.)*

§ 1-302. Floor area, for determining floor area ratio.

(a) *In general.*

For determining floor area ratio, the floor area of a structure is the sum of the area of all floors of the structure, measured from the outside faces of exterior walls or from the centerlines of party walls.

(b) *Floor areas included.*

Floor areas devoted to the following uses are included in the computation:

(1) the basement;

(2) storage space;

(3) elevator shafts and interior stairwells;

(4) lobbies and common corridors;

(5) except for those located on roofs, mechanical equipment (such as bulkheads and cooling towers), whether open or enclosed;

(6) interior balconies and mezzanines;

(7) penthouses;

(8) attic space having a head room of 8 feet or more;

(9) enclosed porches; and

(10) accessory uses.

(c) *Space excluded.*

Space permanently devoted to off-street parking or loading facilities is not included in the computation.
(City Code, 1976/83, art. 30, §13.0-2-38.) (Ord. 99-547.)

§ 1-303. Floor area ratio.

(a) *Determination.*

The floor area ratio ("FAR") of a structure on a lot is determined by dividing the total floor area within the structure by the area of the lot.

(b) *Application.*

The FAR designated for a district, when multiplied by the lot area in square feet, determines the maximum permissible floor area for the principal structure and all accessory structures on the lot.
(City Code, 1976/83, art. 30, §13.0-2-40.) (Ord. 99-547.)

§ 1-304. Gross floor area.

For determining the maximum gross floor area for certain uses, the gross floor area is the sum of the area of each floor or part of a floor that is devoted to the use in question, excluding space permanently devoted to off-street parking or loading facilities.
(City Code, 1976/83, art. 30, §13.0-2-42.) (Ord. 99-547.)

§ 1-305. *{Reserved}*

§ 1-306. Distances.

Unless otherwise specified, all distances are measured horizontally.
(City Code, 1976/83, art. 30, §13.0-1-8.) (Ord. 99-547.)

§ 1-307. Building heights.

For purposes of determining compliance with height limitations, the height of a building is determined by measuring the vertical distance:

(1) from:

(i) the mean curb level; or

(ii) if the walls of a building are not adjacent to a street curb, the average elevation of the ground adjoining the walls;

(2) to:

(i) in the case of flat roofs, the highest point of the roof adjacent to the street wall; or

(ii) in the case of pitched roofs, the mean height level of the roof.
(City Code, 1976/83, art. 30, §13.0-2-11.) (Ord. 99-547.)

SUBTITLE 4
PURPOSES; SHORT TITLE

§ 1-401. Purposes of article.

This article is intended to serve the following purposes:

(1) to lessen congestion in the streets;

(2) to secure safety from fire, panic, and other dangers;

(3) to promote health and the general welfare;

(4) to provide adequate light and air;

(5) to prevent the overcrowding of land;

(6) to avoid undue concentration of population;

(7) to facilitate adequate provision of transportation, water, sewerage, schools, parks, and other public requirements;

(8) to conserve the value of buildings and other structures;

(9) to encourage the most appropriate use of land throughout the City; and

(10) to divide the City into zoning districts of the character, number, shape, and area best suited to effect these purposes.

(City Code, 1976/83, art. 30, §1.0-2.) (Ord. 99-547.)

§ 1-402. Short title.

This article, together with the zoning maps adopted under it, may be cited as the "Zoning Code of Baltimore City".

(City Code, 1976/83, art. 30, §1.0-1.) (Ord. 99-547.)

TITLE 2
ADMINISTRATION; AUTHORIZATIONS

SUBTITLE 1
GENERAL ADMINISTRATION

PART I. OVERVIEW

§ 2-101. Administrative entities.

The administration of this article is vested in the following:

(1) the Office of Zoning Administrator;

(2) the Board of Municipal and Zoning Appeals; and

(3) the Planning Commission.

(City Code, 1976/83, art. 30, §11.0-1.) (Ord. 99-547.)

§ 2-102. *{Reserved}*

PART II. ZONING ADMINISTRATOR

§ 2-103. Office established.

(a) *In general.*

The Office of Zoning Administrator is established.

(b) *Executive head.*

The Zoning Administrator is the executive head of the Office, in accordance with classified Civil Service procedures and requirements.

(City Code, 1976/83, art. 30, §11.0-2a(1st, 2nd sens.).) (Ord. 99-547.)

§ 2-104. Employees.

Employees of the Zoning Administrator may be appointed as authorized by the Ordinance of Estimates.

(City Code, 1976/83, art. 30, §11.0-2a(3rd sen.).) (Ord. 99-547.)

§ 2-105. Duties.

(a) *In general.*

The Zoning Administrator administers and enforces this article.

(b) *Specific duties.*

In addition to and in furtherance of that responsibility, the Zoning Administrator has the duty to:

(1) issue zoning authorizations, use permits, and transfer certificates;

(2) initiate inspections of structures and uses of land to determine compliance with this article and, where there are violations, initiate action to secure compliance;

(3) maintain permanent records of this article and of all actions taken under it, including:

(i) all maps adopted under this article;

(ii) all amendments to this article and to the maps adopted under it;

(iii) the rules of practice and procedure of the Board;

(iv) applications for and issuances of zoning authorizations, use permits, and transfer certificates;

(v) applications for and approvals of conditional uses and variances; and

(vi) appeals taken under this article;

(4) record district amendments and planned unit developments on the zoning maps;

(5) maintain all records from the administration of the zoning law since its enactment by Ordinance 31-1247;

(6) provide and maintain a public information service on matters arising out of this article;

(7) receive, file, and forward to the Board applications for conditional uses, variances, appeals, and other matters on which the Board is required to act;

(8) maintain copies of the Board's determinations on conditional uses, variances, appeals, and other matters on which the Board is required to act;

(9) determine use, lot, and bulk regulations in specific instances, as authorized by this article;

(10) issue permits for additional industrial uses in an M-2 District;

(11) from time to time, initiate a study of this article and report his or her recommendations to the City Council, the Board, the Commissioner of Housing and Community Development, and the Planning Commission;

(12) periodically provide for publication of this article; and

(13) perform all other duties imposed on the Zoning Administrator by this article.

(City Code, 1976/83, art. 30, §11.0-2b.) (Ord. 99-547.)

§§ 2-106 to 2-108. ***{Reserved}***

PART III. BOARD OF MUNICIPAL AND ZONING APPEALS

§ 2-109. Board established.

There is a Board of Municipal and Zoning Appeals, as established in Article VII, §§ 81 and 82 of the City Charter.
(City Code, 1976/83, art. 30, §11.0-3a.) (Ord. 99-547.)

§ 2-110. Jurisdiction and authority — in general.

The Board has the jurisdiction and authority to:

(1) hear and decide, in the manner prescribed by and subject to the standards established in this article, applications for conditional uses and variances;

(2) hear and decide appeals from any order, requirement, decision, or determination of the Zoning Administrator under this article;

(3) hear and decide all matters referred to it or on which it is required to act under this article; and

(4) review all proposed amendments to this article and report its findings and recommendations to the City Council.
(City Code, 1976/83, art. 30, §11.0-3b1 to 3b6.) (Ord. 99-547.)

§ 2-111. Jurisdiction and authority — rules and regulations.

(a) *In general.*

The Board may adopt rules and regulations:

(1) for the conduct of its proceedings; and

(2) as otherwise directed or authorized in this article.

(b) *Filing.*

A copy of all rules and regulations must be filed with the Department of Legislative Reference before they may take effect.
(City Code, 1976/83, art. 30, §11.0-3b8, §11.0-3f(5th, 7th sens.).) (Ord. 99-547.)

§ 2-112. Copies to Administrator.

The Board must provide the Zoning Administrator with copies of all matters acted on by the Board, including:

(1) all orders, requirements, decisions, determinations, rules, and regulations; and
(2) all other information necessary for the proper administration and enforcement of this article.
(City Code, 1976/83, art. 30, §11.0-3b9.) (Ord. 99-547.)

§ 2-113. Meetings.

(a) *When held.*

Meetings of the Board are held at the call of the chair and at any other time that the Board determines by general rule.

(b) *Minutes.*

The Board must keep minutes of all its proceedings, indicating:

(1) the members present; and

(2) on each question, how each member voted or that the member was absent or failed to vote.

(City Code, 1976/83, art. 30, §11.0-3f(1st, 3rd sens.).) (Ord. 99-547.)

§ 2-114. Public hearings.

(a) *Scheduling, notices, decision.*

The Board must:

(1) fix a reasonable time and place for the public hearing of an application, appeal, or other matter;

(2) give notice of the hearing to the parties in interest;

(3) give public notice of the hearing; and

(4) decide the matter within a reasonable time after the hearing.

(b) *Oaths and witnesses.*

The chair or acting chair of the Board may administer oaths and compel the attendance of witnesses.

(c) *Attendance by parties*.

At the hearing, any party may:

(1) appear in person, by agent, or attorney; and

(2) testify as to any material facts.

(d) *Hearings to be public.*

All hearings of the Board must be open to the public.

(City Code, 1976/83, art. 30, §11.0-3f (2nd sen.), §11.0-3g.) (Ord. 99-547.)

§ 2-115. Voting.

The number of votes specified in State Code Article 66B is required for the Board to:

(1) reverse any order, requirement, decision, or determination of the Zoning Administrator; or

(2) decide in favor of the applicant on any matter on which it is required to pass under this article.
(City Code, 1976/83, art. 30, §11.0-3f(8th sen.).) (Ord. 99-547.)

§ 2-116. Public records.

The Board's rules and regulations, the minutes of its proceedings, and all other records of the Board must be kept at the office of the Board as public records.
(City Code, 1976/83, art. 30, §11.0-3f(4th, 6th sens.).) (Ord. 99-547.)

§§ 2-117 to 2-119. *{Reserved}*

PART IV. PLANNING COMMISSION

§ 2-120. Commission established.

There is a Planning Commission, as established by Article VII, §§ 70 and 71 of the City Charter.
(City Code, 1976/83, art. 30, §11.0-4a.) (Ord. 99-547.)

§ 2-121. Jurisdiction and authority.

The Planning Commission has the jurisdiction and authority to:

(1) on request, provide for informational conferences with any applicant before the introduction of a bill relating to a conditional use or change in zoning district;

(2) review all proposed amendments to this article and report its findings and recommendations to the City Council;

(3) with respect to all City Council bills proposing an adult-entertainment business as a conditional use:

(i) investigate the distance between the proposed use and existing adult-entertainment businesses in the area, to determine if a negative impact on the community will result;

(ii) consider the relationship of the proposed use to residences, educational institutions (including colleges and universities), and religious institutions within 300 feet, and determine that the adult use will not impair public safety or the general welfare;

(iii) review the written application and all attached documents; and

(iv) promptly submit its findings to the City Council; and

(4) review each recycling collection station annually and forward a written report of this review to the Board.

(City Code, 1976/83, art. 30, §11.0-4b1, 4b2, 4b4, 4b6.) (Ord. 99-547.)

§ 2-122. Copies to Board and Administrator.

The Planning Commission must provide the Board and the Zoning Administrator with copies of:

(1) all amendments to the Master Plan; and

(2) all other information necessary for the proper administration and enforcement of this article.

(City Code, 1976/83, art. 30, §11.0-4b5.) (Ord. 99-547.)

§ 2-123. Front lot line by streets.

For purposes of establishing front lot lines, as part of the process of subdivision or planned unit development approval, the Planning Commission may reduce the required width of the right-of-way of a local residential street by up to 10 feet.

(Ord. 99-500.)

SUBTITLE 2
ZONING DISTRICTS; MAPS AND PROFILES

§ 2-201. Establishment of districts.

(a) *In general.*

In order to carry out the purposes of this article, Baltimore City is divided into zoning districts, as listed in this section and located on the zoning maps, flood plain overlay maps, and flood profiles adopted under this article.

(b) *Residence Districts.*

R-1 Single-Family Residence District
R-1A Single-Family Residence District
R-1B Single-Family Residence District
R-2 General Residence District
R-3 Single-Family Residence District
R-4 General Residence District
R-5 General Residence District
R-6 General Residence District
R-7 General Residence District
R-8 General Residence District
R-9 General Residence District
R-10 General Residence District

(c) *Office-Residence District.*

O-R Office-Residence District

(d) *Business Districts.*

B-1 Neighborhood Business District
B-2 Community Business District
B-3 Community Commercial District
B-4 Central Business District
B-5 Central Commercial District

(e) *Industrial Districts.*

M-1 Industrial District
M-2 Industrial District
M-3 Industrial District

(f) *Public Use Overlay Districts.*

Suffix “P” added to existing zoning classification

(g) *Flood Plain Overlay Districts.*

F1 Floodway
F2 Floodway Fringe
F3 Approximated Flood Plain
HFZ Harbor Flood Zone
SFZ Shallow Flood Zone
CHZ Coastal Hazard Zone

(h) *Critical Area Overlay District*.

Resource Conservation Area
Waterfront Revitalization Area
Waterfront Industrial Area

(City Code, 1976/83, art. 30, §3.0-1, §3.0-2(1st sen.).) (Ord. 99-547.)

§ 2-202. Maps and profiles made part of article.

(a) *In general.*

The zoning maps, flood plain overlay maps, and flood profiles adopted under this article are incorporated in and made a part of this article as fully as if they were set forth and described in this article.

(b) *Evidence of authenticity*.

As evidence of the authenticity of these maps and profiles, each is to be signed by the Mayor and by the President of the City Council.

(City Code, 1976/83, art. 30, §3.0-2(2nd, 3rd sens.).) (Ord. 99-547.)

§ 2-203. Letter or letter-number designations.

The use on a zoning map of a letter or a letter-number combination to designate a district indicates that the regulations applying to that district extend throughout the whole area bounded by the district boundary lines, as determined by the provisions of § 2-204 {"Determining boundary lines"} of this subtitle.

(City Code, 1976/83, art. 30, §3.0-3(1st par.).) (Ord. 99-547.)

§ 2-204. Determining boundary lines.

(a) *In general.*

The precise location of a district boundary line is determined as specified in this section.

(b) *Along streets, alleys, streams, etc.*

Where a district boundary line is shown as being within or binding along a street, alley, other public or private way, or an extension of any of them, or as being within or along a non-navigable stream, the boundary is the center line of that street, alley, other way, extension, or stream.

(c) *On lot lines.*

Where a district boundary line is shown as binding along or superimposed on a lot line, the boundary is that lot line.

(d) *Designated distances.*

Where the location of a district boundary line is indicated by a designated number of feet, that distance controls.

(e) *Along railroad rights-of-way.*

Where a district boundary line is shown as being within or binding along a railroad right-of-way, the boundary line of that railroad right-of-way controls.

(f) *Along navigable waters.*

(1) Where a district boundary line is shown as binding along navigable water and is not otherwise fixed, the boundary is:

(i) the line that coincides with the pierhead line; or

(ii) where no pierhead line has been established, the line that coincides with the mean low tide line.

(2) Unless otherwise indicated on the zoning map, submerged land that is later reclaimed is in the same district as the non-submerged premises to which the reclaimed land is contiguous.

(g) *Others.*

Where a district boundary line is shown and its location is not fixed by any of the rules of this section, its precise location is determined by scaling from fixtures, objects, or other structures shown on the maps.

(City Code, 1976/83, art. 30, §3.0-3(2nd par.).) (Ord. 99-547.)

SUBTITLE 3
ZONING AUTHORIZATIONS

§ 2-301. Authorization required.

(a) *In general.*

No license or other permit pertaining to the use of land or structures may be issued by any officer, department, or employee of the City unless:

(1) the application for that license or permit has been examined by the Office of the Zoning Administrator; and

(2) has affixed to it the authorization of the Zoning Administrator, indicating that the proposed structure or use complies with all the provisions of this article.

(b) *When no other permit required.*

If no license or other permit is otherwise required for the use of land, this zoning authorization constitutes the permit to so use the land.

(City Code, 1976/83, art. 30, §11.0-2c1(1st, 2nd sens.).) (Ord. 99-547.)

§ 2-302. Plot plan.

The application for a zoning authorization must be accompanied by a plot plan that:

(1) is drawn to scale and fully dimensioned;

(2) indicates the parcel of land, lot, and block, or the relevant portions of them; and

(3) shows:

(i) the ground area, height, and bulk of the structure;

(ii) the structure in relation to the lot lines;

(iii) the use to be made of the structure or land; and

(iv) any other information that the Zoning Administrator requires for the proper administration and enforcement of this article.

(City Code, 1976/83, art. 30, §11.0-2c2(1st sen.).) (Ord. 99-547.)

§ 2-303. Employee-based parking requirements.

If a structure or use is one for which this article requires off-street parking on a ratio to the number of employees, the application must specify the number of employees on which the parking requirement is calculated.

(City Code, 1976/83, art. 30, §11.0-2c2(2nd sen.).) (Ord. 99-547.)

§ 2-304. Compliance with performance standards.

(a) *Certification by engineer required.*

If a structure or use is one that is required to comply with the performance standards in Title 12 {"Performance Standards"} of this article, the application must have affixed on it a certification of compliance from a professional engineer licensed to practice in the State of Maryland.

(b) *Scope and contents of certification.*

The certification must:

(1) certify that the structure and the proposed use comply with all applicable performance standards of the district in which the structure is to be located; and

(2) contain enough information and detail to enable the Zoning Administrator to determine that the proposed structure and use can and will be in compliance with the applicable performance standards.

(c) *Examination and decision of Administrator.*

(1) Within 30 days of submission of a completed application, the Zoning Administrator must:

(i) undertake a technical examination of the application and certificate;

(ii) approve or disapprove the application; and

(iii) advise the engineer in writing whether the structure or use does or does not comply with the performance standards.

(2) In undertaking the examination required by this subsection, the Zoning Administrator may obtain technical assistance from other City agencies or from private engineering consultants, as necessary or appropriate.

(City Code, 1976/83, art. 30, §11.0-2c3.) (Ord. 99-547.)

§ 2-305. Noncomplying permits void.

Any building permit, occupancy permit, or other license or permit issued in conflict with the requirements of this article is void.

(City Code, 1976/83, art. 30, §11.0-2c(3rd sen.).) (Ord. 99-547.)

SUBTITLE 4
USE PERMITS

§ 2-401. Nature of permit.

A use permit is a document issued by the Zoning Administrator for a structure or land that states that the use or occupancy of the structure or land:

(1) complies with the provisions of this article; and

(2) is the authorized use for that structure or land.

(City Code, 1976/83, art. 30, §11.0-2d1(3rd sen.).) (Ord. 99-547.)

§ 2-402. Use permit required.

A use permit is required before any person may:

(1) occupy any newly-constructed structure or any addition to a previously-constructed structure;

(2) use for any purpose any previously-vacant land; or

(3) make any change in the authorized use of any land or structure.

(City Code, 1976/83, art. 30, §11.0-2d1(1st, 2nd sens.).) (Ord. 99-547.)

§ 2-403. Application for permit.

(a) *How made.*

(1) Every application for a building permit constitutes an application for a use permit as well, but approval of one does not constitute approval of the other.

(2) For a new use of a structure or land for which no building permit is required, the application for a use permit must be made to the Zoning Administrator.

(b) *Required information.*

The application must be accompanied by:

(1) unless one already is on file, a plot plan that complies with and contains the information specified in § 2-302 of this title for zoning authorizations; or

(2) in the discretion of the Zoning Administrator, whatever other written information the Zoning Administrator requires to enable her or him to act on the application.

(City Code, 1976/83, art. 30, §11.0-2d2.) (Ord. 99-547.)

§ 2-404. Pending construction.

(a) *Permit not issued until construction complete.*

For any structure or addition to a structure for which a use permit is required under § 2-402(1) of this subtitle, the use permit may not be issued until construction has been completed and the premises inspected and certified by the Zoning Administrator to be in conformity with the plans and specifications on which the zoning authorization was based.

(b) *Temporary permit.*

Pending issuance of a permanent use permit, a temporary permit may be issued during the completion of any addition or during partial occupancy of the premises. A temporary permit may not be issued, however, for a period of more than 6 months.

(City Code, 1976/83, art. 30, §11.0-2d3(1st, 2nd sen.).) (Ord. 99-547.)

§ 2-405. Final action by Administrator.

Within 15 days after receiving an application for a use permit or after the Zoning Administrator is notified in writing that the premises is ready for occupancy, the Zoning Administrator must issue the permit or notify the applicant in writing why a permit cannot be issued.

(City Code, 1976/83, art. 30, §11.0-2d3(3rd sen.).) (Ord. 99-547.)

SUBTITLE 5
TRANSFER CERTIFICATES

§ 2-501. Definitions.

(a) *In general.*

In this subtitle, the following terms have the meanings indicated.

(b) *Agreement of sale.*

(1) *In general.*

"Agreement of sale" means any agreement or written instrument that provides for the transfer of title to any property from one person to another.

(2) *Inclusions.*

"Agreement of sale" includes any:

(i) land installment contract;

(ii) conditional contract of sale;

(iii) lease with an option to purchase;

(iv) lease by which the lessee may acquire title after a stipulated number of payments or after a stipulated period of time; or

(v) similar written instrument.

(City Code, 1976/83, art. 30, §11.0-2g5.) (Ord. 99-547.)

§ 2-502. Nature of certificate.

(a) *In general.*

A transfer certificate is a document issued by the Zoning Administrator that states whether the property complies with the use and density regulations of the district in which it is located.

(b) *Basis.*

In issuing a transfer certificate, the Zoning Administrator must consider:

(1) the use specified in the application submitted for the certificate; and

(2) the information contained in the Administrator's official records.

(City Code, 1976/83, art. 30, §11.0-2g3.) (Ord. 99-547.)

§ 2-503. Transfer certificate required.

Except as specified in § 2-506 {"Exceptions"} of this subtitle, every person who, for a monetary consideration, sells or conveys an interest in or right to real property located in the City must:

(1) obtain a transfer certificate as provided in this subtitle; and

(2) provide it to the transferee, as follows:

(i) for a transaction involving an agreement of sale of a type specified in §2-501(b)(2) of this subtitle, by attaching the certificate to the agreement of sale at the time that or within 15 days after the agreement of sale is executed; and

(ii) for all other transactions, by attaching it to the instrument of conveyance at or before settlement.

(City Code, 1976/83, art. 30, §11.0-2g1.) (Ord. 99-547.)

§ 2-504. Application for certificate.

(a) *In general.*

(1) A transfer certificate may be obtained from the Zoning Administrator, on application and payment of a $45 fee for each certificate requested.

(2) A separate application must be made for each individual lot or parcel of property.

(b) *Information required.*

Each application must contain the following information:

(1) a description or definite street location of the property, as the Zoning Administrator requires;

(2) the name and address of the present owner of the property;

(3) the existing use of the property; and

(4) if the property is restricted by this article to use and occupancy as a single-family dwelling, a statement to that effect.

(City Code, 1976/83, art. 30, §11.0-2g2.) (Ord. 99-438; Ord. 99-547.)

§ 2-505. Effect of noncompliance.

(a) *Not subject to general penalties.*

A person who fails to comply with this subtitle is not subject to the provisions of Title 17 {"Enforcement and penalties"} of this article.

(b) *Presumptive warranty.*

However, any person who fails to comply with this subtitle, with or without the approval or consent of the transferee, is conclusively presumed to have represented and warranted that the property involved in the transaction is being used in compliance with this article at and immediately preceding the time the agreement of sale or instrument of conveyance is executed.

(City Code, 1976/83, art. 30, §11.0-2g4.) (Ord. 99-547.)

§ 2-506. Exceptions.

This subtitle does not require a transfer certificate for the sale or conveyance of any interest in or right to real property that:

(1) is being used exclusively as a single- or 2-family dwelling; or

(2) is owned by and being used exclusively for the immediate purposes of a bona fide and regularly operating church or religious organization.

(City Code, 1976/83, art. 30, §11.0-2g6.) (Ord. 99-547.)

§ 2-507. City immune from liability.

Neither the Mayor and City Council of Baltimore, the Zoning Administrator, nor any of their officers, agents, or employees may be held liable to any person, under any circumstances, in connection with or resulting from the issuance of any transfer certificate or in connection with or resulting from any information or statement contained in any transfer certificate.

(City Code, 1976/83, art. 30, §11.0-2g7.) (Ord. 99-547.)

SUBTITLE 6
PERMIT TIME LIMITATIONS

PART I. TIME REQUIRED TO EXERCISE

§ 2-601. Scope of Part.

This Part I applies to any permit or other authorization that has been approved under this article, whether by:

(1) the Zoning Administrator;

(2) the Board;

(3) the Mayor and City Council;

(4) any municipal agency; or

(5) any court of competent jurisdiction.

(City Code, 1976/83, art. 30, §11.0-3i(1st sen.)(1st cl.).) (Ord. 99-547.)

§ 2-602. Exercise within 12 months required.

Whenever an application for a permit or other authorization is approved, the applicant must obtain the permit or authorization and exercise the privilege granted by it:

(1) within 12 months of the final action that validated the permit or authorization; or

(2) for a permit or other authorization approved by an ordinance of the Mayor and City Council, within 12 months of the date the ordinance was enacted.

(City Code, 1976/83, art. 30, §11.0-3i(1st sen.)(2nd, 4th cls.).) (Ord. 99-547.)

§ 2-603. Lapse on failure to exercise.

Unless extended under § 2-604 of this subtitle, if a permit or other authorization is not exercised within the time specified in § 2-602 of this subtitle, the permit or authorization automatically lapses and is void.

(City Code, 1976/83, art. 30, §11.0-3i(1st sen.)(3rd cl.).) (Ord. 99-547.)

§ 2-604. Extensions by Board.

(a) *In general.*

On a written showing by the applicant of reasonable cause, the Board may authorize 1 or more extensions of the time specified in § 2-602 of this subtitle.

(b) *Limitations.*

No one extension, however, may be granted for more than 12 months without public notice and hearing.

(City Code, 1976/83, art. 30, §11.0-3i(2nd sen.).) (Ord. 99-547.)

§§ 2-605 to 2-606. *{Reserved}*

PART II. REAPPLICATION WAITING PERIOD

§ 2-607. Same proposal for same premises.

If the Board has disapproved an application for a permit or other authorization, the Board may not take action on any later application for substantially the same proposal on the same premises until at least 12 months after the date of the Board's decision or, if that decision was appealed to court, the date of the court's decision.

(City Code, 1976/83, art. 30, §11.0-3h(1st par.).) (Ord. 99-547.)

§ 2-608. Different proposal for same premises.

If an application or appeal is made to the Board that involves the same premises as had been the subject matter of a proceeding before the Board during the preceding 12 months, the Board:

(1) must provide all parties of record at the prior proceeding at least 1 week's notice, by first class mail, of the hearing in the current matter;

(2) may notify all other persons that the Board knows were interested in the prior proceeding; and

(3) must furnish the applicant with a list of the persons so notified.

(City Code, 1976/83, art. 30, §11.0-3h(2nd par.).) (Ord. 99-547.)

TITLE 3
GENERAL RULES FOR USE, BULK, AND OTHER REGULATIONS

SUBTITLE 1
USE REGULATIONS

§ 3-101. Nature and scope.

Use regulations are those provisions of this article that:

(1) identify and enumerate permitted, conditional, additional industrial, and accessory uses;

(2) impose use limitations; and

(3) require adherence, when applicable, to performance standards.

(City Code, 1976/83, art. 30, §13.0-2-98.) (Ord. 99-547.)

§ 3-102. Permitted uses.

(a) *Nature of use.*

A permitted use is a use that lawfully may be established in a particular district, as long as it conforms with all requirements and regulations for the district in which the use is located.

(b) *Applicability to district.*

Permitted uses for a district are as specified in this article for that district.

(c) *Major categories limited to itemized uses.*

Wherever a major category that lists specific uses is named as a permitted use for a district, only the specific uses listed are permitted uses.

(City Code, 1976/83, art. 30, §3B.0-1a(2nd sen.), §4.0-1a, §5.0-1a, §6.0-1a, §7.0-1a(1st sen.), 1b(1st sen.), 1c(1st sen.), §13.0-2-96.) (Ord. 99-547.)

§ 3-103. Conditional uses.

(a) *Nature of use.*

A conditional use is a use that:

(1) may be authorized by the Board or by ordinance as a special exception under State Code Article 66B; and

(2) is subject to review and approval and to the imposition of conditions and restrictions under the provisions of this article.

(b) *Applicability to district.*

Conditional uses for a district are as specified in this article for that district.

(c) *Major categories limited to itemized uses.*

Wherever a major category that lists specific uses is named as a conditional use for a district, only the specific uses listed are conditional uses.

(City Code, 1976/83, art. 30, §3B.0-1b(2nd sen.), §4.0-1b, §5.0-1b, §6.0-1b, §7.0-1a(1st sen.), 1b(1st sen.), 1c(1st sen.), §13.0-2-95.) (Ord. 99-547.)

§ 3-104. Additional industrial uses.

An additional industrial use is a use ordinarily relegated to an M-3 District that:

(1) may be authorized by the Zoning Administrator in an M-2 District; and

(2) is subject to review and approval and to the imposition of conditions and restrictions under the provisions of this article.

(City Code, 1976/83, art. 30, §7.2-1d.) (Ord. 99-547.)

§ 3-105. Accessory uses.

An accessory use is a use that meets the criteria specified in §1-102 {"Accessory use or structure"} of this article.

(Ord. 99-547.)

§ 3-106. Prohibited uses — in general.

Any use that is not expressly allowed in a district is prohibited.

(City Code, 1976/83, art. 30, §3A.0-1d(1st sen.), §3B.0-1d(1st sen.), §3C.0-1i, §4.0-1d(1st sen.), §5.0-1d(1st sen.), §6.0-1d(1st sen.), §7.0-1f(1st sen.).) (Ord. 99-547.)

§ 3-107. Prohibited uses — storage, etc., of vehicles.

(a) *Definitions.*

(1) *In general.*

In this section, the following terms have the meanings indicated.

(2) *Derelict vehicle.*

"Derelict vehicle" means a vehicle that exhibits a defect, damage, or deterioration sufficient to preclude proper operation on the highway.

(3) *Unlicensed vehicle.*

"Unlicensed vehicle" means:

(i) an unregistered vehicle; or

(ii) a vehicle on which current registration tags are not displayed.

(b) *Prohibited uses.*

(1) *Indoor or outdoor storage, etc.*

The indoor or outdoor storage or maintenance of abandoned, junked, or derelict vehicles is prohibited in all:

(i) Business Districts;

(ii) M-1 and M-2 Districts; and

(iii) Public Use Districts.

(2) *Outdoor storage, etc.*

The outdoor storage or maintenance of abandoned, unlicensed, junked, or derelict vehicles is prohibited in all:

(i) Residence Districts;

(ii) Office-Residence Districts; and

(iii) Flood Plain Overlay Districts.

(3) *Outdoor facilities for storage, etc.*

Outdoor facilities for the storage, maintenance, or dismantling of abandoned, unlicensed, junked, or derelict vehicles are prohibited within the Buffer of the Critical Area Overlay District.

(City Code, 1976/83, art. 30, §3A.0-1d(2nd sen.), §3B.0-1d(2nd sen.), §3C.0-1d3, §4.0-1d(2nd sen.), §5.0-1d(2nd sen.), §6.0-1d(2nd sen.),§7.0-1f(2nd sen.), §13.0-2-23½, §13.0-2-93a.) (Ord. 99-547.)

§ 3-108. ***{Reserved}***

§ 3-109. Specific use governs.

A use set forth specifically governs in the interpretation and application of a use that is set forth both specifically and in a general category.

(City Code, 1976/83, art. 30, §2.0-1e.) (Ord. 99-547.)

§ 3-110. Utility and government uses permitted.

The following uses are allowed in all districts, subject to the provisions of Title 8 {“Overlay Districts”} of this article governing these uses in overlay districts:

(1) overhead electric distribution and telephone lines;

(2) underground utility lines and distributing equipment;

(3) conduits, vaults, pipeline laterals, and mains;

(4) traffic signals;

(5) sanitary landfills that are operated and controlled by the Baltimore City Department of Public Works and for which the permit has been approved by the Mayor and City Council of Baltimore by ordinance or resolution;

(6) telephone booths and pedestals; and

(7) similar installations and equipment or accessories of a public utility or governmental service.

(City Code, 1976/83, art. 30, §2.0-11a.) (Ord. 99-547.)

SUBTITLE 2
BULK REGULATIONS

§ 3-201. Nature and scope.

(a) *Nature.*

Bulk regulations are the provisions of this article that control:

(1) the size of structures; and

(2) the relationships of structures:

(i) to each other;

(ii) to open areas; and

(iii) to lot lines.

(b) *Scope.*

The bulk regulations of this article govern:

(1) maximum height;

(2) maximum lot coverage;

(3) minimum lot area;

(4) minimum size of yards; and

(5) maximum floor area ratio.

(City Code, 1976/83, art. 30, §13.0-2-12.) (Ord. 99-547.)

§ 3-202. Compliance required.

(a) *New construction.*

No structure may be erected except in accordance with the bulk regulations prescribed for the district in which the structure is located or proposed to be located.

(b) *Yards and open spaces.*

No structure may be expanded, altered, or moved so as to reduce the yards and open spaces prescribed for the district in which the structure is located or the expansion, alteration, or movement is proposed to be located.

(c) *Number of families — structure design.*

No structure may be erected, expanded, or altered if the structure, as proposed to be erected, expanded, or altered is arranged, intended, or designed to be occupied by more than the number of families permitted by the bulk regulations prescribed for the district in which the structure, expansion, or alteration is located or proposed to be located.

(d) *Number of families — occupancy*.

No structure may be occupied by more than the number of families permitted by the bulk regulations prescribed for the district in which the structure is located.

(City Code, 1976/83, art. 30, §2.0-8a to 8d.) (Ord. 99-547.)

§ 3-203. Continued conformity required.

(a) *In general.*

The maintenance of required yards, other open space, and minimum lot area for a structure is a continuing obligation of the owner of the structure and of the owner of the property on which the structure is located, as long as the structure exists.

(b) *Single-structure allocations required.*

No required yard, other open space, or minimum lot area allocated to a structure may, by virtue of a change of ownership or for any other reason, be used to satisfy yard, other open space, or minimum lot area requirements for any other structure.

(c) *Yards, etc., to be on same lot as structure*.

All yards and other open spaces allocated to a structure must be located on the same lot as the structure.

(d) *Division or subdivision of lot*.

No lot may be divided or subdivided in a way that would violate any provision of this article applicable to the original lot or to the resulting lots.

(City Code, 1976/83, art. 30, §2.0-8e to 8g.) (Ord. 99-547.)

§ 3-204. Open spaces under Urban Renewal Plan.

Any part of a lot that has been be dedicated to or acquired by the City for the purpose of providing open space areas under an approved Urban Renewal Plan is included in the lot for purposes of determining:

(1) the number of families that may be housed on the lot;

(2) the percentage of lot coverage; and

(3) the required depths of front, rear, and side yards.

(City Code, 1976/83, art. 30, §2.0-8h.) (Ord. 99-547.)

§ 3-205. Major highway dedications.

(a) *In general.*

Subject to the requirements and limitations of this section, if the owner of a lot gives or dedicates to the Mayor and City Council of Baltimore any land for the purpose of establishing, extending, or widening a street abutting that lot, the area of the land so given or dedicated may be added to the lot area used to compute the maximum number of dwelling units that, under the bulk regulations of this article, are permitted on that lot.

(b) *Requirements.*

To qualify for this added area:

(1) the street to be established, extended, or widened must be a major street, arterial street, or expressway, as shown on the Master Plan; and

(2) the land given or dedicated must have been:

(i) designated for this purpose on an approved subdivision plat or builders' location plat;

(ii) certified by the Planning Commission as essential to overall community planning and not for the sole benefit of any one individual; and

(iii) given or dedicated to the City at the request of the Planning Commission.

(c) *Limitation.*

The permitted density of the lot, as computed under this section, may not exceed 120% of the density that otherwise would be allowed for that lot.

(City Code, 1976/83, art. 30, §2.0-8i.) (Ord. 99-547.)

§ 3-206. *{Reserved}*

§ 3-207. Yards adjoining alleys.

(a) *Scope of section.*

This section does not apply in an R-1A or R-1B District.

(b) *Side yard measurement.*

If the side yard of a dwelling adjoins an alley, ¼ of the width of the alley may be included as part of the required side yard.

(c) *Rear yard measurement.*

If the rear yard of a dwelling adjoins an alley, ¼ of the width of the alley may be included as part of the required rear yard.

(City Code, 1976/83, art. 30, §2.0-8j and 8k, §4.1A-3, §4.1B-3.) (Ord. 99-547.)

§ 3-208. Rear yard reduction.

(a) *In general.*

For a lot that is less than 100 feet deep, the depth of a rear yard required for a dwelling may be reduced 1% for each 1 foot that the lot is less than 100 feet deep, subject to the limitations and requirements of this section.

(b) *Maximum reduction.*

A reduction under this section may not exceed the following:

(1) in the case of an existing detached or semidetached dwelling that is located in a business district, _ of the required depth; and

(2) in all other cases, ¼ of the required depth.

(c) *Compliance with other regulations.*

A reduction may only be taken under this section if all other bulk regulations are complied with.

(City Code, 1976/83, art. 30, §2.0-8l.) (Ord. 99-547.)

§ 3-209. Projections and obstructions into required yards.

(a) *In general.*

Except for the specified projections and obstructions listed in this section, every part of a required yard or of any other required open space must be open and unobstructed from the ground to the sky.

(b) *How measured.*

Unless otherwise noted, the distance of a projection is measured, on a horizontal plane, from the wall of the structure to which the projection is attached.

(c) *Permitted projections and obstructions.*

	Front and other yards adjoining streets	*Interior side yards*	*Rear yards*
(1) Air conditioning units — no less than 3 feet from any lot line		_	_
(2) Arbors or trellises, attached to principal structure —			

	no more than 3 ft.	_		_		_
(2)	Arbors or trellises, free-standing					_
(4)	Awnings or canopies for a window, porch, or door — no more than 3 ft.	_	_	_		
(5)	Balconies, open — no more than 3 ft.	_				_
(6)	Chimneys — no more then 2 ft.	_		_		_
(7)	Cornices, eaves, belt courses, sills, 1-story bay windows, and similar architectural features — no more than 2 ft.	_		_		_
(8)	Fallout or bomb shelters — as long as: (i) any above-grade portion of a shelter constructed under this provision (except a hatch, air vent, or filter) is situated entirely beneath a porch or other structure that is itself permitted by this section; (ii) no portion of any fallout or bomb shelter constructed under this provision, whether above or below grade, is situated within 3 ft. of any lot line; and (iii) all fallout or bomb shelter hatches are no more than 18 in. above grade and all fallout shelter air vents and filters are no more than 6 ft. above grade	_		_		_
(9)	Fences and walls — no more than 3½ ft. high	_				
(10)	Fences and walls — no more than 6 ft. high			_		_
(11)	Fire escapes or fire towers, open and enclosed — no more than 6 ft.		_			
(12)	Flagpoles	_		_		_
(13)	Garages, detached				_	
(14)	Lawn furniture — such as benches, sun dials, and bird baths	_		_		_
(15)	Microwave antennas (satellite dishes) — no less than 5 ft. from any lot line and no less than 10 ft. from the nearest door or window of a principal use					_
(16)	Open off-street loading spaces		_			_
(17)	Open off-street parking spaces		_	_		
(18)	Ornamental light standards — not over 6 ft. high and situated no less than 5 ft. from any lot line	_		_		_
(19)	Playground and laundry-drying equipment					_
(20)	Playhouses and outdoor fireplaces					_
(21)	Porches, open, with or without roof, not more than 1 story high — no more than 8 ft.	_				

(22) Porches, open, with or without roof — no more than 8 ft.			_
(23) Signs and nameplates — as regulated in this article	_	_	_
(24) Steps, open	_	_	_
(25) Swimming pools and tennis courts			_
(26) Terraces and patios, open	_	_	_
(27) Tool houses and similar structures for the storage of accessory supplies			_
(28) Trees, shrubs, and other plants	_	_	_

(City Code, 1976/83, art. 30, §2.0-8m.) (Ord. 99-547.)

§ 3-210. Lot coverage computation.

In computing the percentage of lot area covered by a structure, the area of the maximum horizontal plane of the entire structure is used, except for those portions specified in § 3-209 {"Projections ... into required yards"} of this subtitle as being permitted to project into required yards.
(City Code, 1976/83, art. 30, §2.0-8n.) (Ord. 99-547.)

§ 3-211. Minimum acreage for certain multiple-family developments.

Notwithstanding any other provision of this article, no multiple-family development of 3 or more units may be constructed in R-2, R-4, or R-5 Residence Districts on a lot that is less than 1 acre.
(City Code, 1976/83, art. 30, §2.0-8o.) (Ord. 99-547.)

§ 3-212. Height limitation in vicinity of Washington Monument

Nothing in this article in any way affects the requirements of Chapter 42, Laws of Maryland 1904, which states:

> "[F]rom and after [March 15, 1904], no building, except churches, shall be erected or altered in the City of Baltimore on the territory bounded by the south side of Madison street, the west side of St. Paul street, the north side of Centre street, and the east side of Cathedral street, to exceed in height a point seventy feet above the surface of the street at the base line of the Washington Monument."

(City Code, 1976/83, art. 30, §2.0-9.) (Ord. 99-547.)

§ 3-213. General height exemptions.

The height regulations of this article do not apply to the following:

(1) belfries, chimneys, cupolas, domes, grain elevators, fire escapes, flag poles, flues, minarets, monuments, spires, stacks, steeples, ventilators, and utility poles;

(2) water towers or tanks other than those located on the roof of a structure;

(3) bulkheads, cooling towers, elevator enclosures, monitors, elevator or stairway penthouses, skylights, stage towers and water tanks, and air conditioning units — as long as these

structures do not occupy more than 25% in the aggregate of the area of the roof of the structure on which they are located;

(4) towers for any permitted or accessory use — as long as these towers:

(i) do not occupy more than 25 % in the aggregate of the lot coverage of the structure on which they are located;

(ii) do not extend more than 15 feet above any applicable height limit; and

(iii) do not exceed the maximum floor area ratio permitted in the district in which they are located; and

(5) parapet walls — as long as these walls do not exceed the height necessary to screen the mechanical equipment listed in item (3) of this section.

(City Code, 1976/83, art. 30, §2.0-11b.) (Ord. 99-547.)

SUBTITLE 3
OTHER REGULATIONS

§ 3-301. Number of structures on a lot.

(a) *In general.*

Except in a planned unit development or as authorized in subsection (b) of this section:

(1) no more than 1 principal detached structure may be located on:

(i) any residential lot; or

(ii) any office-residential, business, or industrial lot that is adjacent to a residential lot; and

(2) no principal detached structure or any other free-standing structure may be located, with any other principal structure, on the same:

(i) residential lot, except as specified in § 3-209 {"Projections ... into required yards"} or § 3-304 {"Accessory uses and accessory structures"} of this title; or

(ii) office-residential, business, or industrial lot that is adjacent to a residential lot.

(b) *Exceptions.*

Notwithstanding subsection (a) of this section, the Zoning Administrator must approve construction of more than 1 principal detached structure or other free-standing structure on a residential lot or on an office-residential, business, or industrial lot adjacent to a residential lot if, in a specific case:

(1) the development otherwise would conform to the requirements of this article; and

(2) the Planning Commission approves the design of the development.

(City Code, 1976/83, art. 30, §2.0-4.) (Ord. 99-547.)

§ 3-302. Frontage of structures.

(a) *In general.*

Except as specified in subsection (b) of this section, the physical front or main entrance of a structure erected on a lot need not face the front lot line, as long as all applicable bulk regulations are met.

(b) *Exceptions.*

Subsection (a) of this section does not apply to any multiple-family dwelling that:

(1) is in an R-2, R-4, R-5, or R-6 Residence District;

(2) contains 3 or more units; and

(3) is located on a lot of less than 2 acres.

(c) *Corner lots.*

Subject to the requirements of this section, the owner of a street corner lot may select either street lot line as the front lot line.

(City Code, 1976/83, art. 30, §2.0-5, §13.0-2-52(2nd sen.).) (Ord. 99-547.)

§ 3-303. Minimum dwelling width.

(a) *In general — 16 feet.*

(1) Except as otherwise specified in this section, a person may not erect any new residential structure that is less than 16 feet wide.

(2) This subsection does not prevent or restrict an otherwise lawful expansion of a lawful preexisting residential structure that already is less than 16 feet wide.

(b) *Exception — 12 feet between adjoining dwellings.*

A dwelling that is at least 12 feet wide may be placed, constructed, or reconstructed between 2 existing dwellings that would adjoin it, if:

(1) the dwelling is in a developed block;

(2) more than 50% of the dwellings in that block are found by the Department of Housing and Community Development to be in substantially sound condition; and

(3) the use would conform to the Master Plan.

(c) *Exception — 14 feet in Renewal Project Areas.*

With the approval of the Planning Commission, a dwelling that is at least 14 feet wide may be erected in an area that has been designated as a Renewal Project Area under City Code Article 13, §§ 20 through 33.

(City Code, 1976/83, art. 30, §2.0-6.) (Ord. 99-547.)

§ 3-304. Accessory uses and accessory structures.

(a) *To be located on same lot as principal structure.*

(1) Except as specified in paragraph (2) of this subsection, an accessory use or accessory structure must be limited to and located on the same lot with the use of the structure to which it is accessory.

(2) Accessory parking spaces may be permitted on another lot in accordance with § 10-303 {"Location of facilities— exception for PUDs"} or § 10-304 {"Location of facilities — ... common control"} of this article.

(b) *Effect of attachment to principal structure.*

If an accessory structure is attached to a principal structure by any wall or roof construction:

(1) it is considered to be a part of the principal structure; and

(2) it must comply in all respects with the requirements of this article that apply to a principal structure.

(c) *Percentage of required rear yard.*

No detached accessory structure or structures may occupy more than 50% of the area of a required rear yard.

(d) *Time of construction.*

No accessory building may be erected on any lot before construction of the principal structure to which it is accessory.

(e) *Accessory garage.*

(1) Notwithstanding the other bulk regulations of this article, an accessory garage may be erected in the rear yard of any lot on which there is a principal structure, if the garage:

(i) accommodates no more than 1 vehicle; and

(ii) is no larger than 240 square feet.

(2) No accessory garage may be used for body repair, painting, or engine rebuilding.
(City Code, 1976/83, art. 30, §2.0-7.) (Ord. 99-547.)

§ 3-305. Conversion of single- or two-family dwellings.

(a) *Prohibited conversions.*

(1) Except as otherwise specified in this section, in all districts:

(i) no building used as a single-family dwelling may be altered or changed to be used for occupancy by more than 1 family; and

(ii) no building used as a two-family dwelling may be altered or changed to be used for occupancy by more than 2 families.

(2) For purposes of this subsection, an empty building is considered to be a single-family dwelling unless it was last lawfully used, in compliance with the normal bulk requirements of the district in which it is located, as a dwelling for 2 or more families.

(b) *Conditional use conversion — authorized.*

(1) In all districts except the R-2, R-4, R-5, and R-6 Districts, the Board may authorize, as a conditional use, the conversion of a building for use by more than 1 family, as long as the number of families permitted conforms with the applicable bulk regulations for the district in which the building is located.

(2) When authorizing a conversion, the Board may impose conditions and restrictions under § 14-103 that include a limit on the number of occupants, in accordance with Housing Code space and occupancy limits.

(3) (i) In the R-7 and R-8 Districts, the Board may approve the conversion of a single-family dwelling to a 2-family dwelling only if the property meets the minimum lot size requirements.

(ii) The Board may waive the requirements of item (i) of this paragraph (3) for carriage houses, nonconforming uses, and vacant buildings.

(c) *Conditional use conversion — procedures.*

(1) In addition to the requirements of Title 14 {"Conditional Uses"} of this article, the following procedures apply to a conditional use requested under this section.

(2) When the application is filed, the applicant must submit to the Department of Housing and Community Development and the Department of Planning plats and construction and floor plans adequate for the Department's review.

(3) The Department of Housing and Community Development must submit to the Board a written advisory recommendation. However, the Board may proceed without that recommendation if the Department fails to submit it within 3 weeks of the date the Department received the plats and plans.

(4) The Department of Planning must submit to the Board a written advisory recommendation on the effect of the proposed conversion on the neighborhood. However, the Board may proceed without that recommendation if the Department fails to submit it within 3 weeks of the date the Board asked for it.

(City Code, 1976/83, art. 30, §2.0-12.) (Ord. 99-425; Ord. 99-547; Ord. 99-537.)

§ 3-306. Preexisting uses, structures, and lots.

(a) *Unlawful preexisting uses and structures.*

Any structure or use that is unlawfully existing:

(1) does not become lawful solely by the adoption of this article or any amendment to it; and

(2) to any extent or manner that the unlawful structure or use is in conflict with the requirements of this article, that structure or use remains unlawful.

(b) *Lawful preexisting uses reclassified as conditional*.

(1) If an existing lawful use is reclassified by this article as a conditional use in the district in which it is located, the use may be continued as a lawful conditional use subject to the conditions and restrictions previously imposed on it by law or regulation.

(2) Any change to that use, including any expansion, relocation, or structural alteration, is subject to the procedures and requirements imposed by this article on conditional uses.

(c) *Nonconforming uses.*

If an existing lawful use is reclassified by this article or by any amendment to it so that it no longer is allowed in the district in which it is located, the use may be continued as a nonconforming use subject to the provisions of Title 13 {"Nonconformance"} of this article.

(d) *Preexisting lot of record.*

(1) This subsection does not apply in an Industrial District.

(2) On a lot that was established before April 20, 1971, a single-family dwelling may be established regardless of the minimum lot area requirements imposed by this article, as long as all other requirements of this article are met.

(City Code, 1976/83, art. 30, §2.0-1c, §2.0-10, §3A.0-1c, §3B.0-1c, §3C.0-1c(1st par), §4.0-1c, §4.0-2a4, §5.0-1c, §5.0-2a4, §6.0-1c, §6.0-2a3, §7.0-1d, §13.0-2-55.) (Ord. 99-547.)

§ 3-307. Property divided by zoning district line.

Where a lot is divided into 2 or more parts by a zoning district line:

(1) for all purposes except density, each part must comply with all of the regulations applicable to its zoning classification; and

(2) for density purposes, the lot area computation of each part may be totaled and then distributed throughout the lot, without regard to the zoning lines.

(City Code, 1976/83, art. 30, §2.0-2.) (Ord. 99-547.)

§ 3-308. Off-street parking.

Off-street parking spaces must be provided in accordance with Title 10 {"Off-Street Parking Regulations"} of this article.

(City Code, 1976/83, art. 30, §4.0-3, §5.0-3, §6.0-3, §7.0-3.) (Ord. 99-547.)

§ 3-309. Signs.

Signs are allowed only in accordance with Title 11 {"Sign Regulations"} of this article.
(City Code, 1976/83, art. 30, §4.0-4, §5.0-4, §6.0-4, §7.0-4.) (Ord. 99-547.)

§ 3-310. Public use.

Amendments involving publicly owned property held for a governmental use must comply with Title 16 {"Legislative Authorizations and Amendments"} of this article.
(City Code, 1976/83, art. 30, §4.0-5, §5.0-5, §6.0-5, §7.0-5.) (Ord. 99-547.)

TITLE 4
RESIDENCE DISTRICTS

SUBTITLE 1
OVERVIEW; GENERAL REQUIREMENTS

PART I. OVERVIEW

§ 4-101. Purpose of districts.

Twelve Residence Districts, each designed for a specific purpose and function, are provided to:

(1) meet the housing needs of the City's present and future population; and

(2) promote the stability and desirability of residential areas.

(City Code, 1976/83, art. 30, ch. 4(intro par.)(1st sen.).) (Ord. 99-547.)

§ 4-102. Basic scope.

(a) *Range of housing types.*

Both Single-Family and General Residence Districts are established, with the General Residence Districts allowing a broad range of housing types.

(b) *Community facilities; open land uses.*

Residence Districts also allow for community facilities and open land uses that serve residents and are customarily located in residential neighborhoods.

(City Code, 1976/83, art. 30, ch. 4(intro par.)(2nd, 3rd sens.).) (Ord. 99-547.)

§ 4-103. *{Reserved}*

PART II. GENERAL REQUIREMENTS

§ 4-104. In general.

In addition to the general provisions of Title 3 {"General Rules ... "} of this article and the regulations specified in this title for a particular district, the following provisions apply to all Residence Districts.

(City Code, 1976/83, art. 30, §4.0-2(intro cl.).) (Ord. 99-547.)

§ 4-105. Lot area and coverage.

(a) *In general.*

Except as specified in § 3-306(d) {"Preexisting lot of record"} of this article or § 4-106 {"Preexisting accessory carriage house"} of this subtitle, no use may be established and maintained on a lot that is smaller than the size required by this title for that use in the district in which the use is to be located.

(b) *General Residence Districts — open space reduction.*

In a General Residence District, if the front, side, or rear lot line of a lot adjoins or is directly across a street or alley from a permanent open space that is at least 5 acres and at least 200 feet deep perpendicular to the lot line, the required lot area per dwelling unit may be reduced by up to 15%.

(c) *General Residence Districts — computations*.

(1) In a General Residence District, the maximum number of permitted dwelling units on a lot is determined by dividing the total area of the lot by the lot area requirement that applies to the district in which the lot is located.

(2) On a lot with 3 or more dwelling units, a fraction of the total area that is 50% or more of the required lot area factor counts as an additional permitted dwelling unit.

(City Code, 1976/83, art. 30, §4.0-2a1 to 2a3.) (Ord. 99-547.)

§ 4-106. Preexisting accessory carriage house.

(a) *"Carriage house" defined.*

In this section, "carriage house" means an accessory building of 2-story construction that formerly was used or intended to be used for the storage of horses and carriages.

(b) *Conversion in R-7 through R-10 Districts.*

Notwithstanding § 4-105(a) {"Lot area and coverage: In general"} of this subtitle, an accessory carriage house existing on April 20, 1971, in an R-7, R-8, R-9, or R-10 District may be subdivided and converted into a single-family dwelling, if:

(1) the new lot area meets the minimum lot and yard requirements that apply to single-family attached dwellings in the applicable district;

(2) the building contains at least 1,100 square feet of gross floor area; and

(3) all other requirements of this article are met or, with a variance obtained under Title 15 {"Variances"} of this article, can be met.

(c) *Certain structures in historic preservation district*.

In any Historic and Architectural Preservation District, a 1-story accessory building may be restored as a 2-story single-family dwelling if:

(1) it can be proved that the accessory building was formerly of 2-story construction; and

(2) all other requirements of this section are met.

(d) *Increase in density limit prohibited.*

No application of this section may result in an increase in density over the limit applicable to the original lot before subdivision.

(City Code, 1976/83, art. 30, §4.0-2a5, §13.0-2-15.) (Ord. 99-547.)

§ 4-107. Yards.

(a) *Accessory structures.*

(1) Except as specified in paragraph (2) of this subsection, accessory structures must comply with the yard requirements of the principal structure.

(2) In R-9 and R-10 Districts:

(i) an attached garage that is no more than 12 feet high need not comply with the rear yard requirements of the principal structure; and

(ii) an accessory garage attached to a multiple-family dwelling or an apartment hotel need not comply with any of the yard requirements of the principal structure.

(b) *Using average of existing improvements.*

(1) This subsection applies to a subsequently-erected or -expanded structure on a block where lots having 50% or more of the frontage on the same side of a street and within 200 feet of either of the structure's side lot lines have already been improved with structures that have front yards of more or less depth than required by this title.

(2) The required front-yard depth for the subsequently-erected or -expanded structure within that frontage is the average depth of the front yards of the already-improved lots, but in no case more than 40 feet.

(City Code, 1976/83, art. 30, §4.0-2b.) (Ord. 99-547.)

§ 4-108. Building height and floor area ratio.

(a) *In general.*

(1) Single-family residences are regulated on the basis of maximum building heights established for the district in which the residence is located.

(2) Except as specified in subsection (b) of this section, all other uses in all districts are regulated on the basis of floor area ratio limitations established for the district in which the use is located.

(b) *Multiple-family dwelling in R-2, R-4, and R-5 Districts.*

Notwithstanding any other provision of this article, in R-2, R-4, and R-5 Districts, no multiple-family dwelling may be erected to exceed a height of 40 feet, except in specific cases authorized by ordinance of the Mayor and City Council.

(c) *Open space reduction in General Residence Districts.*

In a General Residence District, if the front, side, or rear lot line of a lot adjoins or is directly across a street or alley from a permanent open space that is at least 5 acres and at least 200 feet deep perpendicular to the lot line, the floor area ratio may be increased by up to 15%.

(City Code, 1976/83, art. 30, §4.0-2c.) (Ord. 99-547.)

§ 4-109. Bulk regulations for certain conditional uses.

Wherever this title states that bulk regulations for a conditional use are “as [the] Board requires”, the Board must apply the standards in Title 14 {“Conditional Uses”} of this article in setting those requirements.

(City Code, 1976/83, art. 30, §4.0-2d.) (Ord. 99-547.)

SUBTITLE 2
R-1 SINGLE-FAMILY RESIDENCE DISTRICT

PART I. USE REGULATIONS

§ 4-201. Permitted uses.

In an R-1 District, permitted uses are as follows:

(1) Single-family detached dwellings.

(2) Agricultural uses, including nurseries and truck gardens — but only if:

(i) no retail sales are made on the premises; and

(ii) no offensive odor or dust is created.

(3) Day care facilities, as follows;

(i) Day care homes: family.

(ii) Day nurseries and nursery schools that are located in public or private schools and operate only Monday through Friday, 6 a.m. through 6 p.m.

(iii) School-age child care centers that are located in public or private schools and operate only Monday through Friday, 6 a.m. through 6 p.m.

(4) Educational and cultural institutions: nonprofit or publicly owned, as follows:

(i) Elementary and secondary schools.

(ii) Community colleges, colleges, and universities — but not including business colleges or trade schools.

(iii) Libraries and art galleries.

(iv) Museums, aquariums, and planetariums.

(5) Recreational facilities: nonprofit or publicly owned, as follows:

(i) Athletic fields.

(ii) Golf courses — but not golf driving ranges, “pitch and putt”, or miniature golf courses.

(iii) Parks and playgrounds.

(iv) Recreation buildings and community centers.

(v) Tennis and lacrosse clubs.

(6) Religious institutions, as follows:

(i) Churches, temples, and synagogues.

(ii) Convents, seminaries, and monasteries.

(7) Video and electronic games and coin-operated pool tables in recreation centers operated by the City — but only if their installation has been approved by the Board of Recreation and Parks.

(City Code, 1976/83, art. 30, §4.1-1a.) (Ord. 99-547.)

§ 4-202. Accessory uses.

In an R-1 District, accessory uses and structures include the following:

(1) Accessory radio and television antennas that extend no more than 12 feet above the building on which they are mounted — but not including microwave antennas (satellite dishes).

(2) Accessory microwave antennas (satellite dishes), as follows:

(i) A mounted satellite dish that:

(A) is attached to the rear half of the roof of the principal building at least 5 feet beyond the center line of the roof; and

(B) has the following dimensions:

1. if constructed of solid material, it:

A. is 4 feet or less in diameter; and

2. projects 6 feet or less from the building on which it is mounted; and

2. if constructed of expanded aluminum mesh or wire screen, it:

1. is 6 feet or less in diameter; and

2. projects 8 feet or less from the building on which it is mounted.

(ii) A free-standing satellite dish that is:

(A) mounted on a single stanchion;

(B) 6 feet or less in diameter;

(C) less than 10 feet high; and

(D) constructed of expanded aluminum mesh or wire screen.

(iii) Any accessory satellite dish not exceeding 12 feet in diameter that is located:

(A) on the premises of a tavern, regardless of lot size; or

(B) on the premises one of the following uses, if the use is on lot of at least 7,500 square feet:

1. Convalescent, nursing, or rest homes.

2. Educational and cultural institutions: nonprofit or publicly owned, as specified in § 4-201(4) of this subtitle.

3. Hotel and motels.

4. Housing for the elderly.

5. Medical facilities: nonprofit or publicly owned.

6. Religious institutions, as specified in § 4-201(6) of this subtitle.

7. VFW and American Legion Posts.

(3) Animal facilities, as follows:

(i) Dog or cat kennels: private, operated and maintained in conformance with the Health Code of Baltimore City.

(ii) Facilities that house pets and wild animals, as permitted under the Health Code of Baltimore City.

(4) Club houses and similar structures on the grounds of golf courses, tennis clubs, or lacrosse clubs.

(5) Foster homes for no more than 6 children.

(6) Garages.

(7) Grandstands in athletic fields.

(8) Greenhouses used to grow plants as a hobby or for the resident's personal use.

(9) Home occupations.

(10) Swimming pools and tennis courts.

(11) Temporary real estate sales offices, for the purpose of conducting the sale of lots or improvements in the development in which the office is located — but only for a period not to exceed the duration of active construction and for 1 year following.

(12) Temporary storage of building materials and equipment and temporary structures for on-site construction purposes — but only for a period not to exceed the duration of active construction.

(13) Tool houses and similar structures for the storage of accessory supplies.

(City Code, 1976/83, art. 30, §4.1-1b.) (Ord. 99-547.)

§ 4-203. Conditional uses — Board approval required.

In an R-1 District, conditional uses that require Board approval are as follows:

(1) Accessory radio and television antennas that are free-standing or that extend more than 12 feet above the building on which they are mounted — but not including microwave antennas (satellite dishes).

(2) Accessory microwave antennas (satellite dishes), as follows:

(i) A mounted satellite dish that:

(A) is attached to the front half of the roof of the principal building or to the rear half of the roof less than 5 feet beyond the center line; and

(B) has the following dimensions:

1. if constructed of solid material, it:

1. is over 4 feet in diameter; or

2. projects more than 6 feet from the building on which it is mounted; and

2. if constructed of expanded aluminum mesh or wire screen, it:

A. is over 6 feet in diameter; or

2. projects more than 8 feet from the building on which it is mounted.

(ii) A free-standing satellite dish that is:

(A) more than 6 feet in diameter;

(B) more than 10 feet high; or

(C) not constructed of expanded aluminum mesh or wire screen.

(3) Boats and boat trailers: parking or storage.

(4) Cemeteries, including accessory crematoriums and mausoleums.

(5) Clubs and lodges: nonprofit.

(6) Day nurseries and nursery schools.

(7) Foster homes for more than 6 children.

(8) Governmental services, as follows:

(i) Fire and police stations.

(ii) Sewerage pumping stations.

(iii) Water filtration plants, reservoirs, and pumping stations.

(9) Health and medical institutions: for care of aged or children.

(10) Helistops.

(11) Marinas: accessory.

(12) Marinas: recreational.

(13) Multi-purpose neighborhood centers.

(14) Public utility uses, as follows:

(i) Antenna towers, microwave relay towers, and similar installations for communications transmission or receiving.

(ii) Bus and transit turnarounds and passenger shelters – but not including advertising signs.

(iii) Overhead electric transmission lines (above 69-kV) on rights-of-way acquired before January 1, 1969.

(iv) Railroad rights-of-way and passenger stations — but not including railroad yards and shops.

(v) Repeater, transformer, pumping, booster, switching, conditioning, and regulating stations, and similar installations.

(vi) Telephone exchanges.

(15) Recycling collection stations when an accessory use to a school, church, recreation facility, or public facility.

(16) Swimming pools: nonprofit or publicly owned.

(17) Travel trailers, recreational vehicles, and similar camping equipment: parking or storage.

(18) Uses accessory to a conditional use listed above.

(City Code, 1976/83, art. 30, §4.1-1c.) (Ord. 99-547; Ord. 01-230.)

§ 4-204. Conditional uses — Ordinance required.

In an R-1 District, conditional uses that require approval by ordinance are as follows:

(.5) Bus passenger shelters – including advertising signs that comply with § 11-424 of this article.

(1) Community correction centers.

(2) Convalescent, nursing, and rest homes.

(3) Hospitals.

(4) Parking, open off-street areas, other than accessory, for the parking of 4 or more automobiles —but only if no charge or fee is imposed for parking.

(5) Planned unit developments: residential.

(6) Substance abuse treatment centers.

(City Code, 1976/83, art. 30, §4.1-1d.) (Ord. 99-547; Ord. 01-230.)

§ 4-205. *{Reserved}*

PART II. BULK REGULATIONS

§ 4-206. Lot area and coverage.

(a) *Permitted uses*.

Each principal permitted use in an R-1 District must comply with the following requirements for minimum lot area and for the maximum percentage of a lot that may be covered by structures:

	Minimum Lot Area	*Maximum Lot Coverage*
Single-family detached dwellings	7,300 sq. ft.	30%
Parks and playgrounds	No requirements	
All other principal permitted uses	21,900 sq. ft.	Per FAR

(b) *Accessory uses*.

The percentage of the lot covered by structures in an R-1 District, both for the principal uses and for all accessory uses, may not exceed the maximum lot coverages specified in subsections (a) and (c) of this section.

(c) *Conditional uses*.

Principal conditional uses in an R-1 District must comply with the minimum lot area and the maximum lot coverage requirements for single-family detached dwellings, except as follows:

	Minimum Lot Area	*Maximum Lot Coverage*
Cemeteries	5 acres	
Clubs and lodges: nonprofit	80,000 sq. ft.	Per FAR
Governmental services	As Board requires	
Health and medical institutions	21,900 sq. ft.	Per FAR
Helistops	As Board requires	
Parking, open off-street areas	As ordinance requires	
Planned unit developments: residential	As in Title 9	
Public utility uses	As Board requires	
Swimming pools	40,000 sq. ft.	

(City Code, 1976/83, art. 30, §4.1-2a.) (Ord. 99-547.)

§ 4-207. Yards.

(a) *Permitted uses*.

For each principal permitted use in an R-1 District, a front yard, 2 side yards, and a rear yard must be provided with the following minimum depths:

	Front	*Interior Side*	*Street Corner Side*	*Rear*
Single-family detached dwellings	30 ft.	10 ft.	20 ft.	30 ft.
Agricultural uses	No requirements			
All other principal permitted uses	50 ft.	20 ft.	35 ft.	50 ft.

(b) *Accessory uses.*

The yard requirements for a principal use in an R-1 District apply to all structures used for accessory purposes, except as follows:

Detached garages or structures accessory to all dwellings	May be located in rear yards only. Must have 20-foot setback from any street line. No other side yard or rear yard requirements apply.
Club houses and other structures on the grounds of golf courses, tennis clubs, and lacrosse clubs	Must be located at least 100 feet from nearest lot line in a Residence District
Grandstands in athletic fields	Must be located at least 300 feet from nearest lot line in a Residence District
Mausoleums and crematoriums	As Board requires
Temporary structures for construction purposes	No requirements

(c) *Conditional uses.*

Principal conditional uses in an R-1 District must comply with the yard requirements for single-family detached dwellings, except as follows:

	Front	*Interior Side*	*Street Corner Side*	*Rear*
Cemeteries	No requirements			
Clubs and lodges: nonprofit	50 ft	20 ft.	35 ft.	50 ft.
	But structure must be located at least 100 feet from nearest lot line in a Residence District			
Governmental services	As Board requires			
Health and medical institutions	50 ft.	20 ft.	35 ft.	50 ft.
Helistops	As Board requires			
Parking, open off-street areas	As ordinance requires			
Planned unit developments: residential	As in Title 9			
Public utility uses	As Board requires			
Swimming pools	As Board requires			

(City Code, 1976/83, art. 30, §4.1-2b.) (Ord. 99-547.)

§ 4-208. Building height and floor area ratio.

(a) *Permitted uses*.

	Maximum Building Height
Single-family dwellings	35 ft.

All other permitted uses in an R-1 District are subject to a maximum floor area ratio of 0.4.

(b) *Accessory uses*.

In an R-1 District:

(1) the maximum height of a structure accessory to a dwelling is 20 feet; and

(2) the floor area of all accessory uses, together with the floor area of the principal use, may not exceed the total allowable floor area permitted for the principal use under subsections (a) and (c) of this section.

(c) *Conditional uses*.

The maximum floor area ratio of all principal conditional uses in an R-1 District is 0.4, except as follows:

	Maximum Floor Area Ratio
Governmental services	As Board requires
Planned unit developments: residential	As in Title 9
Public utility uses	As Board requires

(City Code, 1976/83, art. 30, §4.1-2c.) (Ord. 99-547.)

SUBTITLE 3
R-1A SINGLE-FAMILY RESIDENCE DISTRICT

PART I. USE REGULATIONS

§ 4-301. Permitted uses.

In an R-1A District, permitted uses are the same as those in an R-1 District.
(City Code, 1976/83, art. 30, §4.1A-1a.) (Ord. 99-547.)

§ 4-302. Accessory uses.

In an R-1A District, accessory uses and structures are the same as those in an R-1 District.
(City Code, 1976/83, art. 30, §4.1A-1b.) (Ord. 99-547.)

§ 4-303. Conditional uses — Board approval required.

In an R-1A District, conditional uses that require Board approval are the same as those in an R-1 District.
(City Code, 1976/83, art. 30, §4.1A-1c.) (Ord. 99-547.)

§ 4-304. Conditional uses — Ordinance required.

In an R-1A District, conditional uses that require approval by ordinance are the same as those in an R-1 District.
(City Code, 1976/83, art. 30, §4.1A-1d.) (Ord. 99-547.)

§ 4-305. *{Reserved}*

PART II. BULK REGULATIONS

§ 4-306. Lot area and coverage.

(a) *Permitted uses*.

Each principal permitted use in an R-1A District must comply with the following requirements for minimum lot area and for the maximum percentage of a lot that may be covered by structures:

	Minimum Lot Area	*Maximum Lot Coverage*
Single-family detached dwellings	14,520 sq. ft.	25%
All other principal permitted uses	As in an R-1 District	

(b) *Accessory uses*.

As in an R-1 District.

(c) *Conditional uses*.

As in an R-1 District.

(City Code, 1976/83, art. 30, §4.1A-2a.) (Ord. 99-547.)

§ 4-307. Yards.

(a) *Permitted uses*.

For each principal permitted use in an R-1A District, a front yard, 2 side yards, and a rear yard must be provided with the following minimum depths:

	Front	*Interior Side*	*Street Corner Side*	*Rear*
Single-family detached dwellings	40 ft.	15 ft.	20 ft.	30 ft.
All other principal permitted uses	As in an R-1 District			

(b) *Accessory uses.*

As in an R-1 District.

(c) *Conditional uses*.

As in an R-1 District.

(d) *General provisions inapplicable to R-1A District.*

The provisions of § 3-207 {"Yards adjoining alleys"} of this article do not apply in an R-1A District.

(City Code, 1976/83, art. 30, §4.1A-2b, §4.1A-3.) (Ord. 99-547.)

§ 4-308. Building height and floor area ratio.

(a) *Permitted uses*.

As in an R-1 District.

(b) *Accessory uses*.

As in an R-1 District.

(c) *Conditional uses*.

As in an R-1 District.

(City Code, 1976/83, art. 30, §4.1A-2c.) (Ord. 99-547.)

SUBTITLE 4
R-1B SINGLE-FAMILY RESIDENCE DISTRICT

PART I. USE REGULATIONS

§ 4-401. Permitted uses.

In an R-1B District, permitted uses are the same as those in an R-1 District.
(City Code, 1976/83, art. 30, §4.1B-1a.) (Ord. 99-547.)

§ 4-402. Accessory uses.

In an R-1B District, accessory uses and structures are the same as those in an R-1 District.
(City Code, 1976/83, art. 30, §4.1B-1b.) (Ord. 99-547.)

§ 4-403. Conditional uses — Board approval required.

In an R-1B District, conditional uses that require Board approval are the same as those in an R-1 District.
(City Code, 1976/83, art. 30, §4.1B-1c.) (Ord. 99-547.)

§ 4-404. Conditional uses — Ordinance required.

In an R-1B District, conditional uses that require approval by ordinance are the same as those in an R-1 District.
(City Code, 1976/83, art. 30, §4.1B-1d.) (Ord. 99-547.)

§ 4-405. *{Reserved}*

PART II. BULK REGULATIONS

§ 4-406. Lot area and coverage.

(a) *Permitted uses*.

Each principal permitted use in an R-1B District must comply with the following requirements for minimum lot area and for the maximum percentage of a lot that may be covered by structures:

	Minimum Lot Area	*Maximum Lot Coverage*
Single-family detached dwellings	21,780 sq. ft.	25%
All other principal permitted uses	As in an R-1 District	

(b) *Accessory uses*.

As in an R-1 District.

(c) *Conditional uses*.

As in an R-1 District.

(City Code, 1976/83, art. 30, §4.1B-2a.) (Ord. 99-547.)

§ 4-407. Yards.

(a) *Permitted uses*.

For each principal permitted use in an R-1B District, a front yard, 2 side yards, and a rear yard must be provided with the following minimum depths:

	Front	*Interior Side*	*Street Corner Side*	*Rear*
Single-family detached dwellings	40 ft.	20 ft.	25 ft.	40 ft.
All other principal permitted uses	As in an R-1 District			

(b) *Accessory uses*.

As in an R-1 District.

(c) *Conditional uses*.

As in an R-1 District.

(d) *General provisions inapplicable to R-1B District.*

The provisions of § 3-207 {"Yards adjoining alleys"} of this article do not apply in an R-1B District.

(City Code, 1976/83, art. 30, §4.1B-2b, §4.1B-3.) (Ord. 99-547.)

§ 4-408. Building height and floor area ratio.

(a) *Permitted uses*.

As in an R-1 District.

(b) *Accessory uses*.

As in an R-1 District.

(c) *Conditional uses*.

As in an R-1 District.

(City Code, 1976/83, art. 30, §4.1B-2c.) (Ord. 99-547.)

SUBTITLE 5
R-2 GENERAL RESIDENCE DISTRICT

PART I. USE REGULATIONS

§ 4-501. Permitted uses.

In an R-2 District, permitted uses are as follows:

(1) As in an R-1 District.

(2) Single-family semi-detached dwellings.

(City Code, 1976/83, art. 30, §4.2-1a.) (Ord. 99-547.)

§ 4-502. Accessory uses.

In an R-2 District, accessory uses and structures are the same as those in an R-1 District.
(City Code, 1976/83, art. 30, §4.2-1b.) (Ord. 99-547.)

§ 4-503. Conditional uses — Board approval required.

In an R-2 District, conditional uses that require Board approval are as follows:

(1) As in an R-1 District (unless it is a permitted use under § 4-501).

(2) Multiple-family detached dwellings.

(City Code, 1976/83, art. 30, §4.2-1c.) (Ord. 99-547.)

§ 4-504. Conditional uses — Ordinance required.

In an R-2 District, conditional uses that require approval by ordinance are as follows:

(1) As in an R-1 District.

(2) Multiple-family dwellings that, together with any related or adjacent residential development, contain 100 or more dwelling units.

(3) Housing for the elderly.

(City Code, 1976/83, art. 30, §4.2-1d, §11.0-6d(6th sen.).) (Ord. 99-547.)

§ 4-505. *{Reserved}*

PART II. BULK REGULATIONS

§ 4-506. Lot area and coverage.

(a) *Permitted uses.*

Each principal permitted use in an R-2 District must comply with the following requirements for minimum lot area and for the maximum percentage of a lot that may be covered by structures:

	Minimum Lot Area	*Maximum Lot Coverage*
Single-family detached dwellings	7,300 sq. ft.	30%
Single-family semi-detached dwellings	7,300 sq. ft. per dwelling unit	30%
Parks and playgrounds	No requirements	
All other principal permitted uses	21,900 sq. ft.	Per FAR

(b) *Accessory uses*.

The percentage of the lot covered by structures in an R-2 District, both for the principal uses and for all accessory uses, may not exceed the maximum lot coverages specified in subsections (a) and (c) of this section.

(c) *Conditional uses.*

As in an R-1 District, except as follows:

	Minimum Lot Area	*Maximum Lot Coverage*
Multiple-family detached dwellings	7,300 sq. ft. per dwelling unit	Per FAR
Housing for the elderly	2,500 sq. ft. per efficiency unit and 3,600 sq. ft. per other dwelling unit	Per FAR

(City Code, 1976/83, art. 30, §4.2-2a.) (Ord. 99-547.)

§ 4-507. Yards.

(a) *Permitted uses*.

For each principal permitted use in an R-2 District, a front yard, 2 side yards, and a rear yard must be provided with the following minimum depths:

	Front	*Interior Side*	*Street Corner Side*	*Rear*
Single-family detached dwellings	30 ft.	10 ft.	20 ft.	30 ft.

Single-family semi-detached dwellings	30 ft.	15 ft.	20 ft.	30 ft.
Agricultural uses	No requirements			
All other principal permitted uses	50 ft.	20 ft.	35 ft.	50 ft.

(b) *Accessory uses*.

As in an R-1 District.

(c) *Conditional uses*.

As in an R-1 District, except as follows:

	Front	*Interior Side*	*Street Corner Side*	*Rear*
Multiple-family detached dwellings	30 ft.	15 ft.	20 ft.	30 ft.
Housing for the elderly	30 ft.	15 ft.	20 ft.	30 ft.

(City Code, 1976/83, art. 30, §4.2-2b.) (Ord. 99-547.)

§ 4-508. Building height and floor area ratio.

(a) *Permitted uses*.

As in an R-1 District.

(b) *Accessory uses*.

As in an R-1 District.

(c) *Conditional uses*.

As in an R-1 District.

(City Code, 1976/83, art. 30, §4.2-2c.) (Ord. 99-547.)

SUBTITLE 6
R-3 SINGLE-FAMILY RESIDENCE DISTRICT

PART I. USE REGULATIONS

§ 4-601. Permitted uses.

In an R-3 District, permitted uses are the same as those in an R-1 District.
(City Code, 1976/83, art. 30, §4.3-1a.) (Ord. 99-547.)

§ 4-602. Accessory uses.

In an R-3 District, accessory uses and structures are the same as those in an R-1 District.
(City Code, 1976/83, art. 30, §4.3-1b.) (Ord. 99-547.)

§ 4-603. Conditional uses — Board approval required.

In an R-3 District, conditional uses that require Board approval are the same as those in an R-1 District.
(City Code, 1976/83, art. 30, §4.3-1c.) (Ord. 99-547.)

§ 4-604. Conditional uses — Ordinance required.

In an R-3 District, conditional uses that require approval by ordinance are the same as those in an R-1 District.
(City Code, 1976/83, art. 30, §4.3-1d.) (Ord. 99-547.)

§ 4-605. *{Reserved}*

PART II. BULK REGULATIONS

§ 4-606. Lot area and coverage.

(a) *Permitted uses*.

Each principal permitted use in an R-3 District must comply with the following requirements for minimum lot area and for the maximum percentage of a lot that may be covered by structures:

	Minimum Lot Area	*Maximum Lot Coverage*
Single-family detached dwellings	5,000 sq. ft.	30%
Parks and playgrounds	No requirements	
All other principal permitted uses	15,000 sq. ft.	Per FAR

(b) *Accessory uses*.

The percentage of the lot covered by structures in an R-3 District, both for the principal uses and for all accessory uses, may not exceed the maximum lot coverages specified in subsections (a) and (c) of this section.

(c) *Conditional uses*.

Principal conditional uses in an R-3 District must comply with the minimum lot area and the maximum lot coverage requirements for single-family detached dwellings, except as follows:

	Minimum Lot Area	*Maximum Lot Coverage*
Cemeteries	5 acres	
Clubs and lodges: nonprofit	60,000 sq. ft.	Per FAR
Governmental services	As Board requires	
Health and medical institutions	15,000 sq. ft.	Per FAR
Helistops	As Board requires	
Parking, open off-street areas	As ordinance requires	
Planned unit developments: residential	As in Title 9	
Public utility uses	As Board requires	
Swimming pools	30,000 sq. ft.	

(City Code, 1976/83, art. 30, §4.3-2a.) (Ord. 99-547.)

§ 4-607. Yards.

(a) *Permitted uses*.

For each principal permitted use in an R-3 District, a front yard, 2 side yards, and a rear yard must be provided with the following minimum depths:

	Front	*Interior Side*	*Street Corner Side*	*Rear*
Single-family detached dwellings	25 ft.	10 ft.	20 ft.	25 ft.
Agricultural uses	No requirements			
All other principal permitted uses	40 ft.	15 ft.	30 ft.	40 ft.

(b) *Accessory uses*.

As in an R-1 District.

(c) *Conditional uses*.

Principal conditional uses in an R-3 District must comply with the yard requirements for single-family detached dwellings, except as follows:

	Front	*Interior Side*	*Street Corner Side*	*Rear*
Cemeteries	No requirements			
Clubs and lodges: nonprofit	40 ft.	15 ft.	30 ft.	40 ft.
	But structure must be located at least 100 feet from nearest lot line in a Residence District			
Governmental services	As Board requires			
Health and medical institutions	40 ft.	15 ft.	30 ft.	40 ft.
Helistops	As Board requires			
Parking, open off-street areas	No requirements			
Planned unit developments: residential	As in Title 9			
Public utility uses	As Board requires			
Swimming pools	As Board requires			

(City Code, 1976/83, art. 30, §4.3-2b.) (Ord. 99-547.)

§ 4-608. Building height and floor area ratio.

(a) *Permitted uses*.

As in an R-1 District.

(b) *Accessory uses*.

As in an R-1 District.

(c) *Conditional uses*.

As in an R-1 District.

(City Code, 1976/83, art. 30, §4.3-2c.) (Ord. 99-547.)

SUBTITLE 7
R-4 GENERAL RESIDENCE DISTRICT

PART I. USE REGULATIONS

§ 4-701. Permitted uses.

In an R-4 District, permitted uses are the same as those in an R-2 District.
(City Code, 1976/83, art. 30, §4.4-1a.) (Ord. 99-547.)

§ 4-702. Accessory uses.

In an R-4 District, accessory uses and structures are the same as those in an R-1 District.
(City Code, 1976/83, art. 30, §4.4-1b.) (Ord. 99-547.)

§ 4-703. Conditional uses — Board approval required.

In an R-4 District, conditional uses that require Board approval are the same as those in an R-2 District (unless it is a permitted use under § 4-701).
(City Code, 1976/83, art. 30, §4.4-1c.) (Ord. 99-547.)

§ 4-704. Conditional uses — Ordinance required.

In an R-4 District, conditional uses that require approval by ordinance are the same as those in an R-2 District.
(City Code, 1976/83, art. 30, §4.4-1d.) (Ord. 99-547.)

§ 4-705. *{Reserved}*

PART II. BULK REGULATIONS

§ 4-706. Lot area and coverage.

(a) *Permitted uses*.

Each principal permitted use in an R-4 District must comply with the following requirements for minimum lot area and for the maximum percentage of a lot that may be covered by structures:

	Minimum Lot Area	*Maximum Lot Coverage*
Single-family detached dwellings	5,000 sq. ft.	35%
Single-family semi-detached dwellings	5,000 sq. ft. per dwelling unit	35%
Parks and playgrounds	No requirements	
All other principal permitted uses	15,000 sq. ft.	Per FAR

(b) *Accessory uses*.

The percentage of the lot covered by structures in an R-4 District, both for the principal uses and for all accessory uses, may not exceed the maximum lot coverages specified in subsections (a) and (c) of this section.

(c) *Conditional uses*.

As in an R-3 District, except as follows:

	Minimum Lot Area	*Maximum Lot Coverage*
Multiple-family detached dwellings	5,000 sq. ft. per dwelling unit	Per FAR
Housing for the elderly	1,500 sq. ft. per efficiency unit and 2,300 sq. ft. per other dwelling unit	Per FAR

(City Code, 1976/83, art. 30, §4.4-2a.) (Ord. 99-547.)

§ 4-707. Yards.

(a) *Permitted uses*.

For each principal permitted use in an R-4 District, a front yard, 2 side yards, and a rear yard must be provided with the following minimum depths:

	Front	*Interior Side*	*Street Corner Side*	*Rear*
Single-family detached dwellings	25 ft.	10 ft.	20 ft.	25 ft.
Single-family, semi-detached dwellings	25 ft.	15 ft.	20 ft.	25 ft.
Agricultural uses	No requirements			
All other principal permitted uses	40 ft.	15 ft.	30 ft.	40 ft.

(b) *Accessory uses*.

As in an R-1 District.

(c) *Conditional uses*.

As in an R-3 District, except as follows:

	Front	*Interior*	*Street*	*Rear*

			Side	*Corner Side*
Multiple-family detached dwellings	25 ft.	15 ft.	20 ft.	25 ft.
Housing for the elderly	25 ft.	15 ft.	20 ft.	25 ft.

(City Code, 1976/83, art. 30, §4.4-2b.) (Ord. 99-547.)

§ 4-708. Building height and floor area ratio.

(a) *Permitted uses*.

As in an R-1 District.

(b) *Accessory uses*.

As in an R-1 District.

(c) *Conditional uses*.

As in an R-1 District, except that the maximum floor area ratio for housing for the elderly is 0.6.

(City Code, 1976/83, art. 30, §4.4-2c.) (Ord. 99-547.)

SUBTITLE 8
R-5 GENERAL RESIDENCE DISTRICT

PART I. USE REGULATIONS

§ 4-801. Permitted uses.

In an R-5 District, permitted uses are as follows:

(1) As in an R-2 District, except that agricultural uses are not permitted.

(2) Single-family attached dwellings — not exceeding 6 in a row or group.

(City Code, 1976/83, art. 30, §4.5-1a.) (Ord. 99-547.)

§ 4-802. Accessory uses.

In an R-5 District, accessory uses and structures are the same as those in an R-1 District.

(City Code, 1976/83, art. 30, §4.5-1b.) (Ord. 99-547.)

§ 4-803. Conditional uses — Board approval required.

In an R-5 District, conditional uses that require Board approval are the same as those in an R-2 District (unless it is a permitted use under § 4-801).

(City Code, 1976/83, art. 30, §4.5-1c.) (Ord. 99-547.)

§ 4-804. Conditional uses — Ordinance required.

In an R-5 District, conditional uses that require approval by ordinance are the same as those in an R-2 District.

(City Code, 1976/83, art. 30, §4.5-1d.) (Ord. 99-547.)

§ 4-805. *{Reserved}*

PART II. BULK REGULATIONS

§ 4-806. Lot area and coverage.

(a) *Permitted uses.*

Each principal permitted use in an R-5 District must comply with the following requirements for minimum lot area and for the maximum percentage of a lot that may be covered by structures:

	Minimum Lot Area	*Maximum Lot Coverage*
Single-family detached dwellings	5,000 sq. ft.	35%
Single-family semi-detached dwellings	3,000 sq. ft. per dwelling unit	35%

Single-family attached dwellings	2,500 sq. ft. per dwelling unit	40%
Parks and playgrounds	No requirements	
All other principal permitted uses	15,000 sq. ft.	Per FAR

(b) *Accessory uses*.

The percentage of the lot covered by structures in an R-5 District, both for the principal uses and all accessory uses, may not exceed the maximum lot coverages specified in subsections (a) and (c) of this section.

(c) *Conditional uses*.

As in an R-3 District, except as follows:

	Minimum Lot Area	*Maximum Lot Coverage*
Multiple-family detached dwellings	2,500 sq. ft. per dwelling unit	Per FAR
Housing for the elderly	500 sq. ft. per efficiency unit and 750 sq. ft. per other dwelling unit	Per FAR

(City Code, 1976/83, art. 30, §4.5-2a.) (Ord. 99-547.)

§ 4-807. Yards.

(a) *Permitted uses*.

For each principal permitted use in an R-5 District, a front yard, 2 side yards, and a rear yard must be provided with the following minimum depths:

	Front	*Interior Side*	*Street Corner Side*	*Rear*
Single-family detached dwellings	25 ft.	10 ft.	20 ft.	25 ft.
Single-family semi-detached dwellings	25 ft.	15 ft.	20 ft.	25 ft.
Single-family attached dwellings	25 ft.	15 ft. for ends of groups	20 ft.	25 ft.
All other principal permitted uses	40 ft.	15 ft.	30 ft.	40 ft.

(b) *Accessory uses*.

As in an R-1 District.

(c) *Conditional uses*.

As in an R-3 District, except as follows:

	Front	*Interior Side*	*Street Corner Side*	*Rear*
Multiple-family detached dwellings	25 ft.	15 ft.	20 ft.	25 ft.
Housing for the elderly	25 ft.	15 ft.	20 ft.	25 ft.

(City Code, 1976/83, art. 30, §4.5-2b.) (Ord. 99-547.)

§ 4-808. Building height and floor area ratio.

(a) *Permitted uses*.

	Maximum Building Height
Single-family dwellings	35 ft.

All other permitted uses in an R-5 District are subject to a maximum floor area ratio of 0.7.

(b) *Accessory uses*.

In an R-5 District:

(1) the maximum height of a structure accessory to a dwelling is 20 feet; and

(2) the floor area of all accessory uses, together with the floor area of the principal use, may not exceed the total allowable floor area permitted for the principal use under subsections (a) and (c) of this section.

(c) *Conditional uses*.

The maximum floor area ratio of all principal conditional uses in an R-5 District is 0.7, except as follows:

	Maximum Floor Area Ratio
Governmental services	As Board requires
Housing for the elderly	1.5

Planned unit developments: residential	As in Title 9
Public utility uses	As Board requires

(City Code, 1976/83, art. 30, §4.5-2c.) (Ord. 99-547.)

SUBTITLE 9
R-6 GENERAL RESIDENCE DISTRICT

PART I. USE REGULATIONS

§ 4-901. Permitted uses.

In an R-6 District, permitted uses are as follows:

(1) As in an R-2 District, except that agricultural uses are not permitted.

(2) Single-family attached dwellings — not exceeding 9 in a row or group.

(3) Multiple-family detached dwellings.

(City Code, 1976/83, art. 30, §4.6-1a.) (Ord. 99-547.)

§ 4-902. Accessory uses.

In an R-6 District, the accessory uses and structures are the same as those in an R-1 District.

(City Code, 1976/83, art. 30, §4.6-1b.) (Ord. 99-547.)

§ 4-903. Conditional uses — Board approval required.

In an R-6 District, conditional uses that require Board approval are as follows:

(1) As in an R-1 District (unless it is a permitted use under § 4-901).

(2) Marinas: recreational boat launch/tie up.

(City Code, 1976/83, art. 30, §4.6-1c.) (Ord. 99-547.)

§ 4-904. Conditional uses — Ordinance required.

In an R-6 District, conditional uses that require approval by ordinance are as follows:

(1) As in an R-1 District.

(2) Housing for the elderly.

(City Code, 1976/83, art. 30, §4.6-1d.) (Ord. 99-547.)

§ 4-905. *{Reserved}*

PART II. BULK REGULATIONS

§ 4-906. Lot area and coverage.

(a) *Permitted uses.*

Each principal permitted use in an R-6 District must comply with the following requirements for minimum lot area and for the maximum percentage of a lot that may be covered by structures:

	Minimum Lot Area	*Maximum Lot Coverage*
Single-family detached dwellings	5,000 sq. ft.	35%
Single-family semi-detached dwellings	3,000 sq. ft. per dwelling unit	35%
Single-family attached dwellings	1,500 sq. ft. per dwelling unit	45%
Multiple-family detached dwellings	1,500 sq. ft. per dwelling unit	Per FAR
Parks and playgrounds	No requirements	
All other principal permitted uses	10,000 sq. ft.	Per FAR

(b) *Accessory uses*.

The percentage of the lot covered by structures in an R-6 District, both for the principal uses and for all accessory uses, may not exceed the maximum lot coverages specified in subsections (a) and (c) of this section.

(c) *Conditional uses*.

Principal conditional uses in an R-6 District must comply with the minimum lot area and the maximum lot coverage requirements for single-family detached dwellings, except as follows:

	Minimum Lot Area	*Maximum Lot Coverage*
Cemeteries	5 acres	
Clubs and lodges: nonprofit	30,000 sq. ft.	Per FAR
Governmental services	As Board requires	
Health and medical institutions	10,000 sq. ft.	Per FAR
Helistops	As Board requires	
Housing for the elderly	370 sq. ft. per efficiency unit and 550 sq. ft. per other dwelling unit	Per FAR
Parking, open off-street areas	As ordinance requires	

Planned unit developments: residential	As in Title 9
Public utility uses	As Board requires
Swimming pools	30,000 sq. ft.

(City Code, 1976/83, art. 30, §4.6-2a.) (Ord. 99-547.)

§ 4-907. Yards.

(a) *Permitted uses*.

For each principal permitted use in an R-6 District, a front yard, 2 side yards, and a rear yard must be provided with the following minimum depths:

	Front	*Interior Side*	*Street Corner Side*	*Rear*
Single-family detached dwellings	25 ft.	10 ft.	20 ft.	25 ft.
Single-family semi-detached dwellings	25 ft.	15 ft.	20 ft.	25 ft.
Single-family attached dwellings	25 ft.	10 ft. for ends of groups	20 ft.	25 ft.
Multiple-family detached dwellings	25 ft.	15 ft.	20 ft.	25 ft.
All other principal permitted uses	40 ft.	15 ft.	30 ft.	40 ft.

(b) *Accessory uses*.

As in an R-1 District.

(c) *Conditional uses*.

As in an R-3 District, except as follows:

	Front	*Interior Side*	*Street Corner Side*	*Rear*
Housing for the elderly	25 ft.	15 ft.	20 ft.	25 ft.

(City Code, 1976/83, art. 30, §4.6-2b.) (Ord. 99-547.)

§ 4-908. Building height and floor area ratio.

(a) *Permitted uses*.

	Maximum Building Height
Single-family dwellings	35 ft.

All other permitted uses in an R-6 District are subject to a maximum floor area ratio of 1.0.

(b) *Accessory uses*.

In an R-6 District:

(1) the maximum height of a structure accessory to a dwelling is 20 feet; and

(2) the floor area of all accessory uses, together with the floor area of the principal use, may not exceed the total allowable floor area permitted for the principal use under subsections (a) and (c) of this section.

(c) *Conditional uses*.

The maximum floor area ratio of all principal conditional uses in an R-6 District is 1.0, except as follows:

	Maximum Floor Area Ratio
Governmental services	As the Board requires
Housing for the elderly	2.0
Planned unit developments: residential	As in Title 9
Public utility uses	As the Board requires

(City Code, 1976/83, art. 30, §4.6-2c.) (Ord. 99-547.)

SUBTITLE 10
R-7 GENERAL RESIDENCE DISTRICT

PART I. USE REGULATIONS

§ 4-1001. Permitted uses.

In an R-7 District, permitted uses are as follows:

(1) As in an R-2 District, except that agricultural uses are not permitted.

(2) Single-family attached dwellings — not exceeding 9 in a row or group.

(3) Multiple-family detached dwellings.

(4) Multiple-family attached dwellings — not exceeding 9 in a row or group.

(5) Clubs and lodges: nonprofit.

(City Code, 1976/83, art. 30, §4.7-1a.) (Ord. 99-547.)

§ 4-1002. Accessory uses.

In an R-7 District, the accessory uses and structures are the same as those in an R-1 District.

(City Code, 1976/83, art. 30, §4.7-1b.) (Ord. 99-547.)

§ 4-1003. Conditional uses — Board approval required.

In an R-7 District, conditional uses that require Board approval are as follows:

(1) As in an R-1 District (unless it is a permitted use under § 4-1001).

(2) Bed and breakfast homes, subject to the condition that no sign or other advertising is allowed on the premises other than a nameplate in accordance with § 11-316 {"Nameplates"} of this article.

(3) Marinas: recreational boat launch/tie up.

(4) Philanthropic and charitable institutions.

(5) Physicians' or dentists' professional (non-resident) offices, in a structure designed and erected for residential use, subject to the condition that the use is limited to no more than 4 physicians or dentists in the office.

(City Code, 1976/83, art. 30, §4.7-1c, §13.0-2-6b(last sen.).) (Ord. 99-547.)

§ 4-1004. Conditional uses — Ordinance required.

In an R-7 District, conditional uses that require approval by ordinance are as follows:

(1) As in an R-1 District.

(2) Housing for the elderly.

(3) Nonprofit homes for the rehabilitation of non-bedridden alcoholics and for the care and custody of homeless persons.

(4) Parking, open off-street areas and off-street garages, other than accessory, for the parking of 4 or more automobiles.

(City Code, 1976/83, art. 30, §4.7-1d.) (Ord. 99-547.)

§ 4-1005. ***{Reserved}***

PART II. BULK REGULATIONS

§ 4-1006. Lot area and coverage.

(a) *Permitted uses*.

Each principal permitted use in an R-7 District must comply with the following requirements for minimum lot area and for the maximum percentage of a lot that may be covered by structures:

	Minimum Lot Area	*Maximum Lot Coverage*
Single-family detached dwellings	5,000 sq. ft.	35%
Single-family semi-detached dwellings	3,000 sq. ft. per dwelling unit	35%
Single-family attached dwellings	1,100 sq. ft. per dwelling unit	50%
Multiple-family dwellings	1,100 sq. ft. per dwelling unit	Per FAR
Clubs and lodges: nonprofit	15,000 sq. ft.	Per FAR
Parks and playgrounds	No requirements	
All other principal permitted uses	10,000 sq. ft.	Per FAR

(b) *Accessory uses*.

The percentage of the lot covered by structures in an R-7 District, both for the principal uses and for all accessory uses, may not exceed the maximum lot coverages specified in subsections (a) and (c) of this section.

(c) *Conditional uses*.

Principal conditional uses in an R-7 District must comply with the minimum lot area and the maximum lot coverage requirements for single-family detached dwellings, except as follows:

	Minimum Lot Area	*Maximum Lot Coverage*
Bed and breakfast homes	500 sq. ft. per guest room	
Cemeteries	5 acres	
Governmental services	As Board requires	
Health and medical institutions	10,000 sq. ft.	Per FAR
Helistops	As Board requires	
Housing for the elderly	245 sq. ft. per efficiency unit and 370 sq. ft. per other dwelling unit	Per FAR
Parking, open off-street areas and off-street garages	As ordinance requires	
Physicians' or dentists' professional offices	As Board requires	
Planned unit developments: residential	As in Title 9	
Public utility uses	As Board requires	
Swimming pools	15,000 sq. ft.	

(City Code, 1976/83, art. 30, §4.7-2a.) (Ord. 99-547.)

§ 4-1007. Yards.

(a) *Permitted uses.*

For each principal permitted use in an R-7 District, a front yard, 2 side yards, and a rear yard must be provided with the following minimum depths:

	Front	*Interior Side*	*Street Corner Side*	*Rear*
Single-family detached dwellings	20 ft.	10 ft.	15 ft.	25 ft.
Single-family semi-				

detached dwellings	20 ft.	10 ft.	15 ft.	25 ft.
Single-family attached dwellings	20 ft.	10 ft. for ends of groups	15 ft.	25 ft.
Multiple-family detached dwellings	20 ft.	15 ft.	15 ft.	25 ft.
Multiple-family attached dwellings	20 ft.	10 ft. for ends of groups	15 ft.	25 ft.
All other principal permitted uses	30 ft.	15 ft.	20 ft.	30 ft.

(b) *Accessory uses*.

As in an R-1 District.

(c) *Conditional uses*.

Principal conditional uses in an R-7 District must comply with the yard requirements for single-family detached dwellings, except as follows:

	Front	*Interior Side*	*Street Corner Side*	*Rear*
Cemeteries	No requirements			
Governmental services	As Board requires			
Health and medical institutions	30 ft.	15 ft.	20 ft.	30 ft.
Helistops	As Board requires			
Housing for the elderly	20 ft.	10 ft.	15 ft.	25 ft.
Parking, off-street garages	As ordinance requires			
Parking, open off-street areas	No requirements			
Physicians' or dentists' professional offices	20 ft.	10 ft. for detached and semi-detached structures and for ends of groups	15 ft.	25 ft.
Planned unit developments: residential	As in Title 9			

Public utility uses	As Board requires
Swimming pools	As Board requires

(City Code, 1976/83, art. 30, §4.7-2b.) (Ord. 99-547; Ord. 00-118.)

§ 4-1008. Building height and floor area ratio.

(a) *Permitted uses*.

	Maximum Building Height
Single-family dwellings	35 ft.

All other permitted uses in an R-7 District are subject to a maximum floor area ratio of 1.2.

(b) *Accessory uses*.

In an R-7 District:

(1) the maximum height of a structure accessory to a dwelling is 20 feet; and

(2) the floor area of all accessory uses, together with the floor area of the principal use, may not exceed the total allowable floor area permitted for the principal use under subsections (a) and (c) of this section.

(c) *Conditional uses*.

The maximum floor area ratio of all principal conditional uses in an R-7 District is 1.2, except as follows:

	Maximum Floor Area Ratio
Governmental services	As Board requires
Housing for the elderly	3.0
Planned unit developments: residential	As in Title 9
Public utility uses	As Board requires

(City Code, 1976/83, art. 30, §4.7-2c.) (Ord. 99-547.)

SUBTITLE 11
R-8 GENERAL RESIDENCE DISTRICT

PART I. USE REGULATIONS

§ 4-1101. Permitted uses.

In an R-8 District, permitted uses are as follows:

(1) As in an R-2 District, except that agricultural uses are not permitted.

(2) Single-family attached dwellings — not exceeding 12 in a row or group.

(3) Multiple-family detached dwellings.

(4) Multiple-family attached dwellings — not exceeding 12 in a row or group.

(5) Clubs and lodges: nonprofit.

(6) Hospitals.

(City Code, 1976/83, art. 30, §4.8-1a.) (Ord. 99-547.)

§ 4-1102. Accessory uses.

In an R-8 District, the accessory uses and structures are as follows:

(1) As in an R-1 District.

(2) Accessory shops in a multiple-family building that contains 50 or more dwelling and efficiency units, subject to the following conditions:

(i) the uses are limited to dining room, cocktail lounge, drug store or pharmacy, newsstand, retail food shops, beauty shops, barber shops, and similar personal service shops primarily for the occupants of the building;

(ii) the entrance to the use must be located inside the building and the use itself conducted entirely inside the building;

(iii) the aggregate of all such uses may not exceed 5% of the gross floor area of the building; and

(iv) no exterior advertising sign is allowed, except 1 non-illuminated or indirectly illuminated identification sign that:

(A) is limited to the name or description of the use;

(B) does not exceed 3 square feet;

(C) is no more than 12 feet high; and

(D) does not project more than 8 inches from the building.
(City Code, 1976/83, art. 30, §4.8-1b, §10.0-2b7.) (Ord. 99-547.)

§ 4-1103. Conditional uses — Board approval required.

In an R-8 District, conditional uses that require Board approval are as follows:

(1) As in an R-7 District (unless it is a permitted use under § 4-1101).

(2) Bed and breakfast establishments, subject to the condition that no sign or other advertising is allowed on the premises other than a nameplate in accordance with § 11-316 {"Nameplates"} of this article.

(3) Fraternity and sorority houses: off-campus.

(4) Rooming houses.
(City Code, 1976/83, art. 30, §4.8-1c, §13.0-2-6a(last sen.).) (Ord. 99-547.)

§ 4-1104. Conditional uses — Ordinance required.

In an R-8 District, conditional uses that require approval by ordinance are the same as those in an R-7 District (unless it is a permitted use under § 4-1101).
(City Code, 1976/83, art. 30, §4.8-1d.) (Ord. 99-547.)

§ 4-1105. *{Reserved}*

PART II. BULK REGULATIONS

§ 4-1106. Lot area and coverage.

(a) *Permitted uses*.

Each principal permitted use in an R-8 District must comply with the following requirements for minimum lot area and for the maximum percentage of a lot that may be covered by structures:

	Minimum Lot Area	*Maximum Lot Coverage*
Single-family detached dwellings	5,000 sq. ft.	40%
Single-family semi-detached dwellings	2,000 sq. ft. per dwelling unit	40%
Single-family attached dwellings	750 sq. ft. per dwelling unit	60%
Multiple-family dwellings	500 sq. ft. per efficiency unit and	Per FAR

	750 sq. ft. per other dwelling unit	
Parks and playgrounds	No requirements	
All other principal permitted uses	7,500 sq. ft.	Per FAR

(b) *Accessory uses*.

The percentage of the lot covered by structures in a R-8 District, both for the principal uses and for all accessory uses, may not exceed the maximum lot coverages specified in subsections (a) and (c) of this section.

(c) *Conditional uses*.

Principal conditional uses in an R-8 District must comply with the minimum lot area and the maximum lot coverage requirements for single-family detached dwellings, except as follows:

	Minimum Lot Area	*Maximum Lot Coverage*
Cemeteries	5 acres	
Governmental services	As Board requires	
Health and medical institutions	7,500 sq. ft.	Per FAR
Helistops	As Board requires	
Housing for the elderly	165 sq. ft. per efficiency unit and 245 sq. ft. per other dwelling unit	Per FAR
Parking, open off-street areas and parking garages	As ordinance requires	
Physicians' or dentists' professional offices	As Board requires	
Planned unit developments: residential	As in Title 9	
Public utility uses	As Board requires	
Rooming houses	375 sq. ft. per rooming unit and 750 sq. ft. per other dwelling unit	60%
Swimming pools	15,000 sq. ft.	

(City Code, 1976/83, art. 30, §4.8-2a.) (Ord. 99-547.)

§ 4-1107. Yards.

(a) *Permitted uses*.

For each principal permitted use in an R-8 District, a front yard, 2 side yards, and a rear yard must be provided with the following minimum depths:

	Front	*Interior Side*	*Street Corner Side*	*Rear*
All principal permitted uses	none req'd	10 ft. req'd for detached and semi-detached structures and for ends of groups	none	25 ft.

(b) *Accessory uses*.

As in an R-1 District.

(c) *Conditional uses*.

Principal conditional uses in an R-8 District must comply with the yard requirements for all principal permitted uses as set forth in subsection (a) of this section, except as follows:

	Front	*Interior Side*	*Street Corner Side*	*Rear*
Cemeteries	No requirements			
Governmental services	As Board requires			
Health and medical institutions	20 ft.	10 ft.	15 ft.	25 ft.
Helistops	As Board requires			
Parking, off-street garages	As ordinance requires			
Parking, open off-street areas	No requirements			
Planned unit developments: residential	As in Title 9			
Public utility uses	As Board requires			
Swimming pools	As Board requires			

(City Code, 1976/83, art. 30, §4.8-2b.) (Ord. 99-547.)

§ 4-1108. Building height and floor area ratio.

(a) *Permitted uses*.

	Maximum Building Height
Single-family dwellings	35 ft.

All other permitted uses in an R-8 District are subject to a maximum floor area ratio of 2.0.

(b) *Accessory uses*.

In an R-8 District:

(1) the maximum height of a structure accessory to a dwelling is 20 feet; and

(2) the floor area of all accessory uses, together with the floor area of the principal use, may not exceed the total allowable floor area permitted for the principal use under subsections (a) and (c) of this section.

(c) *Conditional uses*.

The maximum floor area ratio of all principal conditional uses in an R-8 District is 2.0, except as follows:

	Maximum Floor Area Ratio
Governmental services	As Board requires
Housing for the elderly	4.5
Planned unit developments: residential	As in Title 9
Public utility uses	As Board requires

(City Code, 1976/83, art. 30, §4.8-2c.) (Ord. 99-547.)

SUBTITLE 12
R-9 GENERAL RESIDENCE DISTRICT

PART I. USE REGULATIONS

§ 4-1201. Permitted uses.

In an R-9 District, permitted uses are as follows:

(1) As in an R-8 District.

(2) Apartment hotels.

(3) Rooming houses — but no more than 10 rooming units in each structure.

(City Code, 1976/83, art. 30, §4.9-1a.) (Ord. 99-547.)

§ 4-1202. Accessory uses.

(a) *In general.*

In an R-9 District, the accessory uses and structures are, except as specified in subsection (b) of this section, the same as those in an R-8 District.

(b) *Exception for accessory shops.*

The aggregate of all accessory shop uses in a multiple-family dwelling may exceed 5% but no more than 6% of the gross floor area of the building.

(City Code, 1976/83, art. 30, §4.9-1b.) (Ord. 99-547.)

§ 4-1203. Conditional uses — Board approval required.

In an R-9 District, conditional uses that require Board approval are as follows:

(1) As in an R-8 District (unless it is a permitted use under § 4-1201), except that cemeteries are not allowed.

(2) Rooming houses with 11 or more rooming units.

(City Code, 1976/83, art. 30, §4.9-1c.) (Ord. 99-547.)

§ 4-1204. Conditional uses — Ordinance required.

In an R-9 District, conditional uses that require approval by ordinance are the same as those in an R-7 District (unless it is a permitted use under § 4-1201).

(City Code, 1976/83, art. 30, §4.9-1d.) (Ord. 99-547.)

§ 4-1205. *{Reserved}*

PART II. BULK REGULATIONS

§ 4-1206. Lot area and coverage.

(a) *Permitted uses*.

Each principal permitted use in an R-9 District must comply with the following requirements for minimum lot area and for the maximum percentage of a lot that may be covered by structures:

	Minimum Lot Area	*Maximum Lot Coverage*
Single-family detached dwellings	5,000 sq. ft.	50%
Single-family semi-detached dwellings	2,000 sq. ft. per dwelling unit	60%
Single-family attached dwellings	750 sq. ft. per dwelling unit	70%
Multiple-family dwellings and apartment hotels	370 sq. ft. per efficiency and rooming unit and 550 sq. ft. per other dwelling unit	Per FAR
Rooming houses	275 sq. ft. per rooming unit and 550 sq. ft. per other dwelling unit	Per FAR
Parks and playgrounds	No requirements	
All other principal permitted uses	5,000 sq. ft.	Per FAR

(b) *Accessory uses*.

The percentage of the lot covered by structures in an R-9 District, both for the principal uses and for all accessory uses, may not exceed the maximum lot coverages specified in subsections (a) and (c) of this section.

(c) *Conditional uses*.

Principal conditional uses in an R-9 District must comply with the minimum lot area and the maximum lot coverage requirements for single-family detached dwellings, except as follows:

	Minimum Lot Area	*Maximum Lot Coverage*
Governmental services	As Board requires	
Health and medical institutions	5,000 sq. ft.	Per FAR

Helistops	As Board requires	
Housing for the elderly	135 sq. ft. per efficiency unit and 200 sq. ft. per other dwelling unit	Per FAR
Parking, open off-street areas and parking garages	As ordinance requires	
Physicians' or dentists' professional offices	As Board requires	
Planned unit developments: residential	As in Title 9	
Public utility uses	As Board requires	
Rooming houses	275 sq. ft. per rooming unit and 550 sq. ft. per other dwelling unit	Per FAR
Swimming pools	15,000 sq. ft.	

(City Code, 1976/83, art. 30, §4.9-2a.) (Ord. 99-547.)

§ 4-1207. Yards.

(a) *Permitted uses*.

For each principal permitted use in an R-9 District, a front yard, 2 side yards, and a rear yard must be provided with the following minimum depths:

	Front	*Interior Side*	*Street Corner Side*	*Rear*
All principal permitted uses	none req'd	10 ft. req'd for detached and semi-detached structures and for ends of groups	none	10 ft.

(b) *Accessory uses*.

As in an R-1 District.

(c) *Conditional uses*.

Principal conditional uses in an R-9 District must comply with the yard requirements for all principal permitted uses as set forth in subsection (a) of this section, except as follows:

Front	*Interior Side*	*Street Corner Side*	*Rear*

Governmental services	As Board requires
Helistops	As Board requires
Parking, off-street garages	As ordinance requires
Parking, open off-street areas	No requirements
Planned unit developments: residential	As in Title 9
Public utility uses	As Board requires
Swimming pools	As Board requires

(City Code, 1976/83, art. 30, §4.9-2b.) (Ord. 99-547.)

§ 4-1208. Building height and floor area ratio.

(a) *Permitted uses*.

	Maximum Building Height
Single-family dwellings	35 ft.

All other permitted uses in an R-9 District are subject to a maximum floor area ratio of 3.0.

(b) *Accessory uses*.

In an R-9 District:

(1) the maximum height of a structure accessory to a dwelling is 20 feet; and

(2) the floor area of all accessory uses, together with the floor area of the principal use, may not exceed the total allowable floor area permitted for the principal use under subsections (a) and (c) of this section.

(c) *Conditional uses*.

The maximum floor area ratio of all principal conditional uses in an R-9 District is 3.0, except as follows:

	Maximum Floor Area Ratio
Governmental services	As Board requires
Housing for the elderly	5.5
Planned unit developments: residential	As in Title 9

Public utility uses As Board requires

(City Code, 1976/83, art. 30, §4.9-2c.) (Ord. 99-547.)

SUBTITLE 13
R-10 GENERAL RESIDENCE DISTRICT

PART I. USE REGULATIONS

§ 4-1301. Permitted uses.

In an R-10 District, permitted uses are as follows:

(1) As in an R-9 District.

(2) Foreign consulates and consular offices.

(City Code, 1976/83, art. 30, §4.10-1a.) (Ord. 99-547.)

§ 4-1302. Accessory uses.

(a) *In general.*

In an R-10 District, the accessory uses and structures are, except as specified in subsection (b) of this section, the same as those in an R-9 District.

(b) *Exception for accessory shops.*

The aggregate of all accessory shop uses in a multiple-family dwelling may exceed 6% but no more than 7% of the gross floor area of the building.

(City Code, 1976/83, art. 30, §4.10-1b.) (Ord. 99-547.)

§ 4-1303. Conditional uses — Board approval required.

In an R-10 District, conditional uses that require Board approval are the same as those in an R-9 District (unless it is a permitted use under § 4-1301).

(City Code, 1976/83, art. 30, §4.10-1c.) (Ord. 99-547.)

§ 4-1304. Conditional uses — Ordinance required.

In an R-10 District, conditional uses that require approval by ordinance are the same as those in an R-7 District (unless it is a permitted use under § 4-1301).

(City Code, 1976/83, art. 30, §4.10-1d.) (Ord. 99-547.)

§ 4-1305. *{Reserved}*

PART II. BULK REGULATIONS

§ 4-1306. Lot area and coverage.

(a) *Permitted uses.*

Each principal permitted use in an R-10 District must comply with the following requirements for minimum lot area with for the maximum percentage of a lot that may be covered by structures:

	Minimum Lot Area	*Maximum Lot Coverage*
Single-family detached dwellings	5,000 sq. ft.	50%
Single-family semi-detached dwellings	2,000 sq. ft. per dwelling unit	60%
Single-family attached dwellings	750 sq. ft. per dwelling unit	70%
Multiple-family dwellings and apartment hotels	135 sq. ft. per efficiency unit and rooming unit and 200 sq. ft. per other dwelling unit	Per FAR
Rooming houses	100 sq. ft. per rooming unit and 200 sq. ft. per other dwelling unit	Per FAR
Parks and playgrounds	No requirements	
All other principal permitted uses	5,000 sq. ft.	Per FAR

(b) *Accessory uses*.

The percentage of the lot covered by structures in an R-10 District, both for the principal uses and for all accessory uses, may not exceed the maximum lot coverages as specified in subsections (a) and (c) of this section.

(c) *Conditional uses*.

Principal conditional uses in an R-10 District must comply with the minimum lot area and the maximum lot coverage requirements for single-family detached dwellings, except as follows:

	Minimum Lot Area	*Maximum Lot Coverage*
Governmental services	As Board requires	
Health and medical institutions	5,000 sq. ft.	Per FAR
Helistops	As Board requires	
Housing for the elderly	80 sq. ft. per efficiency unit and 120 sq. ft. per other dwelling unit	Per FAR

Parking, open off-street areas and parking garages	As ordinance requires	
Physicians' or dentists' professional offices	As Board requires	
Planned unit developments: residential	As in Title 9	
Public utility uses	As Board requires	
Rooming houses	100 sq. ft. per rooming unit and 200 sq. ft. per other dwelling unit	Per FAR
Swimming pools	15,000 sq. ft.	

(City Code, 1976/83, art. 30, §4.10-2a.) (Ord. 99-547.)

§ 4-1307. Yards.

(a) *Permitted uses.*

For each principal permitted use in an R-10 District, a front yard, 2 side yards, and a rear yard must be provided with the following minimum depths:

	Front	*Interior Side*	*Street Corner Side*	*Rear*
All principal permitted uses	none req'd	10 ft. req'd for detached and semi-detached structures and for ends of groups	none req'd	10 ft.

(b) *Accessory uses.*

As in an R-1 District.

(c) *Conditional uses.*

Principal conditional uses in an R-10 District must comply with the yard requirements for all principal permitted uses as set forth in subsection (a) of this section, except as follows:

	Front	*Interior Side*	*Street Corner Side*	*Rear*
Governmental services	As Board requires			
Helistops	As Board requires			
Parking, off-street				

garages	As ordinance requires
Parking, open off-street areas	No requirements
Planned unit developments: residential	As in Title 9
Public utility uses	As Board requires
Swimming pools	As Board requires

(City Code, 1976/83, art. 30, §4.10-2b.) (Ord. 99-547.)

§ 4-1308. Building height and floor area ratio.

(a) *Permitted uses.*

	Maximum Building Height
Single-family dwellings	35 ft.

All other permitted uses in an R-10 District are subject to a maximum floor area ratio of 6.0.

(b) *Accessory uses.*

In an R-10 District:

(1) the maximum height of a structure accessory to a dwelling is 20 feet; and

(2) the floor area of all accessory uses, together with the floor area of the principal use, may not exceed the total allowable floor area permitted for the principal use under subsections (a) and (c) of this section.

(c) *Conditional uses.*

The maximum floor area ratio of all principal conditional uses in an R-10 District 6.0, except as follows:

	Maximum Floor Area Ratio
Governmental services	As Board requires
Housing for the elderly	9.0
Planned unit developments: residential	As in Title 9
Public utility uses	As Board requires

(City Code, 1976/83, art. 30, §4.10-2c.) (Ord. 99-547.)

TITLE 5
OFFICE-RESIDENCE DISTRICTS

SUBTITLE 1
OVERVIEW; GENERAL REQUIREMENTS

PART I. OVERVIEW

§ 5-101. Design.

The Office-Residence District is designed primarily to accommodate office and residential uses in appropriate areas and locations.
(City Code, 1976/83, art. 30, ch. 5(intro par.)(1st sen.).) (Ord. 99-547.)

§ 5-102. Regulatory intent.

The regulations for this district are intended:

(1) to encourage sound development in the district; and

(2) to promote the stability and desirability of the district and adjacent districts.
(City Code, 1976/83, art. 30, ch. 5(intro par.)(2nd sen.).) (Ord. 99-547.)

§ 5-103. Subdistricts.

The Office-Residence District is divided into 4 subdistricts for purposes of bulk regulations, as set forth in Subtitle 2 of this title.
(City Code, 1976/83, art. 30, §5.1.) (Ord. 99-547.)

PART II. GENERAL REQUIREMENTS

§ 5-104. In general.

In addition to the general provisions of Title 3 {"General Rules"} of this article and the regulations specified in this title for a particular subdistrict, the following provisions apply to all Office-Residence Subdistricts.
(City Code, 1976/83, art. 30, §5.0-2(intro cl.).) (Ord. 99-547.)

§ 5-105. Lot area.

(a) *In general.*

Except as specified in § 3-306(d) {"Preexisting lot of record"} of this article, no use may be established and maintained on a lot that is smaller than the size required by this title for that use in the subdistrict in which it is to be located.

(b) *Open space reduction.*

If the front, side, or rear lot line of a lot adjoins or is directly across a street or alley from a permanent open space that is at least 5 acres and at least 200 feet deep perpendicular to the lot line, the required lot area per dwelling unit may be reduced by up to 15%.

(c) *Computations.*

(1) The maximum number of permitted dwelling units on a lot is determined by dividing the total area of the lot by the lot area requirement that applies to the subdistrict in which the lot is located.

(2) A fraction of the total area that is 50% or more of the required lot area factor counts as an additional permitted dwelling unit.

(City Code, 1976/83, art. 30, §5.0-2a1 to 2a3.) (Ord. 99-547.)

§ 5-106. *{Reserved}*

§ 5-107. Yards.

(a) *Accessory structures.*

Accessory structures must comply with the yard requirements of the principal structure, except that:

(1) in O-R-3 and O-R-4 Districts, an attached garage that is no more than 12 feet high need not comply with the rear yard requirements of the principal structure; and

(2) in O-R-2, O-R-3, and O-R-4 Districts, an accessory garage attached to a multiple-family dwelling or an apartment hotel need not comply with any of the yard requirements of the principal structure.

(b) *Using average of existing improvements.*

(1) This subsection applies to a subsequently-erected or -expanded structure on a block where lots having 50% or more of the frontage on the same side of a street and within 200 feet of either of the structure's side lot lines have already been improved with structures that have front yards of more or less depth than required by this title.

(2) The required front-yard depth for the subsequently-erected or -expanded structure within that frontage is the average depth of the front yards of the already-improved lots, but in no case more than 30 feet.

(City Code, 1976/83, art. 30, §5.0-2b.) (Ord. 99-547.)

§ 5-108. Floor area ratio.

(a) *In general.*

Floor area ratio requirements, as set forth in this title for each subdistrict, determine the maximum floor area allowable, for both principal and accessory structures, in direct ratio to the gross area of the lot.

(b) *Open space reduction.*

If the front, side, or rear lot line of a lot adjoins or is directly across a street or alley from a permanent open space that is at least 5 acres and at least 200 feet deep perpendicular to the lot line, the floor area ratio may be increased by up to 15%.

(City Code, 1976/83, art. 30, §5.0-2c.) (Ord. 99-547.)

SUBTITLE 2
O-R DISTRICT

PART I. USE REGULATIONS

§ 5-201. Permitted uses.

In an O-R District, permitted uses are as follows:

(1) Dwellings.

(2) Apartment hotels.

(3) Educational and cultural institutions: nonprofit or publicly owned, as follows:

(i) Elementary and secondary schools.

(ii) Community colleges, colleges, and universities — but not including trade schools.

(iii) Libraries and art galleries.

(iv) Museums, aquariums, and planetariums.

(4) Foreign consulates and consular offices.

(5) Offices: business, governmental, and professional — but not including sales and bulk storage of merchandise on the premises.

(6) Recreational facilities: nonprofit or publicly owned, as follows:

(i) Athletic fields.

(ii) Parks and playgrounds.

(iii) Recreation buildings and community centers.

(iv) Tennis and lacrosse clubs.

(7) Religious institutions, as follows:

(i) Churches, temples, and synagogues.

(ii) Convents, seminaries, and monasteries.

(8) Rooming houses — but with no more than 10 rooming units in each structure.

(9) Telephone exchanges.

(City Code, 1976/83, art. 30, §5.1-1a.) (Ord. 99-547.)

§ 5-202. Accessory uses.

In an O-R District, accessory uses and structures include the following:

(1) As in an R-1 District, except that club houses or similar structures on the grounds of golf courses are not permitted.

(2) Accessory shops in a multiple-family building that contains 50 or more dwelling and efficiency units or in a building that contains more than 20,000 square feet of gross floor area devoted to business and professional office use, subject to the following conditions:

(i) the uses are limited to dining room, cocktail lounge, drug store or pharmacy, newsstand, retail food shops, beauty shops, barber shops, and similar personal service shops primarily for the occupants of the building;

(ii) the use must be conducted entirely inside the building;

(iii) the aggregate of all such uses may not exceed 7% of the gross floor area of the building; and

(iv) no exterior advertising sign is allowed, except 1 non-illuminated or indirectly illuminated identification sign that:

(A) is limited to the name or description of the use;

(B) does not exceed 3 square feet;

(C) is no more than 12 feet high; and

(D) does not project more than 8 inches from the building.

(City Code, 1976/83, art. 30, §5.1-1b, §10.0-2b7.) (Ord. 99-547.)

§ 5-203. Conditional uses — Board approval required.

In an O-R District, conditional uses that require Board approval are as follows:

(1) Accessory radio and television antennas that are free-standing or that extend more than 12 feet above the building on which they are mounted — but not including microwave antennas (satellite dishes).

(2) Accessory microwave antennas (satellite dishes), as follows:

(i) A mounted satellite dish that:

(A) is attached to the front half of the roof of the principal building or to the rear half of the roof less than 5 feet beyond the center line; and

(B) has the following dimensions:

1. if constructed of solid material, it:

1. is over 4 feet in diameter; or

2. projects more than 6 feet from the building on which it is mounted; and

2. if constructed of expanded aluminum mesh or wire screen, it:

1. is over 6 feet in diameter; or

2. projects more than 8 feet from the building on which it is mounted.

(ii) A free-standing satellite dish that is:

(A) more than 6 feet in diameter;

(B) more than 10 feet high; or

(C) not constructed of expanded aluminum mesh or wire screen.

(3) Bed and breakfast establishments, subject to the condition that no sign or other advertising is allowed on the premises other than a nameplate in accordance with § 11-316 {"Nameplates"} of this article.

(4) Bed and breakfast homes, subject to the condition that no sign or other advertising is allowed on the premises other than a nameplate in accordance with § 11-316 {"Nameplates"} of this article.

(5) Clinics: medical and dental.

(6) Clubs and lodges: nonprofit.

(7) Day nurseries and nursery schools.

(8) Foster homes for more than 6 children.

(9) Fraternity and sorority houses: off-campus.

(10) Governmental services, as follows:

(i) Fire and police stations.

(ii) Post offices.

(iii) Sewerage pumping stations.

(iv) Water filtration plants, reservoirs, and pumping stations.

(11) Health and medical institutions: for care of aged or children.

(12) Helistops.

(13) Marinas: recreational.

(14) Marinas: recreational boat launch/tie up.

(15) Multi-purpose neighborhood centers.

(16) Philanthropic and charitable institutions.

(17) Public utility uses, as follows:

(i) Antenna towers, microwave relay towers, and similar installations for communications transmission or receiving.

(ii) Bus and transit turnarounds and passenger shelters – but not including advertising signs.

(iii) Railroad rights-of-way and passenger stations — but not including railroad yards and shops.

(iv) Repeater, transformer, pumping, booster, switching, conditioning, and regulating stations, and similar installations.

(18) Radio stations.

(19) Recycling collection stations when an accessory use to a school, church, recreation facility, or public facility.

(20) Rooming houses with 11 or more rooming units.

(21) Swimming pools: nonprofit or publicly owned.

(22) Travel trailers, recreational vehicles, and similar camping equipment: parking or storage.

(23) Uses accessory to a conditional use listed above.

(City Code, 1976/83, art. 30, §5.1-1c, §13.0-2-6a(last sen.), §13.0-2-6b(last sen.).) (Ord. 99-547; Ord. 01-230.)

§ 5-204. Conditional uses — Ordinance required.

In an O-R District, conditional uses that require approval by ordinance are as follows:

(.5) Bus passenger shelters – including advertising signs that comply with § 11-424 of this article.

(1) Community correction centers.

(2) Convalescent, nursing, and rest homes.

(3) Hospitals.

(4) Housing for the elderly.

(5) Massage therapists' offices.

(6) Nonprofit homes for the rehabilitation of non-bedridden alcoholics and for the care and custody of homeless persons.

(7) Parking, open off-street areas and off-street garages, other than accessory, for the parking of 4 or more automobiles.

(8) Parole and probation field offices.

(9) Planned unit developments: office-residential.

(10) Substance abuse treatment centers.

(City Code, 1976/83, art. 30, §5.1-1d.) (Ord. 98-252; Ord. 99-547; Ord. 01-230.)

§ 5-205. *{Reserved}*

PART II. BULK REGULATIONS

§ 5-206. Lot area.

(a) *In general.*

For each dwelling, efficiency, or rooming unit in an O-R District, the minimum lot area is as specified in this section.

(b) *O-R-1 District.*

(1) *General.*

Except as specified in paragraph (2) of this subsection, the minimum lot area in an O-R-1 District is:

(i) 1,250 square feet per rooming unit.

(ii) 1,675 square feet per efficiency unit.

(iii) 2,500 square feet per other dwelling unit.

(2) *Housing for elderly.*

The minimum lot area for housing for the elderly in an O-R-1 District is:

(i) 500 square feet per efficiency unit.

(ii) 750 square feet per other dwelling unit.

(c) *O-R-2 District*.

(1) *General.*

Except as specified in paragraph (2) of this subsection, the minimum lot area in an O-R-2 District is:

(i) 275 square feet per rooming unit.

(ii) 375 square feet per efficiency unit.

(iii) 550 square feet per other dwelling unit.

(2) *Housing for elderly*.

The minimum lot area for housing for the elderly in an O-R-2 District is:

(i) 135 square feet per efficiency unit.

(ii) 200 square feet per other dwelling unit.

(d) *O-R-3 and O-R-4 Districts*.

(1) *General.*

Except as specified in paragraph (2) of this subsection, the minimum lot area in an O-R-3 and O-R-4 District is:

(i) 100 square feet per rooming unit.

(ii) 135 square feet per efficiency unit.

(iii) 200 square feet per other dwelling unit.

(2) *Housing for elderly*.

The minimum lot area for housing for the elderly in an O-R-3 and O-R-4 District is:

(i) 80 square feet per efficiency unit.

(ii) 120 square feet per other dwelling unit.

(City Code, 1976/83, art. 30, §5.1-2a.) (Ord. 99-547.)

§ 5-207. Yards.

(a) *In general.*

The minimum yard requirements in an O-R District are as specified in this section.

(b) *Front*.

(1) In an O-R-1 District — at least 20 feet deep.

(2) In an O-R-2 District — at least 10 feet deep.

(3) In an O-R-3 and O-R-4 District — none required.

(c) *Interior side*.

None required. However, where an interior side yard is provided, it must be at least 10 feet deep.

(d) *Street corner side*.

(1) In an O-R-1 District — at least 30 feet deep.

(2) In an O-R-2 District — at least 10 feet deep.

(3) In an O-R-3 and O-R-4 District — none required.

(e) *Rear*.

(1) In an O-R-1 District — at least 30 feet deep.

(2) In an O-R-2 District — at least 10 feet deep.

(3) In an O-R-3 and O-R-4 District — at least 10 feet deep.

(f) *Along Residence District boundaries*.

If any part of a side lot line in an O-R District coincides with a side or rear lot line in an adjoining Residence District, a minimum 10-foot yard must be provided on the Office-Residence lot wherever the lot lines so coincide.

(City Code, 1976/83, art. 30, §5.1-2b.) (Ord. 99-547.)

§ 5-208. Floor area ratio.

(a) *In general.*

The maximum floor area ratios in an O-R District are as specified in this section.

(b) *O-R-1 District.*

(1) *General.*

Except as specified in paragraph (2) of this subsection, the floor area ratio in an O-R-1 District may not exceed 1.0.

(2) *Housing for elderly.*

The floor area ratio for housing for the elderly in an O-R-1 District may not exceed 1.5.

(3) *Height limitations.*

In any event, no structure in an O-R-1 District may be higher than 40 feet.

(c) *O-R-2 District.*

(1) *General.*

Except as specified in paragraph (2) of this subsection, the floor area ratio in an O-R-2 District may not exceed 3.0.

(2) *Housing for elderly.*

The floor area ratio for housing for the elderly in an O-R-2 District may not exceed 5.5.

(d) *O-R-3 District.*

(1) *General.*

Except as specified in paragraph (2) of this subsection, the floor area ratio in an O-R-3 District may not exceed 6.0.

(2) *Housing for elderly.*

The floor area ratio for housing for the elderly in an O-R-3 District may not exceed 9.0.

(e) *O-R-4 District.*

The floor area ratio in an O-R-4 District may not exceed 12.0.

(City Code, 1976/83, art. 30, §5.1-2c.) (Ord. 99-547.)

TITLE 6
BUSINESS DISTRICTS

SUBTITLE 1
OVERVIEW; GENERAL REQUIREMENTS

PART I. OVERVIEW

§ 6-101. Purpose.

Five business districts, each designed for a specific purpose and function, are established to meet the shopping and business needs in neighborhood areas, community areas, and the central business district.
(City Code, 1976/83, art. 30, ch. 6(intro par.)(1st sen.).) (Ord. 99-547.)

§ 6-102. Regulatory intent.

The regulations are designed and intended:

(1) to promote growth and stability of business and related development; and

(2) to protect the character of the district and its suitability for particular uses.
(City Code, 1976/83, art. 30, ch. 6(intro par.)(2nd sen.).) (Ord. 99-547.)

§ 6-103. *{Reserved}*

PART II. GENERAL REQUIREMENTS

§ 6-104. In general.

In addition to the general provisions of Title 3 {"General Rules"} of this article and the regulations specified in this title for a particular district or subdistrict, the following provisions apply to all Business Districts.
(City Code, 1976/83, art. 30, §6.0-2(intro cl.).) (Ord. 99-547.)

§ 6-105. Lot area.

(a) *In general.*

Except as specified in § 3-306(d) {"Preexisting lot of record"} of this article, no use may be established and maintained on a lot that is smaller than the size required by this title for that use in the subdistrict in which the use is to be located.

(b) *Computations.*

(1) The maximum number of permitted dwelling units on a lot is determined by dividing the total area of the lot by the lot area requirement that applies to the subdistrict in which the lot is located.

(2) A fraction of the total area that is 50% or more of the required lot area factor counts as an additional permitted dwelling unit.

(c) *Families per acre in B-5 District.*

In a B-5 District, no building may be altered or its occupancy changed to house more than 60 families per acre, unless the building was originally designed, constructed, and equipped as a multiple-family dwelling for more than 6 families.

(City Code, 1976/83, art. 30, §6.0-2a1, 2a2, 2a4.) (Ord. 99-547.)

§ 6-106. ***{Reserved}***

§ 6-107. Yards.

(a) *Accessory structures.*

Accessory structures must comply with the yard requirements of the principal structure.

(b) *Using average of existing improvements*

(1) This subsection applies to a subsequently-erected or -expanded structure on a block where lots having 50% or more of the frontage on the same side of a street and within 100 feet of either of the structure's side lot lines have already been improved with structures that have front yards of more or less depth than required by this title.

(2) The required front-yard depth for the subsequently-erected or -expanded structure within that frontage is the average depth of the front yards of the already-improved lots, but in no case more than 20 feet.

(c) *Side lot along Residence and Office-Residence District boundaries.*

(1) Except in a B-4 or B-5 District, if any part of a side lot line in a Business District coincides with a side or rear lot line in an adjoining Residence or Office-Residence District, a yard must be provided on the business lot wherever the lot lines so coincide.

(2) The yard to be provided under this subsection must at least equal the minimum side yard required for a residential use on the adjoining Residence or Office-Residence District lot.

(City Code, 1976/83, art. 30, §6.0-2b2, §6.0-2b3, §6.1-2b5, §6.2-2b5, §6.3-2b5.) (Ord. 99-547.)

§ 6-108. Floor area ratio.

(a) *In general.*

Floor area ratio requirements, as set forth in this title for each subdistrict, determine the maximum floor area allowable, for both principal and accessory structures, in direct ratio to the gross area of the lot.

(b) *Open space reduction.*

If the front, side, or rear lot line of a lot adjoins or is directly across a street or alley from a permanent open space that is at least 1 acre and at least 200 feet deep perpendicular to the lot line, the floor area ratio may be increased by up to 15%.

(City Code, 1976/83, art. 30, §6.0-2c.) (Ord. 99-547.)

§ 6-109. Performance standards.

Activities involving the production, processing, cleaning, servicing, testing, or repair of materials, goods, or products must conform to the performance standards set forth in Title 12 {"Performance Standards"} of this article.

(City Code, 1976/83, art. 30, §6.1-1a5, §6.2-1a4, §6.3-1a2, §6.4-1a3, §6.5-1a2.) (Ord. 99-547.)

SUBTITLE 2
B-1 NEIGHBORHOOD BUSINESS DISTRICT

PART I. OVERVIEW

§ 6-201. Design.

(a) *In general.*

The B-1 Neighborhood Business District is designed for the shopping convenience of persons who reside in nearby areas.

(b) *Uses.*

Uses permitted are those necessary to satisfy daily basic shopping needs.

(c) *Floor area restrictions.*

The maximum gross floor area of business establishments in a B-1 District is restricted in order to limit vehicular and pedestrian traffic volumes in the vicinity to a level consistent with the district's function and location.

(City Code, 1976/83, art. 30, §6.1(1st par.).) (Ord. 99-547.)

§ 6-202. Subdistricts.

The B-1 District is divided into 3 subdistricts for purposes of bulk regulations, as set forth in Part III of this subtitle.

(City Code, 1976/83, art. 30, §6.1(2nd par.).) (Ord. 99-547.)

§§ 6-203 to 6-204. *{Reserved}*

PART II. USE REGULATIONS

§ 6-205. General requirements.

(a) *In general.*

In addition to the requirements in Subtitle 1 {"Overview; General Requirements"} of this title, uses in a B-1 District are subject to the following requirements.

(b) *Business establishments — retail character.*

Business establishments must be retail or service establishments that deal directly with consumers. Goods produced on the premises must be sold at retail on the premises where produced.

(c) *Business establishments — gross floor area.*

(1) *In general.*

Except as specified in this subsection, business establishments are restricted to a maximum gross floor area of 2,000 square feet each.

(2) *Food stores.*

Food stores are restricted to a maximum gross floor area of 15,000 square feet each, exclusive of floor area devoted to off-street parking and loading facilities.

(3) *Restaurants.*

Restaurants are restricted to a maximum gross floor area of 4,000 square feet each, exclusive of off-street parking and loading facilities.

(d) *Uses to be enclosed; exceptions.*

(1) *In general.*

Except as specified in paragraph (2) of this subsection, business, servicing, processing, and storage uses must be located within enclosed structures.

(2) *Exceptions.*

This subsection does not apply to off-street parking and loading.

(e) *Drive-ins prohibited; exceptions.*

Drive-in establishments are prohibited, except for banks and savings and loan associations.

(f) *Truck parking as accessory use only.*

The parking of trucks is allowed as an accessory use only.
(City Code, 1976/83, art. 30, §6.1-1a1to 1a4, 1a6.) (Ord. 99-547.)

§ 6-206. Permitted uses.

In a B-1 District, permitted uses are as follows:

(1) Art and school supply stores.

(2) Art needlework shops.

(3) Athletic fields.

(4) Automatic teller machines.
(5) Banks and savings and loan associations.

(6) Barber shops.

(7) Beauty shops.

(8) Book stores: general.

(9) Candy and ice cream stores.

(10) Clothes pressing establishments.

(11) Clothing shops.

(12) Day care facilities, as follows:

(i) Day nurseries and nursery schools.

(ii) Family day care homes.

(iii) School-age child care centers.

(13) Drug stores and pharmacies.

(14) Dry cleaning and laundry receiving stations — processing done elsewhere.

(15) Dwellings.

(16) Electrical and household appliance repair stores.

(17) Florist shops.

(18) Food stores, grocery stores, meat markets, bakeries, and delicatessens.

(19) Foster homes for children.

(20) Gift and card shops.

(21) Hardware stores.

(22) Launderettes — no more than 2 employees plus 1 owner or manager on the premises.

(23) Laundries: hand — no more than 2 employees plus 1 owner or manager on the premises.

(24) Libraries and art galleries.

(25) Multi-purpose neighborhood centers.

(26) Newsstands.

(27) Offices: business, governmental, and professional — but not including sales and bulk storage of merchandise on the premises.

(28) Parks and playgrounds.

(29) Radio and television antennas and towers that extend no more than 25 feet above the building on which they are mounted — but not including microwave antennas (satellite dishes).

(30) Radio and television sales and service.

(31) Recreation buildings and community centers.

(32) Schools: elementary and secondary.

(33) Shoe and hat repair stores.

(34) Shoeshine parlors.

(35) Tailor or dressmaking shops: custom work or repairs.

(36) Telephone exchanges.

(37) Tobacco shops.

(38) Travel bureaus — no more than 2 employees plus 1 owner or manager on the premises.

(39) Variety stores.

(City Code, 1976/83, art. 30, §6.1-1b1 to 1b31, 1b33, 1b34, 1b36 to 1b39.) (Ord. 99-547.)

§ 6-207. Accessory uses.

In a B-1 District, accessory uses and structures include the following:

(1) Accessory microwave antennas (satellite dishes), as follows:

(i) A mounted satellite dish that:

(A) is attached to the rear half of the roof of the principal building at least 5 feet beyond the center line of the roof; and

(B) has the following dimensions:

1. if constructed of solid material, it:

A. is 4 feet or less in diameter; and

2. projects 6 feet or less from the building on which it is mounted; and

2. if constructed of expanded aluminum mesh or wire screen, it:

1. is 6 feet or less in diameter; and

2. projects 8 feet or less from the building on which it is mounted.

(ii) A free-standing satellite dish that is:

(A) mounted on a single stanchion;

(B) 6 feet or less in diameter;

(C) less than 10 feet high; and

(D) constructed of expanded aluminum mesh or wire screen.

(iii) Any accessory satellite dish not exceeding 12 feet in diameter that is located:

(A) on the premises of a tavern, regardless of lot size; or

(B) on the premises one of the following uses, if the use is on lot of at least 7,500 square feet:

1. Convalescent, nursing, or rest homes.

2. Educational and cultural institutions: nonprofit or publicly owned, as specified in § 4-201(4) of this article.

3. Hotel and motels.

4. Housing for the elderly.

5. Medical facilities: nonprofit or publicly owned.

6. Religious institutions, as specified in § 5-201(7) of this article.

7. VFW and American Legion Posts.

(2) Amusement devices, as follows:

(i) No more than 5 amusement devices when used in combination with one of the following:

(A) Billiard or pool room.

(B) Bowling alley.

(C) Bus, train, or boat terminal.

(D) Hotel or motel.

(E) Marina.

(F) Miniature golf.

(G) Race track.

(H) Restaurant with alcoholic beverage license.

(I) Skating rink.

(J) Social, fraternal, or veteran's club.

(K) Swimming pool.

(L) Tavern.

(M) Tennis or racquet club: Indoor.

(ii) No more than 5 amusement devices when used in combination with other uses that the Board finds, after a public hearing, to be entertainment, leisure, or recreation oriented.

(iii) Amusement devices when used in combination with uses that are not entertainment, leisure, or recreation oriented, subject to:

(A) the required location permit having been obtained under Article 15 of the City Code; and

(B) the following limits based on the floor area of the location's interior space devoted to the principal use:

1. no more than 1 device if the net floor area is 600 square feet or less; and

2. no more than 2 devices if the net floor area exceeds 600 square feet.

(3) Animal facilities, as follows:

(i) Dog or cat kennels: private, operated and maintained in conformance with the Health Code of Baltimore City.

(ii) Facilities that house pets and wild animals, as permitted under the Health Code of Baltimore City.

(4) Temporary real estate sales offices, for the purpose of conducting the sale of lots or improvements in the development in which the office is located — but only for a period not to exceed the duration of active construction and for 1 year following.

(5) Temporary storage of building materials and equipment and temporary structures for on-site construction purposes — but only for a period not to exceed the duration of active construction.

(City Code, 1976/83, art. 30, §6.1-1b32, 1b35, 1b39a to 44.) (Ord. 99-547.)

§ 6-208 Conditional use — Board approval required.

In a B-1 District, conditional uses that require Board approval are as follows:

(1) Accessory microwave antennas (satellite dishes), as follows:

(i) A mounted satellite dish that:

(A) is attached to the front half of the roof of the principal building or to the rear half of the roof less than 5 feet beyond the center line; and

(B) has the following dimensions:

1. if constructed of solid material, it:

1. is over 4 feet in diameter; or

2. projects more than 6 feet from the building on which it is mounted; and

2. if constructed of expanded aluminum mesh or wire screen, it:

1. is over 6 feet in diameter; or

2. projects more than 8 feet from the building on which it is mounted.

(ii) A free-standing satellite dish that is:

(A) more than 6 feet in diameter;

(B) more than 10 feet high; or

(C) not constructed of expanded aluminum mesh or wire screen.

(2) Clubs and lodges: private nonprofit.

(3) Governmental services, as follows:

(i) Fire and police stations.

(ii) Post offices.

(iii) Sewerage pumping stations.

(iv) Water filtration plants, reservoirs, and pumping stations.

(4) Helistops.

(5) Marinas: accessory.

(6) Marinas: recreational.

(7) Marinas: recreational boat launch/tie up.

(8) Musical instruments: sale and repair.

(9) Opticians: sales and service, subject to the condition that:

(i) no more than 4 professionals (optometrists or ophthalmologists) operate from the location; and

(ii) the location has no more than 1,000 square feet of floor area.

(10) Orthopedic and medical appliance stores — no more than 4 employees plus 1 owner or manager on the premises.

(11) Poultry- and rabbit-killing establishments.

(12) Public utility uses, as follows:

(i) Antenna towers, microwave relay towers, and similar installations for communications transmission or receiving

(ii) Bus and transit turnarounds and passenger shelters – but not including advertising signs.

(iii) Railroad rights-of-way and passenger stations — but not including railroad yards and shops.

(iv) Repeater, transformer, pumping, booster, switching, conditioning, and regulating stations, and similar installations.

(13) Radio and television antennas that are free-standing or that extend more than 25 feet above the building on which they are mounted — but not including microwave antennas (satellite dishes).

(14) Recycling collection stations.

(15) Restaurants and lunch rooms — but not including live entertainment or dancing.

(16) Travel trailers, recreational vehicles, and similar camping equipment: parking or storage.

(17) Video movies: sales and rentals.

(18) Uses accessory to a conditional use listed above.

(City Code, 1976/83, art. 30, §6.1-1c, §11.0-5a16.) (Ord. 99-547; Ord. 01-230.)

§ 6-209. Conditional uses — Ordinance required.

In a B-1 District, conditional uses that require approval by ordinance are as follows:

(.5) Bus passenger shelters – including advertising signs that comply with § 11-424 of this article.

(1) Community correction centers.

(2) Housing for the elderly.

(3) Parking, open off-street areas and off-street garages, other than accessory, for the parking of 4 or more automobiles.

(4) Parole and probation field offices.

(5) Planned unit developments: business.

(6) Substance abuse treatment centers.

(City Code, 1976/83, art. 30, §6.1-1d.) (Ord. 99-547; Ord. 01-230.)

§ 6-210. *{Reserved}*

PART III. BULK REGULATIONS

§ 6-211. Lot area.

(a) *In general.*

For each dwelling, efficiency, or rooming unit located in a B-1 District, the minimum lot area is as specified in this section.

(b) *B-1-1 District.*

(1) *General.*

Except as specified in paragraph (2) of this subsection, the minimum lot area in a B-1-1 District is:

(i) 2,500 square feet per rooming unit.

(ii) 3,350 square feet per efficiency unit.

(iii) 5,000 square feet per other dwelling unit.

(2) *Housing for elderly.*

The minimum lot area for housing for the elderly in a B-1-1 District is:

(i) 1,500 square feet per efficiency unit.

(ii) 2,300 square feet per other dwelling unit.

(c) *B-1-2 District*.

(1) *General.*

Except as specified in paragraph (2) of this subsection, the minimum lot area in a B-1-2 District is:

(i) 550 square feet per rooming unit.

(ii) 750 square feet per efficiency unit.

(iii) 1,100 square feet per other dwelling unit.

(2) *Housing for elderly*.

The minimum lot area for housing for the elderly in a B-1-2 District is:

(i) 245 square feet per efficiency unit.

(ii) 370 square feet per other dwelling unit.

(d) *B-1-3 District*.

(1) *General.*

Except as specified in paragraph (2) of this subsection, the minimum lot area in a B-1-3 District is:

(i) 275 square feet per rooming unit.

(ii) 375 square feet per efficiency unit.

(iii) 550 square feet per other dwelling unit.

(2) *Housing for elderly*.

The minimum lot area for housing for the elderly in a B-1-3 District is:

(i) 135 square feet per efficiency unit.

(ii) 200 square feet per other dwelling unit.

(City Code, 1976/83, art. 30, §6.1-2a.) (Ord. 99-547.)

§ 6-212. Yards.

(a) *In general.*

The minimum yard requirements in a B-1 District are as specified in this section.

(b) *Front*.

(1) In a B-1-1 District — at least 20 feet deep.

(2) In a B-1-2 and B-1-3 District — none required.

(c) *Interior side*.

None required. However, where an interior side yard is provided, it must be at least 10 feet deep unless a greater depth is required under § 6-107(c) of this title.

(d) *Street corner side*.

(1) In a B-1-1 District — at least 15 feet deep.

(2) In a B-1-2 and B-1-3 District — none required.

(e) *Rear*.

At least 30 feet deep.

(City Code, 1976/83, art. 30, §6.1-2b1 to 2b4.) (Ord. 99-547.)

§ 6-213. Floor area ratio.

(a) *In general.*

The maximum floor area ratios in a B-1 District are as specified in this section.

(b) *B-1-1 District*.

(1) *General.*

Except as specified in paragraph (2) of this subsection, the floor area ratio in a B-1-1 District may not exceed 0.8.

(2) *Housing for elderly*.

The floor area ratio for housing for the elderly in a B-1-1 District may not exceed 1.0.

(3) *Height limitations.*

In any event, no structure in a B-1-1 District may be higher than 40 feet.

(c) *B-1-2 District*.

(1) *General.*

Except as specified in paragraph (2) of this subsection, the floor area ratio in a B-1-2 District may not exceed 2.5.

(2) *Housing for elderly.*

The floor area ratio for housing for the elderly in a B-1-2 District may not exceed 3.0.

(d) *B-1-3 District.*

(1) *General.*

Except as specified in paragraph (2) of this subsection, the floor area ratio in a B-1-3 District may not exceed 5.0.

(2) *Housing for elderly.*

The floor area ratio for housing for the elderly in a B-1-3 District may not exceed 5.5.
(City Code, 1976/83, art. 30, §6.1-2c.) (Ord. 99-547.)

SUBTITLE 3
B-2 COMMUNITY BUSINESS DISTRICT

PART I. OVERVIEW

§ 6-301. Design.

(a) *In general.*

The B-2 Community Business District is designed to accommodate the needs of a larger consumer population than is served by a Neighborhood Business District.

(b) *Uses.*

Accordingly, a wider range of uses is permitted for both daily and occasional shopping.
(City Code, 1976/83, art. 30, §6.2(1st par.).) (Ord. 99-547.)

§ 6-302. Subdistricts.

The B-2 District is divided into 4 subdistricts for purposes of bulk regulations, as set forth in Part III of this subtitle.
(City Code, 1976/83, art. 30, §6.2(2nd par.).) (Ord. 99-547.)

§§ 6-303 to 6-304. *{Reserved}*

PART II. USE REGULATIONS

§ 6-305. General requirements.

(a) *In general.*

In addition to the requirements in Subtitle 1 {"Overview; General Requirements"} of this title, uses in a B-2 District are subject to the following requirements.

(b) *Business establishments — retail character*.

Business establishments must be primarily retail or service establishments that deal directly with consumers. Goods produced on the premises must be sold at retail on the premises where produced.

(c) *Uses to be enclosed; exceptions.*

(1) Except as specified in paragraph (2) of this subsection, business, servicing, processing, and storage uses must be located within enclosed structures.

(2) This subsection does not apply to:

(i) off-street parking and loading; and

(ii) outdoor table service that is accessory to a restaurant use and has been approved by the Board.

(d) *Truck parking as accessory use only.*

The parking of trucks is allowed as an accessory use only.
(City Code, 1976/83, art. 30, §6.2-1a1, 1a2, 1a5.) (Ord. 99-547.)

§ 6-306. Permitted uses.

In a B-2 District, permitted uses are as follows:

(1) As in a B-1 District, except that:

(i) the gross floor area limitations of a B-1 District do not apply; and

(ii) drive-in establishments are not excluded.

(2) Antique shops.

(3) Apartment hotels.

(4) Auction rooms.

(5) Automotive accessory stores — but not including repair or installation services.

(6) Bicycles: sales, rental, and repair.

(7) Blood donor centers.

(8) Blueprinting and photostating establishments.

(9) Bowling establishments.

(10) Bus and transit turnarounds and passenger shelters – but not including advertising signs.

(11) Business and office machines: sales, rental, and service.

(12) Camera and photographic supply stores.

(13) Carpet and rug stores.

(14) Carry-out food shops.

(15) Catering establishments: food.

(16) Check cashing agencies.

(17) China and glassware stores.

(18) Clinics: medical and dental.

(19) Clothing and costume rental stores.

(20) Clubs and lodges: private nonprofit.

(21) Coin and philatelic stores.

(22) Communications systems: sales and services.

(23) Computer centers.

(24) Department stores.

(25) Display rooms for mail order sales.

(26) Dry cleaning establishments — no more than 4 employees plus 1 owner or manager on the premises.

(27) Electrical and household appliance stores.

(28) Employment agencies.

(29) Exhibit rooms.

(30) Exterminators' shops.

(31) Fabric shops.

(32) Financial institutions.

(33) Fraternity and sorority houses: off-campus.

(34) Furniture stores — including upholstering when conducted as an accessory use.

(35) Furrier shops — including accessory storage and conditioning of furs.

(36) Garden supply, tool, and seed stores.

(37) Hobby shops.

(38) Hotels and motels.

(39) Interior decorating shops — including upholstering and making draperies, slip covers, and similar articles when conducted as an accessory use.

(40) Jewelry stores — including watch repair.

(41) Laboratories: medical and dental.

(42) Launderettes — no more than 4 employees plus 1 owner or manager on the premises.

(43) Laundries — no more than 4 employees plus 1 owner or manager on the premises.

(44) Leather goods and luggage stores.

(45) Liquor stores: package goods.

(46) Locksmith shops.

(47) Massage therapists' offices.

(48) Millinery shops.

(49) Museums, aquariums, and planetariums.

(50) Musical instruments: sales and repair.

(51) Newspaper distribution agencies: for home delivery and retail trade.

(52) Novelty shops.

(53) Office supply stores.

(54) Offices: business, governmental, and professional.

(55) Opticians: sales and service.

(56) Orthopedic and medical appliance stores.

(57) Paint, wallpaper, tile, and floor covering stores.

(58) Parking, off-street garages, other than accessory, for the parking of 4 or more motor vehicles.

(59) Pet shops.

(60) Philanthropic and charitable institutions.

(61) Photocopying service.

(62) Photographers.

(63) Physical culture and health services: gymnasiums, reducing salons, and public baths.

(64) Picture framing shops — when conducted for retail trade on the premises.

(65) Post offices.

(66) Printing establishments — no more than 10 employees plus 1 owner or manager on the premises.

(67) Radio and television stations and studios.

(68) Record, tape, CD, and sheet music stores.

(69) Recording studios.

(70) Religious institutions, as follows:

(i) Churches, temples, and synagogues.

(ii) Convents, seminaries, and monasteries.

(71) Restaurants and lunch rooms — but not including live entertainment or dancing.

(72) Rooming houses.

(73) Schools: business colleges, community colleges, colleges, and universities.

(74) Second-hand stores and rummage shops.

(75) Secretarial and telephone answering services.

(76) Security sales, brokerages, and exchanges.

(77) Sewing machines: sales and service — household appliances only.

(78) Skating rinks.

(79) Sporting and athletic goods stores.

(80) Stationery stores.

(81) Swimming pools.

(82) Taverns — but not including live entertainment or dancing.

(83) Taxidermist shops.

(84) Telegraph offices.

(85) Tennis and lacrosse clubs.
(86) Ticket agencies.

(87) Toy stores.

(88) Trading stamp redemption centers.

(89) Travel bureaus.

(90) Undertaking establishments and funeral parlors.

(91) Vending machines for retail sale of ice or milk.

(92) Venetian blinds and window shades: sales and service.

(93) Video movies: sales and rentals.

(94) Watch and clock shops.

(95) Wig shops.

(City Code, 1976/83, art. 30, §6.2-1b.) (Ord. 98-252; Ord. 99-547; Ord. 01-230.)

§ 6-307. Accessory uses.

In a B-2 District, accessory uses and structures are the same as those in a B-1 District, except that the gross floor area limitations of a B-1 District do not apply in a B-2 District.

(City Code, 1976/83, art. 30, §6.2-1b(intro cl.).) (Ord. 99-547.)

§ 6-308. Conditional uses — Board approval required.

In a B-2 District, conditional uses that require Board approval are as follows:

(1) As in a B-1 District (unless it is a permitted use under § 6-306).

(2) Amusement arcades located within a shopping center of over 20,000 square feet or a commercial recreation center of over 20,000 square feet — subject to the Board's suspension of the conditional use for not less than 30 days nor more than 90 days if an owner, operator, or employee of the arcade is convicted of violating City Code Article 19, § 34-6 {"Minors — Daytime and Nighttime Curfews: Prohibited conduct of establishments"}.

(3) Animal hospitals that are odor-proofed and sound-proofed.

(4) Artisans' and craft work — subject to the following conditions:

(i) no more than 2 employees plus 1 owner or manager on the premises;

(ii) work is limited to items produced one at a time, with no machine on the site to facilitate mass production; and

(iii) items are produced primarily for sale on the premises.

(5) Automobile accessory stores — including related repair and installation services.

(6) Bed and breakfast establishments.

(7) Bed and breakfast homes.

(8) Bingo halls: charitable.

(9) Bus and transit passenger stations and terminals.

(10) Clubs and lodges: private.

(11) Firearm sales — when in a business establishment permitted in a Business District.

(12) Garages, other than accessory, for storage, repair, and servicing of motor vehicles not over 1½ tons capacity — but not including body repair, painting, or engine rebuilding.

(13) Gasoline service stations.

(14) Massage salons.

(15) Outdoor table service when accessory to a restaurant use.

(16) Pool halls and billiard parlors.

(17) Prepared food delivery services — including any operated as an accessory use by a restaurant.

(18) Public utility service centers.

(19) Schools: commercial.

(20) Schools: trade — other than industrial.

(21) Schools and studio: business, dance, and music.

(22) Theaters.

(23) Union Halls.

(24) Upholstering shops.

(City Code, 1976/83, art. 30, §6.2-1c, §13.0-2-5b(2nd sen.).) (Ord. 99-547.)

§ 6-309. Conditional uses — Ordinance required.

In a B-2 District, conditional uses that require approval by ordinance are as follows:

(1) As in a B-1 District (unless it is a permitted use under § 6-306).

(2) Auditoriums and concert halls.

(3) Convalescent, nursing, and rest homes.

(4) Dance halls.

(5) Drug stores and pharmacies: drive-in — but not including the sale of alcoholic beverages or tobacco products.

(6) Dry cleaning establishments: drive-in.

(7) Homes for the rehabilitation of non-bedridden alcoholics and for the care and custody of homeless persons.

(8) Hospitals.

(9) Meeting and banquet halls.

(10) Pawnshops.

(11) Photographic printing and developing establishments: drive-in.

(12) Restaurants: drive-in — but not including pick-up drives with window service.

(City Code, 1976/83, art. 30, §6.2-1d.) (Ord. 99-547.)

§ 6-310. *{Reserved}*

PART III. BULK REGULATIONS

§ 6-311. Lot area.

(a) *In general.*

For each dwelling, efficiency, or rooming unit located in a B-2 District, the minimum lot area is as specified in this section.

(b) *B-2-1 District.*

(1) *General.*

Except as specified in paragraph (2) of this subsection, the minimum lot area in a B-2-1 District is:

(i) 2,500 square feet per rooming unit.

(ii) 3,350 square feet per efficiency unit.
(iii) 5,000 square feet per other dwelling unit.

(2) *Housing for elderly.*

The minimum lot area for housing for the elderly in a B-2-1 District is:

(i) 1,500 square feet per efficiency unit.

(ii) 2,300 square feet per other dwelling unit.

(c) *B-2-2 District*.

(1) *General.*

Except as specified in paragraph (2) of this subsection, the minimum lot area in a B-2-2 District is:

(i) 550 square feet per rooming unit.

(ii) 750 square feet per efficiency unit.

(iii) 1,100 square feet per other dwelling unit.

(2) *Housing for elderly*.

The minimum lot area for housing for the elderly in a B-2-2 District is:

(i) 245 square feet per efficiency unit.

(ii) 370 square feet per other dwelling unit.

(d) *B-2-3 District*.

(1) *General.*

Except as specified in paragraph (2) of this subsection, the minimum lot area in a B-2-3 District is:

(i) 275 square feet per rooming unit.

(ii) 375 square feet per efficiency unit.

(iii) 550 square feet per other dwelling unit.

(2) *Housing for elderly*.

The minimum lot area for housing for the elderly in a B-2-3 District is:

(i) 135 square feet per efficiency unit.

(ii) 200 square feet per other dwelling unit.

(e) *B-2-4 District*.

(1) *General.*

Except as specified in paragraph (2) of this subsection, the minimum lot area in a B-2-4 District is:

(i) 100 square feet per rooming unit.

(ii) 135 square feet per efficiency unit.

(iii) 200 square feet per other dwelling unit.

(2) *Housing for elderly.*

The minimum lot area for housing for the elderly in a B-2-4 District is:

(i) 80 square feet per efficiency unit.

(ii) 120 square feet per other dwelling unit.

(City Code, 1976/83, art. 30, §6.2-2a.) (Ord. 99-547.)

§ 6-312. Yards.

(a) *In general.*

The minimum yard requirements in a B-2 District are as specified in this section.

(b) *Front.*

(1) In a B-2-1 District — at least 20 feet deep.

(2) In a B-2-2, B-2-3 and B-2-4 District — none required.

(c) *Interior side.*

None required. However, where an interior side yard is provided, it must be at least 10 feet deep unless a greater depth is required under § 6-107(c) of this title.

(d) *Street corner side.*

(1) In a B-2-1 District — at least 15 feet deep.

(2) In a B-2-2, B-2-3 and B-2-4 District — none required.

(e) *Rear.*

(1) In a B-2-1, B-2-2, and B-2-3 District — at least 30 feet deep.

(2) In a B-2-4 District — none required.

(City Code, 1976/83, art. 30, §6.2-2b1 to 2b4.) (Ord. 99-547.)

§ 6-313. Floor area ratio.

(a) *In general.*

The maximum floor area ratios in a B-2 District are as specified in this section.

(b) *B-2-1 District.*

(1) *General.*

Except as specified in paragraph (2) of this subsection, the floor area ratio in a B-2-1 District may not exceed 0.8.

(2) *Housing for elderly.*

The floor area ratio for housing for the elderly in a B-2-1 District may not exceed 1.0.

(c) *B-2-2 District.*

(1) *General.*

Except as specified in paragraph (2) of this subsection, the floor area ratio in a B-2-2 District may not exceed 2.5.

(2) *Housing for elderly.*

The floor area ratio for housing for the elderly in a B-2-2 District may not exceed 3.0.

(d) *B-2-3 District.*

(1) *General.*

Except as specified in paragraph (2) of this subsection, the floor area ratio in a B-2-3 District may not exceed 5.0.

(2) *Housing for elderly.*

The floor area ratio for housing for the elderly in a B-2-3 District may not exceed 5.5.

(e) *B-2-4 District.*

(1) *General.*

Except as specified in paragraph (2) of this subsection, the floor area ratio in a B-2-4 District may not exceed 7.0.

(2) *Housing for elderly.*

The floor area ratio for housing for the elderly in a B-2-4 District may not exceed 9.0.

(City Code, 1976/83, art. 30, §6.2-2c.) (Ord. 99-547.)

SUBTITLE 4
B-3 COMMUNITY COMMERCIAL DISTRICT

PART I. OVERVIEW

§ 6-401. Design.

(a) *In general.*

The B-3 Community Commercial District is designed primarily to accommodate business, service, and commercial uses of a highway-oriented nature. The district provides for a wide range of necessary services and goods that do not involve local shopping and are not characteristic of business shopping areas.

(b) *Uses.*

Although B-1 and B-2 District uses are permitted in a B-3 District, the great majority of uses established in B-3 Districts are anticipated to be those that are not permitted in B-1 and B-2 Districts.

(City Code, 1976/83, art. 30, §6.3(1st par.).) (Ord. 99-547.)

§ 6-402. Subdistricts.

The B-3 District is divided into 3 subdistricts for purposes of bulk regulations, as set forth in Part III of this subtitle.

(City Code, 1976/83, art. 30, §6.3(2nd par.).) (Ord. 99-547.)

§§ 6-403 to 6-404. *{Reserved}*

PART II. USE REGULATIONS

§ 6-405. General requirements.

(a) *In general.*

In addition to the requirements in Subtitle 1 {"Overview; General Requirements"} of this title, uses in a B-3 District are subject to the following requirements.

(b) *Uses to be enclosed; exceptions.*

(1) *In general.*

Except as specified in paragraph (2) of this subsection, business, servicing, and processing uses must be located within enclosed structures.

(2) *Exceptions.*

This subsection does not apply to:

(i) off-street parking and loading;

(ii) outdoor table service that is accessory to a restaurant use and has been approved by the Board;

(iii) drive-in establishments; and

(iv) the display of merchandise for sale to the public.

(c) *Screening of certain unenclosed uses.*

(1) *When required.*

Screening is required for any use that is not conducted wholly within an enclosed structure, if the use:

(i) either adjoins or is within 100 feet of a lot in a Residence or Office-Residence District; and

(ii) is visible from the ground level of the Residence or Office-Residence District.

(2) *Type required.*

A use described in paragraph (1) of this subsection must be effectively screened from the Residence or Office-Residence lot by:

(i) a wall, fence, or other substantially equivalent structure, at least 6 feet high; or

(ii) a terrain or landscaping feature that functions as an effective screen.

(d) *Truck parking as accessory use only.*

The parking of trucks is allowed as an accessory use only.
(City Code, 1976/83, art. 30, §6.3-1a1, 1a3, 1a4.) (Ord. 99-547.)

§ 6-406. Permitted uses.

In a B-3 District, permitted uses are as follows:

(1) As in a B-2 District, except that business establishments are not limited to primarily retail or service establishments.

(2) Ambulance service.

(3) Animal hospitals.

(4) Artisans' and craft work.

(5) Automobile accessory stores — including repair and installation services.

(6) Automobile glass and mirror shops.

(7) Automobile painting shops.

(8) Automobile seat cover and convertible top establishments

(9) Awnings, storm windows, and doors: sales and service.

(10) Bakeries — including the sale of bakery products to restaurants, hotels, clubs, and similar establishments.

(11) Batteries and tires: sales and service.

(12) Boats: sales, rental, and repair.

(13) Bookbinding.

(14) Building and lumber material sales establishments with shops and yards.

(15) Carpet and rug cleaning establishments.

(16) Cartage and express facilities.

(17) {Vacant}

(18) Contractor and construction shops and yards.

(19) Dry cleaning establishments.

(20) Feed stores.

(21) Fire and police stations.

(22) Food commissaries.

(23) Frozen food lockers.

(24) Fuel and ice sales.

(25) Garages and lots for bus and transit vehicles.

(26) Greenhouses.

(27) Highway maintenance shops and yards.

(28) Hiring halls and work distribution centers.
(29) Hospitals.

(30) Industrial supplies: sales.

(31) Laboratories: research and testing.

(32) Launderettes.

(33) Laundries.

(34) Linen, towel, diaper, and similar supply establishments.

(35) Machinery: sales, rental, and service.

(36) Mail order houses.

(37) Maritime suppliers.

(38) Meat markets — including sale of meats and meat products to restaurants, hotels, clubs, and similar establishments.

(39) Microwave antennas (satellite dishes).

(40) Milk and dairy products: processing and distribution.

(41) Mobile homes: sales.

(42) Model home and garage displays.

(43) Model slot car racing centers.

(44) Monuments: sales, with incidental processing to order.

(45) Motor vehicles: rental.

(46) Motor vehicles: sales.

(47) Moving and storage establishments.

(48) Palmists.

(49) Parcel collection and delivery stations.

(50) Parking, open off-street areas, other than accessory, for the parking of 4 or more motor vehicles.

(51) Pay distribution centers.

(52) Photographic printing and developing establishments.

(53) Plumbing, heating, and electrical equipment showrooms and shops.

(54) Printing and publishing.

(55) Public utility service centers.

(56) Repeater, transformer, pumping, booster, switching, conditioning, and regulating stations, and similar installations.

(57) Restaurants and lunch rooms — including live entertainment and dancing.

(58) Schools: commercial.

(59) Schools: trade.

(60) Schools and studios: business, dance, and music.

(61) {Vacant}

(62) Sign painting shops.

(63) Stables for horses.

(64) Store fixtures: sales.

(65) Taverns — including live entertainment and dancing.

(66) Trailers: sales and rental.

(67) Union halls.

(68) Upholstering shops.

(69) Vending machines for retail sale of products.

(70) Warehousing and wholesale establishments, and storage.

(71) Welding equipment and supplies: sales and service.

(72) Woodworking: custom, and custom furniture-making shops.

(City Code, 1976/83, art. 30, §6.3-1b.) (Ord. 99-547.)

§ 6-407. Accessory uses.

In a B-3 District, accessory uses and structures are the same as those in a B-2 District.

(City Code, 1976/83, art. 30, §6.3-1b(intro cl.).) (Ord. 99-547.)

§ 6-408. Conditional uses — Board approval required.

In a B-3 District, conditional uses that require Board approval are as follows:

(1) As in a B-2 District (unless it is a permitted use under § 6-406).

(2) After-hours establishments.

(3) Amusement arcades — located at least 500 feet from the boundary line of a church or school — subject to the Board's suspension of the conditional use for not less than 30 days nor more than 90 days if an owner, operator, or employee of the arcade is convicted of violating City Code Article 19, § 34-6 {"Minors — Daytime and Nighttime Curfews: Prohibited conduct of establishments"}.

(4) Amusement parks and permanent carnivals.

(5) Car washes.

(6) Garages, other than accessory, for storage, repair, and servicing of motor vehicles not over 1½-tons capacity — including body repair, painting and engine rebuilding.

(7) Garages, other than accessory, for storage, repair, and servicing of motor vehicles over 1½-tons capacity — not including body repair, painting, and engine rebuilding.

(8) Heliports.

(9) Overhead electric transmission lines (above 69-kV) on rights-of-way acquired before January 1, 1969.

(10) Racetracks, existing before July 1, 1973.

(11) Recreational facilities: indoor.

(12) Recreational facilities: outdoor.

(13) Stadiums, existing before July 1, 1973.

(14) Tattoo parlors.

(15) Theaters: drive-in, existing before July 1, 1973.

(City Code, 1976/83, art. 30, §6.3-1c.) (Ord. 99-547.)

§ 6-409. Conditional uses — Ordinance required.

In a B-3 District, conditional uses that require approval by ordinance are as follows:

(1) As in a B-2 District (unless it is a permitted use under § 6-406).

(2) Racetracks, established on or after July 1, 1973.

(3) Recyclable materials recovery facilities — all materials stored indoors.

(4) Restaurants: drive-in.

(5) Stadiums, established on or after July 1, 1973.

(6) Theaters: drive-in, established on or after July 1, 1973.

(City Code, 1976/83, art. 30, §6.3-1d.) (Ord. 99-547.)

§ 6-410. ***{Reserved}***

PART III. BULK REGULATIONS

§ 6-411. Lot area.

(a) *In general.*

For each dwelling, efficiency, or rooming unit located in a B-3 District, the minimum lot area is as specified in this section:

(b) *B-3-1 District.*

(1) *General.*

Except as specified in paragraph (2) of this subsection, the minimum lot area in a B-3-1 District is:

(i) 2,500 square feet per rooming unit.

(ii) 3,350 square feet per efficiency unit.

(iii) 5,000 square feet per other dwelling unit.

(2) *Housing for elderly.*

The minimum lot area for housing for the elderly in a B-3-1 District is:

(i) 1,500 square feet per efficiency unit.

(ii) 2,300 square feet per other dwelling unit.

(c) *B-3-2 District.*

(1) *General.*

Except as specified in paragraph (2) of this subsection, the minimum lot area in a B-3-2 District is:

(i) 550 square feet per rooming unit.

(ii) 750 square feet per efficiency unit.

(iii) 1,100 square feet per other dwelling unit.

(2) *Housing for elderly.*

The minimum lot area for housing for the elderly in a B-3-2 District is:

(i) 245 square feet per efficiency unit.

(ii) 370 square feet per other dwelling unit.

(d) *B-3-3 District.*

(1) *General.*

Except as specified in paragraph (2) of this subsection, the minimum lot area in a B-3-3 District is:

(i) 275 square feet per rooming unit.

(ii) 375 square feet per efficiency unit.

(iii) 550 square feet per other dwelling unit.

(2) *Housing for elderly.*

The minimum lot area for housing for the elderly in a B-3-3 District is:

(i) 135 square feet per efficiency unit.

(ii) 200 square feet per other dwelling unit.

(City Code, 1976/83, art. 30, §6.3-2a.) (Ord. 99-547.)

§ 6-412. Yards.

(a) *In general.*

The minimum yard requirements in a B-3 District are as specified in this section.

(b) *Front.*

(1) In a B-3-1 District — at least 20 feet deep.

(2) In a B-3-2 and B-3-3 District — none required.

(c) *Interior side.*

None required. However, where an interior side yard is provided, it must be at least 10 feet deep unless a greater depth is required under § 6-107(c) of this title.

(d) *Street corner side.*

(1) In a B-3-1 District — at least 15 feet deep.

(2) In a B-3-2 and B-3-3 District — none required.

(e) *Rear*.

At least 30 feet deep.

(City Code, 1976/83, art. 30, §6.3-2b1 to 2b4.) (Ord. 99-547.)

§ 6-413. Floor area ratio.

(a) *In general.*

The maximum floor area ratios in a B-3 District are as specified in this section.

(b) *B-3-1 District*.

(1) *General.*

Except as specified in paragraph (2) of this subsection, the floor area ratio in a B-3-1 District may not exceed 0.8.

(2) *Housing for elderly*.

The floor area ratio for housing for the elderly in a B-3-1 District may not exceed 1.0.

(c) *B-3-2 District*.

(1) *General.*

Except as specified in paragraph (2) of this subsection, the floor area ratio in a B-3-2 District may not exceed 2.5.

(2) *Housing for elderly*.

The floor area ratio for housing for the elderly in a B-3-2 District may not exceed 3.0.

(d) *B-3-3 District.*

(1) *General.*

Except as specified in paragraph (2) of this subsection, the floor area ratio in a B-3-3 District may not exceed 5.0.

(2) *Housing for elderly*.

The floor area ratio for housing for the elderly in a B-3-3 District may not exceed 5.5.

(City Code, 1976/83, art. 30, §6.3-2c.) (Ord. 99-547.)

SUBTITLE 5
B-4 CENTRAL BUSINESS DISTRICT

PART I. OVERVIEW

§ 6-501. Design.

(a) *In general.*

The B-4 Central Business District is designed to provide for the great variety of large retail stores, offices, and related activities that:

(1) are characteristic of the major business streets of the downtown area; and

(2) serve the entire metropolitan region.

(b) *Uses.*

The district regulations also permit those custom manufacturing establishments that are generally associated with downtown retail activities.

(c) *Exclusive application to central business district.*

In establishing the B-4 District, the Mayor and City Council intends this district to exist exclusively in the central business district of the City.

(City Code, 1976/83, art. 30, §6.4(1st, 3rd pars.).) (Ord. 99-547.)

§ 6-502. Subdistricts.

The B-4 District is divided into 2 subdistricts for purposes of bulk regulations, as set forth in Part III of this subtitle.

(City Code, 1976/83, art. 30, §6.4(2nd par.).) (Ord. 99-547.)

§§ 6-503 to 6-504. *{Reserved}*

PART II. USE REGULATIONS

§ 6-505. General requirements.

(a) *In general.*

In addition to the requirements in Subtitle 1 {"Overview; General Requirements"} of this title, uses in a B-4 District are subject to the following requirements.

(b) *Uses to be enclosed; exceptions.*

(1) *In general.*

Except as specified in paragraph (2) of this subsection, business uses, storage uses, and the servicing, processing, production, cleaning, testing, or repair of materials, goods, or products must be located within enclosed structures.

(2) *Exceptions.*

This subsection does not apply to:

(i) off-street parking and loading;

(ii) outdoor table service that is accessory to a restaurant use; and

(iii) the display of merchandise for sale to the public.

(c) *Drive-ins prohibited; exceptions.*

Drive-in establishments are prohibited, except for banks and savings and loan associations. *(City Code, 1976/83, art. 30, §6.4-1a1, 1a2.) (Ord. 99-547.)*

§ 6-506. Permitted uses.

In a B-4 District, permitted uses are as follows:

(1) As in a B-2 District, except that business establishments are not limited to primarily retail or service establishments.

(2) Artisans' and craft work.

(3) Auditoriums and concert halls.

(4) Bus and transit passenger stations and terminals.

(5) Bus passenger shelters – including advertising signs that comply with § 11-424 of this article.

(6) Court houses.

(7) Foreign consulates and consular offices.

(8) Hiring halls and work distribution centers.

(9) Laboratories: research and testing.

(10) Machinery: sales and rental — but storage or display of machinery restricted to household appliances, office machines, and floor samples.

(11) Mail order houses.

(12) Meeting and banquet halls.

(13) Microwave antennas (satellite dishes).

(14) Motor vehicles: rental.

(15) Pawnshops.

(16) Pay distribution centers.

(17) Photographic printing and developing establishments.

(18) Printing and publishing.

(19) Processing, cleaning, servicing, testing, or repairs of materials, goods, or products.

(20) Production and repair limited to the following:

(i) Clothing — custom manufacturing and alterations.

(ii) Dentures.

(iii) Jewelry from precious metals.

(iv) Optical lenses.

(v) Watches.

(21) Public utility service centers.

(22) Repeater, transformer, pumping, booster, switching, conditioning, and regulating stations, and similar installations.

(23) Restaurants and lunch rooms — including live entertainment and dancing.

(24) Schools: commercial.

(25) Sign painting shops.

(26) Store fixtures: sales.

(27) Taverns — including live entertainment and dancing.

(28) Warehousing and wholesale establishments, and storage.

(City Code, 1976/83, art. 30, §6.4-1b.) (Ord. 99-547; Ord. 01-230.)

§ 6-507. Accessory uses.

In a B-4 District, accessory uses and structures are the same as those in a B-1 District, except that the gross floor area limitations of a B-1 District do not apply in a B-4 District.

(City Code, 1976/83, art. 30, §6.4-1b(intro cl.).) (Ord. 99-547.)

§ 6-508. Conditional uses — Board approval required.

In a B-4 District, conditional uses that require Board approval are as follows:

(1) As in a B-2 District (unless it is a permitted use under § 6-506).

(2) After-hours establishments.

(3) Clothing and other finished products: manufacturing.

(4) Dance halls.

(5) Dry cleaning establishments.

(6) Heliports.

(City Code, 1976/83, art. 30, §6.4-1c.) (Ord. 99-547.)

§ 6-509. Conditional uses — Ordinance required.

In a B-4 District, conditional uses that require approval by ordinance are as follows:

(1) As in a B-1 District (unless it is a permitted use under § 6-506).

(2) Convalescent, nursing, and rest homes.

(3) Homes for the rehabilitation of non-bedridden alcoholics and for the care and custody of homeless persons.

(4) Hospitals.

(City Code, 1976/83, art. 30, §6.4-1d.) (Ord. 99-547.)

§ 6-510. *{Reserved}*

PART III. BULK REGULATIONS

§ 6-511. Lot area.

(a) *In general.*

For each dwelling, efficiency, or rooming unit located in a B-4 District, the minimum lot area is as specified in this section.

(b) *B-4-1 District.*

(1) *General.*

Except as specified in paragraph (2) of this subsection, the minimum lot area in a B-4-1 District is:

(i) 120 square feet per rooming or efficiency unit.

(ii) 170 square feet per other dwelling unit.

(2) *Housing for elderly.*

The minimum lot area for housing for the elderly in a B-4-1 District is:

(i) 80 square feet per efficiency unit.

(ii) 120 square feet per other dwelling unit.

(c) *B-4-2 District.*

(1) *General.*

Except as specified in paragraph (2) of this subsection, the minimum lot area in a B-4-2 District is:

(i) 80 square feet per rooming or efficiency unit.

(ii) 120 square feet per other dwelling unit.

(2) *Housing for elderly.*

The minimum lot area for housing for the elderly in a B-4-2 District is:

(i) 55 square feet per efficiency unit.

(ii) 80 square feet per other dwelling unit.

(City Code, 1976/83, art. 30, §6.4-2a.) (Ord. 99-547.)

§ 6-512. *{Reserved}*

§ 6-513. Floor area ratio.

(a) *In general.*

The maximum floor area ratios in a B-4 District are as specified in this section.

(b) *B-4-1 District.*

(1) *General.*

Except as specified in paragraph (2) of this subsection, the floor area ratio in a B-4-1 District may not exceed 8.0.

(2) *Housing for elderly.*

The floor area ratio for housing for the elderly in a B-4-1 District may not exceed 9.0.

(c) *B-4-2 District*.

The floor area ratio in a B-4-2 District may not exceed 14.0.
(City Code, 1976/83, art. 30, §6.4-2b.) (Ord. 99-547.)

§ 6-514. Floor area premiums.

(a) *In general.*

In a B-4-1 or B-4-2 District, if a structure meets the established basic floor area ratio and is set back from 1 or more lot lines, floor area ratio premiums may be added to the basic floor area ratio in accordance with one or more of the following subsections.

(b) *Premiums for 20-foot setback.*

(1) A premium of 2.0 may be added for each street setback where:

(i) the first story above grade is set back at least 20 feet from the lot line for the entire frontage of the lot on a public street; and

(ii) the area within the 20-foot setback:

(A) is suitably paved or landscaped or both; and

(B) except for columns or piers supporting upper stories or a roof, is otherwise unobstructed.

(2) This premium is increased to 2.5 for each street setback where, in addition to the first story, all other stories above grade are so set back for at least 20 feet.

(c) *Open area premiums — full structure set back.*

A premium equal to 3 times the open area of the lot at ground level divided by the gross lot area may be added where:

(1) the structure from ground level up is set back from 1 or more lot lines; and

(2) the area within the setback:

(i) is open from ground level directly to the sky; and

(ii) extends between exterior structure walls and lot lines in a horizontal plane for a distance of at least 8 feet.

(d) *Open area premiums — per floor setback.*

For each floor above the ground floor that is set back from 1 or more lot lines, a premium equal to 0.4 times the open area of the lot at the level of that floor divided by the gross lot area may be added where the area within the setback of that floor:

(1) is open directly to the sky; and

(2) at that floor level, extends between exterior structure walls and lot lines in a horizontal plane for a distance of at least 8 feet.

(e) *Limitations.*

No floor may serve as a basis for creating additional premiums if it:

(1) exceeds the basic floor area ratio limits established in § 6-513 and this section; and

(2) is added to a structure by virtue of unused basic floor area ratio or by virtue of floor area ratio premiums.

(City Code, 1976/83, art. 30, §6.4-2c.) (Ord. 99-547.)

SUBTITLE 6
B-5 CENTRAL COMMERCIAL DISTRICT

PART I. OVERVIEW

§ 6-601. Design.

(a) *In general.*

The B-5 Central Commercial District is designed primarily to provide for those uses and activities in the central business district of the City that are generally associated with and near the functions permitted in a B-4 District.

(b) *Exclusive application to central business district.*

In establishing the B-5 District, the Mayor and City Council intends this district to exist exclusively in the central business district of the City.

(City Code, 1976/83, art. 30, §6.5(1st, 3rd pars.).) (Ord. 99-547.)

§ 6-602. Subdistricts.

The B-5 District is divided into 2 subdistricts for purposes of bulk regulations, as set forth in Part III of this subtitle.

(City Code, 1976/83, art. 30, §6.5(2nd par.).) (Ord. 99-547.)

§§ 6-603 to 6-604. *{Reserved}*

PART II. USE REGULATIONS

§ 6-605. General requirements.

(a) *In general.*

In addition to the requirements in Subtitle 1 {"Overview; General Requirements"} of this title, uses in a B-5 District are subject to the following requirements.

(b) *Uses to be enclosed; exceptions.*

(1) *In general.*

Except as specified in paragraph (2) of this subsection, business uses and the servicing, processing, production, cleaning, testing, or repair of materials, goods, or products must be located within enclosed structures.

(2) *Exceptions.*

This subsection does not apply to:

(i) off-street parking and loading;

(ii) outdoor table service that is accessory to a restaurant use;

(iii) drive-in establishments; and

(iv) the display of merchandise for sale to the public.

(c) *Screening of certain unenclosed uses*.

(1) *When required.*

Screening is required for any use that is not conducted wholly within an enclosed structure, if the use:

(i) either adjoins or is within 100 feet of a lot in a Residence or Office-Residence District; and

(ii) is visible from the ground level of the Residence or Office-Residence District.

(2) *Type required.*

A use described in paragraph (1) of this subsection must be effectively screened from the Residence or Office-Residence lot by:

(i) a wall, fence, or other substantially equivalent structure at least 6 feet high; or

(ii) a terrain or landscaping feature that functions as an effective screen.

(City Code, 1976/83, art. 30, §6.5-1a1, 1a3.) (Ord. 99-547.)

§ 6-606. Permitted uses.

In a B-5 District, permitted uses are as follows:

(1) As in a B-3 or B-4 District.

(2) Amusement arcades — located at least 500 feet from the boundary line of a church or school.

(3) Convention halls.

(4) Marine terminals: freight.

(5) Newspaper publishing establishments.

(6) Pool halls and billiard parlors.

(7) Railroad rights-of-way and passenger stations.

(8) Rescue missions.

(9) Science centers.

(10) Trade centers.

(City Code, 1976/83, art. 30, §6.5-1b.) (Ord. 99-547.)

§ 6-607. Accessory uses.

In a B-5 District, accessory uses and structures are the same as those in a B-1 District, except that the gross floor area limitations of a B-1 District do not apply in a B-5 District.

(City Code, 1976/83, art. 30, §6.5-1b(intro cl.).) (Ord. 99-547.)

§ 6-608. Conditional uses — Board approval required.

In a B-5 District, conditional uses that require Board approval are as follows:

(1) As in a B-3 District (unless it is a permitted use under § 6-606).

(2) Dance halls.

(3) Marine terminals: passenger.

(4) Railroad freight terminals, piggy-back terminals, switching and classification yards, repair shops, and roundhouses.

(City Code, 1976/83, art. 30, §6.5-1c.) (Ord. 99-547.)

§ 6-609. Conditional uses — Ordinance required.

In a B-5 District, conditional uses that require approval by ordinance are as follows:

(1) As in a B-4 District (unless it is a permitted use under § 6-606).

(2) Adult-entertainment businesses — located at least 300 feet from any other adult-entertainment business.

(3) Book or video stores: adult — located at least 300 feet from any other book or video store: adult, any adult-entertainment business, and any peep show establishment.

(4) Peep show establishments — located at least 300 feet from any other peep show establishment, any adult-entertainment business, and any book or video store: adult.

(5) Racetracks, established on or after July 1,1973.

(6) Restaurants: drive-in.

(7) Stadiums, established after July 1,1973.

(8) Theaters: drive-in, established on after July 1,1973.

(City Code, 1976/83, art. 30, §6.5-1d.) (Ord. 99-547.)

§ 6-610. *{Reserved}*

PART III. BULK REGULATIONS

§§ 6-611 to 6-612. *{Reserved}*

§ 6-613. Floor area ratio.

(a) *In general.*

The maximum floor area ratios in a B-5 District are as specified in this section.

(b) *B-5-1 District.*

The floor area ratio in a B-5-1 District may not exceed 8.0.

(c) *B-5-2 District.*

The floor area ratio in a B-5-2 District may not exceed 14.0.
(City Code, 1976/83, art. 30, §6.5-2a.) (Ord. 99-547.)

§ 6-614. Floor area premiums.

(a) *In general.*

In a B-5-1 or B-5-2 District, if a structure meets the established basic floor area ratio and is set back from 1 or more lot lines, floor area ratio premiums may be added to the basic floor area ratio in accordance with one or more of the following subsections.

(b) *Premiums for 20-foot setback.*

(1) A premium of 2.0 may be added for each street setback where:

(i) the first story above grade is set back at least 20 feet from the lot line for the entire frontage of the lot on a public street; and

(ii) the area within the 20-foot setback:

(A) is suitably paved or landscaped or both; and

(B) except for columns or piers supporting upper stories or a roof, is otherwise unobstructed.

(2) This premium is increased to 2.5 for each street setback where, in addition to the first story, all other stories above grade are so set back for at least 20 feet.

(c) *Open area premiums — full structure set back.*

A premium equal to 3 times the open area of the lot at ground level divided by the gross lot area may be added where:

(1) the structure from ground level up is set back from 1 or more lot lines; and

(2) the area within the setback:

(i) is open from ground level directly to the sky; and

(ii) extends between exterior structure walls and lot lines in a horizontal plane for a distance of at least 8 feet.

(d) *Open area premiums — per floor setback.*

For each floor above the ground floor that is set back from 1 or more lot lines, a premium equal to 0.4 times the open area of the lot at the level of that floor divided by the gross lot area may be added where the area within the setback of that floor:

(1) is open directly to the sky; and

(2) at that floor level, extends between exterior structure walls and lot lines in a horizontal plane for a distance of at least 8 feet.

(e) *Limitations.*

No floor may serve as a basis for creating additional premiums if it:

(1) exceeds the basic floor area ratio limits established in § 6-613 and this section; and

(2) is added to a structure by virtue of unused basic floor area ratio or by virtue of floor area ratio premiums.

(City Code, 1976/83, art. 30, §6.5-2b.) (Ord. 99-547.)

§ 6-615. Adult-entertainment businesses.

No adult-entertainment business may occupy more than 3,000 square feet.

(City Code, 1976/83, art. 30, §6.5-2c.) (Ord. 99-547.)

TITLE 7
INDUSTRIAL DISTRICTS

SUBTITLE 1
OVERVIEW; GENERAL REQUIREMENTS

PART I. OVERVIEW

§ 7-101. Purpose.

Three industrial districts are established in recognition of the diverse industrial and manufacturing uses that exist in the City and that reasonably are expected to exist in the City in the near future.
(City Code, 1976/83, art. 30, ch. 7(intro par.)(1st sen.).) (Ord. 99-547.)

§ 7-102. Regulatory intent.

The regulations are designed and intended:

(1) to promote growth and stability of industrial and related development;

(2) to strengthen the economic base of the City;

(3) to provide the flexibility needed to meet the changing technological conditions that affect industry, its plants, and products;

(4) to encourage the upgrading of industrial operations by the application of good housekeeping standards;

(5) to protect the character of the district and its suitability for particular uses; and

(6) to preserve and expand the City's tax base and employment potential.
(City Code, 1976/83, art. 30, ch. 7(intro par.)(2nd sen.).) (Ord. 99-547.)

§ 7-103. Excluded uses.

New residential development and other uses of land are excluded from these districts, both to protect industrial development from the intrusion of non-industrial uses and to ensure the reservation of adequate areas for industrial development.
(City Code, 1976/83, art. 30, ch. 7(intro par.)(3rd sen.).) (Ord. 99-547.)

PART II. GENERAL REQUIREMENTS

§ 7-104. In general.

In addition to the general provisions of Title 3 {“General Rules”} of this article and the regulations specified in this title for a particular district or subdistrict, the following provisions apply to all Industrial Districts.
(City Code, 1976/83, art. 30, §7.0-2(intro cl.).) (Ord. 99-547.)

§ 7-105. Prohibited uses.

Dwelling, efficiency, and rooming units, other than guard's quarters, are prohibited in all Industrial Districts.

(City Code, 1976/83, art. 30, §7.0-1f(2nd sen.).) (Ord. 99-547.)

§ 7-106. *{Reserved}*

§ 7-107. Yards.

(a) *Accessory structures*.

Accessory structures must comply with the yard requirements of the principal structure.

(b) *Using average of existing improvements*

(1) This subsection applies to a subsequently-erected or -expanded structure on a block where lots having 50% or more of the frontage on the same side of a street and within 200 feet of either of the structure's side lot lines have already been improved with structures that have front yards of more or less depth than required by this title.

(2) The required front-yard depth for the subsequently-erected or -expanded structure within that frontage is the average depth of the front yards of the already-improved lots, but in no case more than 30 feet.

(c) *Lots abutting railroad rights-of-way*.

If any part of a side or rear lot line coincides with a railroad right-of-way or siding track, no side or rear yard is required where the lot line so coincides.

(d) *Lots abutting navigable water*.

If any part of a side or rear lot line coincides with navigable water, no side or rear yard is required where the lot line so coincides.

(City Code, 1976/83, art. 30, §7.0-2a.) (Ord. 99-547.)

§ 7-108. Floor area ratio.

Floor area ratio requirements, as set forth in this title for each subdistrict, determine the maximum floor area allowable, for both principal and accessory structures, in direct ratio to the gross area of the lot.

(City Code, 1976/83, art. 30, §7.0-2b.) (Ord. 99-547.)

§ 7-109. Performance standards in M-1 District.

All uses in an M-1 District, whether permitted, accessory, or conditional, must conform to the performance standards set forth in Title 12 {"Performance Standards"} of this article.

(City Code, 1976/83, art. 30, §7.0-1a(2nd sen.).) (Ord. 99-547.)

SUBTITLE 2
M-1 INDUSTRIAL DISTRICT

PART I. OVERVIEW

§ 7-201. Design.

The M-1 Industrial District is designed to provide areas suitable for industrial and related activities that require, deserve, and promote a relatively nuisance-free environment compatible with and not detrimental to an adjoining Business or Residence District.
(City Code, 1976/83, art. 30, §7.1(1st sen.).) (Ord. 99-547.)

§ 7-202. Performance standards.

It is anticipated that an M-1 District might be adjacent to Business or Residence Districts. To promote and maintain the nuisance-free characteristics of the permitted uses and their compatibility with any adjoining Residence or Business District, compliance with the performance standards set forth in Title 12 {"Performance Standards"} of this article is required.
(City Code, 1976/83, art. 30, §7.1(2nd sen.).) (Ord. 99-547.)

§ 7-203. Subdistricts.

The M-1 District is divided into 3 subdistricts for purposes of bulk regulations, as set forth in Part III of this subtitle.
(City Code, 1976/83, art. 30, §7.1(3rd sen.).) (Ord. 99-547.)

§ 7-204. *{Reserved}*

PART II. USE REGULATIONS

§ 7-205. General requirements.

(a) *In general.*

In addition to the requirements in Subtitle 1 {"Overview; General Requirements"} of this title, uses in an M-1 District are subject to the following requirements.

(b) *Uses to be enclosed; exceptions.*

(1) Except as specified in paragraph (2) of this subsection, industrial, servicing, manufacturing, processing, and storage uses must be located within enclosed structures.

(2) This subsection does not apply to off-street parking and loading.

(c) *Truck parking as accessory use only.*

The parking of trucks is allowed as an accessory use only.
(City Code, 1976/83, art. 30, §7.1-1a.) (Ord. 99-547.)

§ 7-206. Permitted uses.

In an M-1 District, permitted uses are as follows, subject to compliance with the performance standards set forth in Title 12 {"Performance Standards"} of this article:

(1) Adhesive products: manufacturing.

(2) Artisans' and craft work.

(3) Athletic fields.

(4) Automatic teller machines.

(5) Automotive parts: manufacturing.

(6) Bakery goods: manufacturing.

(7) Banks and savings and loan associations.

(8) Beverages: manufacturing.

(9) Bookbinding.

(10) Bottling works.

(11) Boxes: manufacturing.

(12) Brooms or brushes: manufacturing.

(13) Bus and transit turnarounds and passenger shelters – but not including advertising signs.

(14) Cameras and other photographic equipment: manufacturing.

(15) Candy: manufacturing.

(16) Canvas products: manufacturing.

(17) Carpet and rug cleaning establishments.

(18) Carpet: manufacturing.

(19) Cereals: manufacturing.

(20) Clothing and other finished products: manufacturing.

(21) Coffee roasting.

(22) Communications systems: sales and service, other than retail.

(23) Computer centers.

(24) Contractor and construction shops.

(25) Cosmetics: manufacturing.

(26) Cotton processing

(27) {Vacant}

(28) Die casting.

(29) {Vacant}

(30) Dry cleaning establishments.

(31) Dyeing establishments.

(32) Electronic components and instruments: manufacturing and assembling.

(33) Electroplating.

(34) Employment agencies.

(35) Extracts, food and flavor: manufacturing.

(36) Fences: manufacturing.

(37) Fermented fruits and vegetable products: processing.

(38) Flammable liquids: manufacturing and storage.

(39) Flour: manufacturing

(40) Food products: manufacturing and processing.

(41) Furniture and fixtures: manufacturing.

(42) Galvanizing

(43) Gases, non-combustible and non-toxic: manufacturing and storage.

(44) Glass products: manufacturing from previously prepared materials.

(45) Greenhouses.

(46) Hardware and tools: manufacturing.

(47) Ice, natural and dry: manufacturing.

(48) Ice cream : manufacturing.

(49) Industrial supplies: distribution and sales.

(50) Ink: manufacturing.

(51) Inked products: manufacturing.

(52) Instruments, professional, scientific, and controlling: manufacturing.

(53) Jewelry: manufacturing.

(54) Laboratories: research and testing.

(55) Laboratory apparatus: manufacturing.

(56) Leather products: manufacturing.

(57) Linen, towel, diaper, and similar supply establishments.

(58) Lithographing.

(59) Luggage: manufacturing.

(60) Machinery and machines, household, business, and office: manufacturing.

(61) Machinery and machines, industrial, new: sales, rental, and service.

(62) Machines, business and office, new and used: sales, rental, and service.

(63) Machine shops.

(64) Machine tools, light: manufacturing.

(65) Mail order distribution centers.

(66) Malting.

(67) Maritime suppliers.

(68) Massage therapists' offices.

(69) Matches: manufacturing.

(70) Mattresses: manufacturing.

(71) Medical equipment: manufacturing.

(72) Metal finishing.

(73) Metal products and machinery, medium and light: manufacturing.

(74) Milk and dairy products: processing and distribution.

(75) Mirrors: manufacturing.

(76) Musical instruments, including organs and pianos: manufacturing.

(77) Newsstands.

(78) Novelty products: manufacturing.

(79) Optical equipment: manufacturing.

(80) Orthopedic and medical appliances: manufacturing.

(81) Paper products: manufacturing from previously prepared materials.

(82) Perfumes: manufacturing.

(83) Pharmaceuticals: manufacturing.

(84) Photography film: manufacturing and processing.

(85) Plastic products: manufacturing from previously prepared materials.

(86) Polish: manufacturing.

(87) Printing and publishing.

(88) Private piers.

(89) Public transportation uses, as follows:

(i) Bus and transit passenger stations and terminals.

(ii) Garages and lots for bus and transit vehicles.

(90) Public utility service centers.

(91) Radio and television antennas and towers, including microwave antennas (satellite dishes), that extend no more than 25 feet above the building on which they are mounted.

(92) Railroad rights-of-way and passenger stations.

(93) Recording studios.

(94) Rope or twine, fibrous: manufacturing.

(95) Rubber products: manufacturing or processing from previously prepared materials.

(96) Rugs: manufacturing.

(97) Serums, toxins, and viruses: manufacturing and processing.

(98) {Vacant}

(99) Shipyards.

(100) Silverware, plate and sterling: manufacturing.

(101) Spices: manufacturing and processing.

(102) Sporting and athletic goods: manufacturing.

(103) Starch: manufacturing.

(104) Telephone exchanges.

(105) Textile mill products: manufacturing and fabrication.

(106) Tobacco products: manufacturing.

(107) Toiletries: manufacturing.

(108) Tool, die, or pattern making shops.

(109) Toys and games: manufacturing.

(110) {Vacant}

(111) Umbrellas: manufacturing.

(112) Undertaking establishments and funeral parlors.

(113) Upholstering shops.

(114) Warehousing and storage.

(115) Wax and wax products: manufacturing.

(116) Wholesale establishments.

(117) Window blinds, shades, and awnings: manufacturing.

(118) Wire: manufacturing.

(119) Wood products: manufacturing.

(City Code, 1976/83, art. 30, §7.1-1b1 to 23, 24 to 94, 96 to 99, 101, 103 to 117.) (Ord. 98-252; Ord. 99-547; Ord. 01-230.)

§ 7-207. Conditional uses — Board approval required.

In an M-1 District, conditional uses that require Board approval are as follows, subject to compliance with the performance standards set forth in Title 12 {"Performance Standards"} of this article:

(1) Atomic reactors.

(2) Auction rooms.

(3) Auditoriums.

(4) Day nurseries and nursery schools.

(5) Fire and police stations.

(6) Hotels and motels.

(7) Marinas: dry storage (boatels).

(8) Marinas: industrial (boat repair facilities).

(9) Marinas: recreational.

(10) Mining: gravel, sand, or other raw materials.

(11) Offices: business and professional, other than accessory.

(12) Post offices.

(13) Public utility services and transportation uses, as follows:

(i) Antenna towers, microwave relay towers, and similar installations for communications transmission or receiving.

(ii) Bus and transit passenger stations and terminals.

(iii) Electric distribution centers and substations.

(iv) Electric power generator stations.

(v) Helistops.

(vi) Overhead power transmission tower lines.

(vii) Radio and television stations and studios.

(viii) Repeater, transformer, pumping, booster, switching, conditioning, and regulating stations, and similar installations.

(ix) Sewerage pumping stations.

(x) Water filtration plants, reservoirs, and pumping stations.

(14) Radar installations.

(15) Radio and television antennas and towers, including microwave antennas (satellite dishes), when free-standing or when they extend higher than 25 feet above the building on which they are mounted.

(16) Recreation buildings and community centers.

(17) Recreational facilities: outdoor.

(18) Recycling collection stations.

(19) Schools: industrial trade.

(20) Textile mill products: processing and sorting.

(21) Union Halls.

(City Code, 1976/83, art. 30, §7.1-1c.) (Ord. 99-547.)

§ 7-208. Conditional uses — Ordinance required.

In an M-1 District, conditional uses that require approval by ordinance are as follows, subject to compliance with the performance standards set forth in Title 12 {"Performance Standards"} of this article:

(.5) Bus passenger shelters – including advertising signs that comply with § 11-424 of this article.

(1) Community correction centers.

(2) Parking, open off-street areas, other than accessory, for the parking of 4 or more motor vehicles.

(3) Planned unit developments: industrial.

(4) Substance abuse treatment centers.

(City Code, 1976/83, art. 30, §7.1-1cc.) (Ord. 99-547; Ord. 01-230.)

§ 7-209. Accessory uses.

In an M-1 District, accessory uses and structures include, but are not limited to, the following, subject to compliance with the performance standards set forth in Title 12 {"Performance Standards"} of this article:

(1) Amusement devices, as follows:

(i) No more than 5 amusement devices when used in combination with one of the following:

(A) Billiard or pool room.

(B) Bowling alley.

(C) Bus, train, or boat terminal.

(D) Hotel or motel.

(E) Indoor tennis or racquet club.

(F) Marina.

(G) Miniature golf.

(H) Race track.

(I) Restaurant with alcoholic beverage license.

(J) Skating rink.

(K) Social, fraternal or veteran club.

(L) Swimming pool.

(M) Tavern.

(ii) No more than 5 amusement devices when used in combination with other uses that the Board finds, after a public hearing, to be entertainment, leisure, or recreation oriented.

(iii) Amusement devices when used in combination with uses that are not entertainment, leisure, or recreation oriented, subject to:

(A) an amusement device location permit having been obtained under Article 15 of the City Code; and

(B) the following limits based on the net floor area of the location's interior space devoted to the principal use:

1. no more than 1 device if the net floor area is 600 square feet or less; and

2. no more than 2 devices if the net floor area exceeds 600 square feet.

(2) Animal facilities, as follows:

(i) Dog or cat kennels: private, operated and maintained in conformance with the Health Code of Baltimore City.

(ii) Facilities that house pets and wild animals, as permitted under the Health Code of Baltimore City.

(3) Temporary real estate sales offices, for the purpose of conducting the sale of lots or improvements in the development in which the office is located — but only for a period not to exceed the duration of active construction and for 1 year following.

(4) Temporary storage of building materials and equipment and temporary structures for on-site construction purposes — but only for a period not to exceed the duration of active construction.

(City Code, 1976/83, art. 30, §7.1-1b100, 102, 118 to 120, §7.1-1d.) (Ord. 99-547.)

§ 7-210. *{Reserved}*

PART III. BULK REGULATIONS

§ 7-211. *{Reserved}*

§ 7-212. Yards.

(a) *In general.*

The minimum yard requirements in an M-1 District are as specified in this section.

(b) *Front.*

(1) In an M-1-1 District — at least 30 feet deep.

(2) In an M-1-2 District — at least 20 feet deep.

(3) In an M-1-3 District — none required.

(c) *Interior side.*

None required. However, where an interior side yard is provided, it must be at least 10 feet deep unless otherwise stated in this section.

(d) *Street corner side.*

(1) In an M-1-1 District — at least 15 feet deep.

(2) In an M-1-2 District — at least 10 feet deep.

(3) In an M-1-3 District — none required.

(e) *Rear*.

At least 30 feet deep.

(f) *Along Residence and Office-Residence District boundaries*.

If any part of a side lot line in an M-1 District coincides with a side or rear lot line in an adjoining Residence or Office-Residence District, a minimum 30-foot yard must be provided on the industrial lot wherever the lot lines so coincide.

(City Code, 1976/83, art. 30, §7.1-2a.) (Ord. 99-547.)

§ 7-213. Floor area ratio.

(a) *In general.*

The maximum floor area ratios in an M-1 District are as specified in this section.

(b) *M-1-1 District*.

(1) *General.*

The floor area ratio in an M-1-1 District may not exceed 1.0.

(2) *Height limitations.*

In any event, no structure in an M-1 District may be higher than 40 feet.

(c) *M-1-2 District*.

The floor area ratio in an M-1-2 District may not exceed 3.0.

(d) *M-1-3 District*.

The floor area ratio in an M-1-3 District may not exceed 6.0.

(City Code, 1976/83, art. 30, §7.1-2b.) (Ord. 99-547.)

SUBTITLE 3
M-2 INDUSTRIAL DISTRICT

PART I. OVERVIEW

§ 7-301. Design.

The M-2 Industrial District is a general industrial district, designed for those uses that are not as "heavy" in their characteristics as those permitted in an M-3 District.
(City Code, 1976/83, art. 30, §7.2(1st sen.).) (Ord. 99-547.)

§ 7-302. Basic uses.

The uses permitted in an M-2 District are those customarily regarded as general manufacturing and industrial uses. These uses generally have moderate nuisance characteristics associated with their operation. The uses permitted are mutually compatible and compatible with the character of a general industrial area.
(City Code, 1976/83, art. 30, §7.2(2nd - 4th sens.).) (Ord. 99-547.)

§ 7-303. Additional industrial uses.

(a) *Purpose.*

(1) It is recognized that in every "heavy" industry customarily identified with nuisance-producing characteristics (and, therefore, relegated to the M-3 District), individual plants might be so carefully operated as to be compatible with and not detrimental to the uses permitted in this M-2 District.

(2) For this reason, certain uses permitted in the M-3 District, but not expressly allowed in the M-2 District, may be allowed as an additional industrial use in the M-2 District, in particular instances.

(b) *Status as permitted use.*

(1) Any additional industrial use established in the M-2 District in accordance with this subtitle is considered to be a permitted use in the M-2 District.

(2) A use that was lawfully existing in an M-2 District on April 20, 1971, but is now allowed only as an additional industrial use, is considered to be a permitted use in the M-2 District. However, any expansion of that use must comply with the additional industrial use standards of this subtitle.
(City Code, 1976/83, art. 30, §7.0-1b(2nd sen.), §7.0-1e, §7.2(5th, 6th sens.).) (Ord. 99-547.)

§ 7-304. Subdistricts.

The M-2 District is divided into 4 subdistricts for purposes of bulk regulations, as set forth in Part III of this subtitle.
(City Code, 1976/83, art. 30, §7.2(7th sen.).) (Ord. 99-547.)

PART II. USE REGULATIONS

§ 7-305. General requirements.

(a) *In general.*

In addition to the requirements in Subtitle 1 {"Overview; General Requirements"} of this title, uses in an M-2 District are subject to the following requirements.

(b) *Uses to be enclosed or screened; exceptions.*

(1) Except as specified in paragraph (2) of this subsection, industrial, servicing, manufacturing, processing, and storage uses located within 200 feet and visible from ground level of a Residence or Office-Residence District must be:

(i) located within enclosed structures; or

(ii) effectively screened by:

(A) a wall, fence, or other substantially equivalent structure, at least 6 feet high; or

(B) a terrain or landscaping feature functioning as an effective screen.

(2) This subsection does not apply to off-street parking and loading.

(City Code, 1976/83, art. 30, §7.2-1a.) (Ord. 99-547.)

§ 7-306. Permitted uses.

In an M-2 District, permitted uses are as follows:

(1) As in an M-1 District, except that they need not comply with the performance standards in Title 12 {"Performance Standards"} of this article.

(2) Aircraft: manufacturing.

(3) Automobiles: manufacturing and fabrication.

(4) Batteries: manufacturing and rebuilding.

(5) Batteries and tires: sales and service.

(6) Beer and ale: brewing.

(7) Blueprinting and photostating establishments.

(8) Bottles: manufacturing.

(9) Building and lumber material sales establishments with shops and yards.

(10) Car washes.

(11) Carry-out food shops.

(12) Catering establishments, food.

(13) Check cashing agencies.

(14) Chemical apparatus: manufacturing.

(15) Cinder and cinder blocks: manufacturing.

(16) Clinics: medical and dental.

(17) Clubs and lodges: nonprofit.

(18) Coal yards.

(19) Concrete and concrete products: manufacturing.

(20) Contractor and construction shops and yards.

(21) Cork products: manufacturing and processing.

(22) Electrical appliances, including lamp bulbs and fixtures: manufacturing and assembling.

(23) Fire and police stations.

(24) Flammable liquids: manufacturing and storage.

(25) Food commissaries.

(26) Fuel and ice sales.

(27) Furs and leather: processing.

(28) Garages for storage, repair, and servicing of motor vehicles.

(29) Gelatin and casein: manufacturing.

(30) Glass: manufacturing.

(31) Highway maintenance shops and yards.

(32) Hiring halls and work distribution centers.

(33) Insulating materials: manufacturing.

(34) Laundries.

(35) Lumber yards.

(36) {Vacant}

(37) Monument works.

(38) Motorcycles and similar motorized vehicles: manufacturing and assembling.

(39) Motor vehicle rental establishments.

(40) Moving and storage establishments.

(41) Packing houses, food.

(42) Parcel collection and delivery stations.

(43) Parking, off-street garages, other than accessory, for the parking of 4 or more motor vehicles.

(44) Parking, open off-street areas, other than accessory, for the parking of 4 or more motor vehicles.

(45) Photocopying services.

(46) Photoengraving.

(47) Photographers.

(48) Pickling, metal.

(49) Plumbing, heating, and electrical equipment showrooms and shops

(50) Porcelain enamel products: manufacturing.

(51) Porcelain enamels and glazes: manufacturing

.

(52) Post offices.

(53) Pottery and chinaware: manufacturing.

(54) Public utility services and transportation uses, as follows:

(i) Antenna towers, microwave relay towers, and similar installations for communications transmission or receiving.

(ii) Bus and transit passenger stations and terminals.

(iii) Electric distribution centers and substations.

(iv) Garages and lots for bus and transit vehicles.

(v) Marine terminals: freight.

(vi) Motor freight terminals.

(vii) Railroad freight terminals, piggy-back terminals, switching and classification yards, repair shops, and roundhouses.

(viii) Repeater, transformer, pumping, booster, switching, conditioning, and regulating stations, and similar installations.

(ix) Sewerage pumping stations.

(x) Water filtration plants, reservoirs, and pumping stations.

(55) Radio and television antennas and towers, including microwave antennas (satellite dishes), when free-standing or when they extend higher than 25 feet above the building on which they are mounted.

(56) Restaurants and lunch rooms — but not including live entertainment or dancing.

(57) Salt: manufacturing and processing.

(58) Sawmills and planing mills.

(59) Schools: commercial.

(60) Schools: trade.

(61) {Vacant}

(62) Signs: manufacturing, sales, and service.

(63) Sodium compounds: manufacturing and processing.

(64) Statuary: production.

(65) Stone cutting.

(66) Stone, synthetic: manufacturing.

(67) Sugar refineries.

(68) Taverns — but not including live entertainment or dancing.

(69) Terra cotta: manufacturing.

(70) Tiles: manufacturing.

(71) Tire manufacturing — but no open storage of tires or tire products within 200 feet of a residence district.

(72) Tire retreading and recapping establishments — but no open storage of tires or tire products within 200 feet of a residence district.

(73) Trailers: manufacturing.

(74) Trucks: manufacturing and fabrication.

(75) Trucks and truck trailers: sales and rental.

(76) Union halls.

(77) Vending machines for retail sale of ice or milk.

(78) Welding shops.

(79) Wool: processing.

(City Code, 1976/83, art. 30, §7.2-1b.) (Ord. 99-547.)

§ 7-307. Conditional uses — Board approval required.

In an M-2 District, conditional uses that require Board approval are as follows:

(1) As in an M-1 District (unless it is a permitted use under § 7-306), except that:

(i) those uses need not comply with the performance standards in Title 12 {"Performance Standards"} of this article; and

(ii) the following uses allowed in an M-1 District are not allowed in an M-2 District:

(A) Marinas: recreational;

(B) Schools: industrial trade; and

(C) Textile mill products: processing and sorting.

(2) Animal hospitals.

(3) Gases, combustible or toxic: manufacturing and storage — but not including distribution or storage of 30,000 gallons or more of liquefied petroleum gas (butane or propane).

(4) Gasoline service stations.

(5) Marine terminals: passenger.

(6) Open storage of tires or tire products as a principal or accessory use within 200 feet of a residence district.

(7) Public utility services and transportation uses, as follows:

(i) Heliports.

(ii) Petroleum distribution pumping or valve substations and rights-of-way — but not including distribution or storage of 30,000 gallons or more of liquefied petroleum gas (butane or propane).

(8) Recyclable materials recovery facilities, with outdoor storage of materials — but only if the facility is effectively screened by a durable fence or landscaping.

(9) Restaurants and lunch rooms — including live entertainment and dancing— but only if located at least 500 feet from a residence district.

(10) Rock crushing.

(11) Stables for horses.

(12) Taverns — including live entertainment and dancing — but only if located at least 500 feet from a residence district.

(13) Waste disposal (except garbage) for land fill and land reclamation.

(City Code, 1976/83, art. 30, §7.2-1c.) (Ord. 99-547; Ord. 02-302.)

§ 7-308. Conditional uses — Ordinance required.

In an M-2 District, conditional uses that require approval by ordinance are as follows:

(1) As in an M-1 District (unless it is a permitted use under § 7-306), except that they need not comply with the performance standards in Title 12 {"Performance Standards"} of this article.

(1a) Liquefied petroleum gas (butane or propane): distribution or storage of 30,000 gallons or more.

(2) Penal and correctional institutions.

(3) Service and housing centers.

(City Code, 1976/83, art. 30, §7.2-1cc.) (Ord. 99-547; Ord. 02-302.)

§ 7-309. Additional industrial uses.

(a) *In general.*

Except as specified in subsection (b) of this section, uses not otherwise allowed in an M-2 Industrial District under this subtitle, but which are permitted uses in an M-3 Industrial District, may be authorized as additional industrial uses in accordance with this section.

(b) *Excluded uses.*

The following M-3 uses (which are customarily identified with “heavy” nuisance-producing characteristics) are not allowed as additional industrial uses in an M-2 District:

(1) Abattoirs.

(2) Animal byproducts (not for human consumption): processing.

(3) Asphaltic mix plants.

(4) Bituminous products: processing.

(5) Fertilizer: manufacturing and processing.

(6) Fish: processing.

(7) Offal: processing.

(8) Ore: handling and storage.

(9) Stock yards.

(10) Tar: manufacturing.

(c) *Rules and regulations — Board to adopt.*

The Board is to adopt rules and regulations governing additional industrial uses in an M-2 Industrial District.

(d) *Rules and regulations —design and scope.*

The rules and regulations must:

(1) be designed to promote compatibility of a proposed additional industrial use with the general character of an M-2 District and the uses permitted in an M-2 District; and

(2) include standards and regulations pertaining to:

(i) noise of operation;

(ii) earthborne vibration of operation;

(iii) emission of smoke and particulate matter;

(iv) emission and creation of toxic matter and odorous matter; and

(v) glare and direct illumination.

(e) *Rules and regulations — administration.*

The Zoning Administrator administers and enforces the rules and regulations adopted by the Board under this section.

(f) *Authorization for additional industrial use.*

(1) To establish an additional industrial use in an M-2 District, a person must submit to the Zoning Administrator:

(i) an application for a zoning authorization under Title 2, Subtitle 3 {"Zoning Authorizations"} of this article; and

(ii) evidence and information reasonably sufficient to enable the Zoning Administrator to determine whether the proposed additional industrial use complies with the Board's rules and regulations.

(2) The procedures to be followed by the applicant and the Zoning Administrator are as provided in § 2-304 {"Compliance with performance standards"} of this article.

(3) The applicant must promptly deliver any additional relevant information that the Zoning Administrator requests.

(City Code, 1976/83, art. 30, §7.2-1d.) (Ord. 99-547.)

§ 7-310. Accessory uses.

In an M-2 District, accessory uses and structures are the same as those in an M-1 District, except that they need not comply with the performance standards in Title 12 {"Performance Standards"} of this article.

(City Code, 1976/83, art. 30, §7.2-1b(intro cl.), §7.2-1e.) (Ord. 99-547.)

PART III. BULK REGULATIONS

§ 7-311. *{Reserved}*

§ 7-312. Yards.

(a) *In general.*

The minimum yard requirements in an M-2 District are as specified in this section.

(b) *Front.*

(1) In an M-2-1 District — at least 30 feet deep.

(2) In an M-2-1S District — at least 10 feet deep.

(3) In an M-2-2 District — at least 20 feet deep.

(4) In an M-2-3 District — none required.

(c) *Interior side*.

None required. However, where an interior side yard is provided, it must be at least 10 feet deep unless otherwise stated in this section.

(d) *Street corner side*.

(1) In an M-2-1 District — at least 15 feet deep.

(2) In an M-2-1S District — at least 10 feet deep.

(3) In an M-2-2 District — at least 10 feet deep.

(4) In an M-2-3 District — none required.

(e) *Rear*.

(1) In an M-2-1 District — at least 30 feet deep.

(2) In an M-2-1S District — at least 30 feet deep.

(3) In an M-2-2 District — at least 30 feet deep.

(4) In an M-2-3 District — none required.

(f) *Along Residence and Office-Residence District boundaries*.

If any part of a side lot line in an M-2 District coincides with a side or rear lot line in an adjoining Residence or Office-Residence District, a minimum 20-foot yard must be provided on the industrial lot wherever the lot lines so coincide.

(City Code, 1976/83, art. 30, §7.2-2a.) (Ord. 99-547.)

§ 7-313. Floor area ratio.

(a) *In general.*

The maximum floor area ratios in an M-2 District are as specified in this section.

(b) *M-2-1 District*.

The floor area ratio in an M-2-1 District may not exceed 2.0.

(c) *M-2-1S District*.

The floor area ratio in an M-2-1S District may not exceed 2.0.

(d) *M-2-2 District*.

The floor area ratio in an M-2-2 District may not exceed 5.0.

(e) *M-2-3 District*.

The floor area ratio in an M-2-3 District may not exceed 8.0.
(City Code, 1976/83, art. 30, §7.2-2b.) (Ord. 99-547.)

SUBTITLE 4
M-3 INDUSTRIAL DISTRICT

PART I. OVERVIEW

§ 7-401. Design.

The M-3 Industrial District is designed for industrial, manufacturing, and related activities generally known and described as "heavy industry".
(City Code, 1976/83, art. 30, §7.3(1st sen.).) (Ord. 99-547.)

§ 7-402. Basic uses; locations.

Although M-1 and M-2 uses are permitted in this district, it is anticipated that the great majority of uses to be established in an M-3 District are those not permitted in M-1 and M-2 Districts. Accordingly, this district is primarily for those areas located deep within the industrial portions of the City, usually but not necessarily adjacent to the harbor and major railroad facilities.
(City Code, 1976/83, art. 30, §7.3(2nd, 3rd sens.).) (Ord. 99-547.)

§§ 7-403 to 7-404. ***{Reserved}***

PART II. USE REGULATIONS

§ 7-405. General requirements.

(a) *In general.*

In addition to the requirements in Subtitle 1 {"Overview; General Requirements"} of this title, uses in an M-3 District are subject to the following requirements.

(b) *Uses to be enclosed or screened; exceptions.*

(1) Except as specified in paragraph (2) of this subsection, industrial, servicing, manufacturing, processing, and storage uses located within 200 feet and visible from ground level of a Residence or Office-Residence District must be:

(i) located within enclosed structures; or

(ii) effectively screened by:

(A) a wall, fence, or other substantially equivalent structure, at least 6 feet high; or

(B) a terrain or landscaping feature functioning as an effective screen.

(2) This subsection does not apply to off-street parking and loading.
(City Code, 1976/83, art. 30, §7.3-1a.) (Ord. 99-547.)

§ 7-406. Permitted uses.

In an M-3 District, permitted uses are as follows:

(1) As in an M-2 District.

(2) Abattoirs.

(3) Abrasives: manufacturing.

(4) Acids: manufacturing.

(5) Alcohol distillation.

(6) Alkalies: manufacturing.

(7) Ammonia: manufacturing.

(8) Animal byproducts (not for human consumption): processing.

(9) Asbestos products: manufacturing.

(10) Asphaltic mix plants.

(11) Bituminous products: processing.

(12) Bleacheries.

(13) Boiler works.

(14) Bone distillation.

(15) Bone and ivory products: processing.

(16) Bricks: manufacturing.

(17) Carbon black or lampblack: manufacturing.

(18) Cellulose: manufacturing.

(19) Cement: manufacturing.

(20) Charcoal: manufacturing.

(21) Charcoal products: processing.

(22) Chemicals and allied products: manufacturing.

(23) Clay and clay products: manufacturing.

(24) Coal distillation.

(25) Coatings, protective: manufacturing and processing.

(26) Detergent: manufacturing.

(27) Excelsior and other packing materials: manufacturing and storage.

(28) Fats: rendering.

(29) Feed: manufacturing and processing.

(30) Fertilizer: manufacturing and processing.

(31) Fish: processing.

(32) {Vacant}

(33) Floor covering other than carpeting: manufacturing.

(34) Foundries, ferrous and non-ferrous.

(35) {Vacant}

(36) Glue and sizing: manufacturing.

(37) Grain elevators and grain storage.

(38) Grain milling.

(39) Graphite and graphite products: manufacturing.

(40) Grease and tallow: manufacturing and processing.

(41) Gypsum and other forms of plaster base: manufacturing.

(42) Hair, feathers, and felt: processing and derivative products.

(43) Hides: processing.

(44) {Vacant}

(45) Insulators, porcelain: manufacturing.

(46) Jute, hemp, sisal, and oakum products: manufacturing.

(47) {Vacant}

(48) Leather tanning.

(49) Machinery and machines, industrial, used: sales, rental, and service.

(50) Metal products and machinery, heavy: manufacturing — including:

(i) construction, mining, and materials-handling machinery and equipment;

(ii) farm machinery and equipment;

(iii) industrial machinery and equipment;

(iv) locomotives;

(v) railroad cars; and

(vi) tractors.

(51) Metal stamping and extrusion.

(52) Metals, ferrous and non-ferrous: manufactured from raw materials.

(53) Metals: smelting and refining.

(54) Offal: processing.

(55) Oils and fats, animal and vegetable: manufacturing and processing.

(56) Ore: handling and storage.

(57) Ore reduction.

(58) Paints, pigments, enamels, japans, lacquers, shellac, whiting, putty, wood filler, turpentine, and varnishes: manufacturing.

(59) Paper: manufacturing.

(60) Paraffin: manufacturing and processing.

(61) Pesticides and fungicides: manufacturing and processing.

(62) Petroleum products: manufacturing and processing — but not including distribution or storage of 30,000 gallons or more of liquefied petroleum gas (butane or propane).

(63) Petroleum and related industries: refining.

(64) Plastics: manufacturing and reclaiming.

(65) Public utility services and transportation uses, as follows:

(i) Gas manufacturing and storage — but not including distribution or storage of 30,000 gallons or more of liquefied petroleum gas (butane or propane).

(ii) Petroleum distribution pumping or valve substations and rights-of-way — but not including distribution or storage of 30,000 gallons or more of liquefied petroleum gas (butane or propane).

(66) Pulp: manufacturing.

(67) Pyroxylin: manufacturing and storage.

(68) Roofing materials: manufacturing.

(69) Rubber, caoutchouc, and gutta-percha: manufacturing and processing.

(70) Soaps: manufacturing.

(71) Solvents: distillation.

(72) Stables for horses.

(73) Steel fabricating shops.

(74) Stock yards.

(75) Tar: manufacturing.

(76) Tire manufacturing — including open storage of tires or tire products.

(77) Tire retreading and recapping establishments — including open storage of tires or tire products.

(78) Vinegar: manufacturing.

(79) Wood: distillation.

(80) Wood treating by creosote or other preservatives.

(81) Yeast: manufacturing.

(82) Manufacturing, processing, fabrication, and storage uses other than those specifically listed above — unless otherwise prohibited by § 3-107 {“Prohibited uses — storage, etc., of vehicles”} of this article.

(City Code, 1976/83, art. 30, §7.3-1b.) (Ord. 99-547; Ord. 02-302.)

§ 7-407. Conditional uses — Board approval required.

In an M-3 District, conditional uses that require Board approval are as follows:

(1) As in an M-2 District (unless it is a permitted use under § 7-406).

(2) Arsenals.

(3) Automobile dismantling or scrapping.

(4) Automotive testing grounds.

(5) Boats less than 65 feet long: manufacturing and repairing with sales.

(6) Explosives: manufacturing and storage.

(7) Junk or scrap storage and yards.

(8) Marine terminals: passenger.

(9) Radioactive waste handling.

(City Code, 1976/83, art. 30, §7.3-1c.) (Ord. 99-547.)

§ 7-408. Conditional uses — Ordinance required.

In an M-3 District, conditional uses that require approval by ordinance are as follows:

(1) As in an M-1 District (unless it is a permitted use under § 7-406), except that they need not comply with the performance standards in Title 12 {"Performance Standards"} of this article.

.

(2) Hazardous material (as defined in § 7-101 of the State Environment Article): handling and storage.

(3) Incinerators: commercial or municipal.

(3a) Liquefied petroleum gas (butane or propane): distribution or storage of 30,000 gallons or more.

(4) Penal and correctional institutions.

(City Code, 1976/83, art. 30, §7.3-1cc, §13.0-2-42c.) (Ord. 99-547; Ord. 02-302.)

§ 7-409. Accessory uses.

In an M-3 District, accessory uses and structures are the same as those in an M-1 District, except that they need not comply with the performance standards in Title 12 {"Performance Standards"} of this article.

(City Code, 1976/83, art. 30, §7.3-1b(intro cl.), §7.3-1e.) (Ord. 99-547.)

§ 7-410. *{Reserved}*

PART III. BULK REGULATIONS

§ 7-411. *{Reserved}*

§ 7-412. Yards.

(a) *In general.*

The minimum yard requirements in an M-3 District are as specified in this section.

(b) *Front*.

At least 10 feet deep.

(c) *Interior side*.

None required. However, where an interior side yard is provided, it must be at least 10 feet deep unless otherwise stated in this section.

(d) *Street corner side*.

At least 10 feet deep.

(e) *Rear*.

None required unless otherwise stated in this section.

(f) *Along Residence and Office-Residence District boundaries*.

If any part of a side or rear lot line in an M-3 District coincides with a side or rear lot in an adjoining Residence or Office-Residence District, a minimum 10-foot yard must be provided on the industrial lot wherever the lot lines so coincide.

(City Code, 1976/83, art. 30, §7.3-2a.) (Ord. 99-547.)

§ 7-413. Floor area ratio.

The floor area ratio in an M-3 District may not exceed 6.0.

(City Code, 1976/83, art. 30, §7.3-2b.) (Ord. 99-547.)

TITLE 8
OVERLAY DISTRICTS

SUBTITLE 1
PUBLIC USE OVERLAY DISTRICTS

PART I. DEFINITIONS; OVERVIEW

§ 8-101. "Governmental use" defined.

In this subtitle, "governmental use" means any of the following, publicly owned facilities:

(1) educational and cultural facilities, such as schools, libraries, and museums;

(2) recreational facilities, such as parks, athletic fields, and recreation buildings;

(3) service facilities, such as fire and police stations, water filtration plants, landfills, and pumping stations; and

(4) health service facilities.

(City Code, 1976/83, art. 30, §13.0-2-41.) (Ord. 99-547.)

§ 8-102. Design.

The public use district classification is designed to designate those parcels that are owned by the City, the State, or the Federal Government and on which some governmental use either exists or is contemplated, such as a school or park. The intent is to clearly define areas of public ownership and provide a formal method of public notification for either acquisition or sale of these properties.

(City Code, 1976/83, art. 30, ch. 3A(intro par.)(1st, 3rd sens.).) (Ord. 99-547.)

§ 8-103. Council approval required.

These districts must be approved as such by an amendment to this article.

(City Code, 1976/83, art. 30, ch. 3A(intro par.)(2nd sen.).) (Ord. 99-547.)

§ 8-104. Classification.

Properties so classified retain their existing zoning classification with the addition of the suffix "P".

(City Code, 1976/83, art. 30, ch. 3A(intro par.)(4th sen.).) (Ord. 99-547.)

§§ 8-105 to 8-106. *{Reserved}*

PART II. GENERAL REQUIREMENTS

§ 8-107. In general.

In addition to the general provisions of Title 3 {"General Rules"} of this article, the following provisions apply to Public Use Districts.

(Ord. 99-547.)

§ 8-108. Use regulations.

(a) *Permitted uses.*

Permitted uses are governmental uses otherwise permitted by this article for the underlying district.

(b) *Conditional uses.*

Conditional uses are conditional governmental uses otherwise allowed by this article for the underlying district.

(City Code, 1976/83, art. 30, §3A.0-1a, 1b.) (Ord. 99-547.)

§ 8-109. Bulk regulations.

The bulk regulations set forth in this article for each underlying district apply to properties under the public use classification.

(City Code, 1976/83, art. 30, §3A.0-2.) (Ord. 99-547.)

§ 8-110. Off-street parking.

Off-street parking spaces must be provided in accordance with Title 10 {"Off-Street Parking Regulations"} of this article as it applies to the underlying district.

(City Code, 1976/83, art. 30, §3A.0-3.) (Ord. 99-547.)

§ 8-111. Signs.

Signs are allowed only in accordance with Title 11 {"Sign Regulations"} of this article as it applies to the underlying district.

(City Code, 1976/83, art. 30, §3A.0-4.) (Ord. 99-547.)

§§ 8-112 to 8-113. *{Reserved}*

PART III. ADMINISTRATION

§ 8-114. Proposed amendments.

All amendments proposed under this title must be reviewed in accordance with Title 16 {"Legislative Authorizations"} of this article. In addition, the Planning Commission must consider the proposed amendment in relation to the Master Plan.

(City Code, 1976/83, art. 30, §3A.0-5a.) (Ord. 99-547.)

§ 8-115. Sale of property.

Before property with a public use designation is sold, an amendment must be enacted to eliminate the public classification, subject to the requirements of Title 16 {"Legislative Authorizations"} of this article.

(City Code, 1976/83, art. 30, §3A.0-5b.) (Ord. 99-547.)

SUBTITLE 2
FLOOD PLAIN OVERLAY DISTRICT

PART I. DEFINITIONS; OVERVIEW

§ 8-201. Definitions.

(a) *In general.*

In this subtitle, the following terms have the meanings indicated.
(Ord. 99-547.)

(b) *Flood plain*.

"Flood plain" means:

(1) any area shown as a flood plain on the flood plain maps; and

(2) any other area that:

(i) is a relatively flat or low land area;

(ii) adjoins a river, stream, or watercourse; and

(iii) is subject to partial or complete inundation.
(City Code, 1976/83, art. 30, §13.0-2-37a(first cls.).) (Ord. 99-547.)

(c) *Flood plain maps.*

"Flood plain maps" means the series of maps and profiles known as the Flood Insurance Study, effective March 15, 1978, prepared for the Department of Housing and Urban Development, Federal Insurance Administration, as revised effective March 16, 1983, for the Federal Emergency Management Agency, Flood Insurance Administrator, and as later revised or amended.
(City Code, 1976/83, art. 30, ch. 3B(intro par.)(3rd sen.), §13.0-2-37a(last cl.).) (Ord. 99-547.)

§ 8-202. Design.

The Flood Plain Overlay District regulates the placement and use of structures and the use of land in the flood plain, with a design towards:

(1) protecting human life and health;

(2) minimizing damage to public and private property;

(3) preventing or minimizing future flood damage;

(4) protecting the public water supply and sanitary sewage disposal systems;
(5) preserving natural drainage systems; and

(6) reducing financial burdens imposed on Baltimore City and its citizens.

(City Code, 1976/83, art. 30, ch. 3B(intro par.)(1st sen.).) (Ord. 99-547.)

§ 8-203. Districts established.

(a) *In general*.

Six flood plain districts, each designating a measurable degree of flood hazard, are provided, as delineated on the flood plain maps and described in this section.

(b) *Floodway*.

The Floodway, which is the area of highest hazard, is that part of the Flood Plain Overlay District that is required to carry and discharge the waters of the 100-year flood without increasing the water surface elevation at any point more than 1 foot above existing conditions.

(c) *Floodway Fringe.*

The Floodway Fringe comprises those lands within the Flood Plain Overlay District that:

(1) are subject to flooding by the 100-year flood; and

(2) lie beyond the Floodway, in areas for which detailed study data and profiles are available.

(d) *Approximated Flood Plain.*

The Approximated Flood Plain comprises those lands within the Flood Plain Overlay District that:

(1) are subject to flooding by the 100-year flood; and

(2) lie in areas for which a detailed study has not been performed but for which a 100-year flood plain boundary has been approximated.

(e) *Harbor Flood Zone.*

The Harbor Flood Zone comprises those lands within the Flood Plain Overlay District that:

(1) are subject to flooding by a 100-year flood; and

(2) lie adjacent to the Harbor (Patapsco River).

(f) *Shallow Flood Zone.*

The Shallow Flood Zone is an area within the Flood Plain Overlay District in which:

(1) 100-year flood depths from 1 to 2 feet occur;

(2) a clearly defined channel does not exist;

(3) the path of flooding is unpredictable; and

(4) velocity flow might be evident.

(g) *Coastal Hazard Zone.*

The Coastal Hazard Zone comprises those coastal lands within the Flood Plain Overlay District that are subject to inundation from high velocity waters and wave action.

(City Code, 1976/83, art. 30, ch. 3B(intro par.)(2nd sen.), §13.0-2-5a, 18a, 37b, 37c, 42a, 73b.) (Ord. 99-547.)

§§ 8-204 to 8-205. *{Reserved}*

PART II. GENERAL REQUIREMENTS

§ 8-206. In general.

In addition to the general provisions of Title 3 {"General Rules"} of this article, the following provisions apply to Flood Plain Overlay Districts.

(Ord. 99-547.)

§ 8-207. Use regulations — generally.

(a) *In general.*

(1) Except in the Floodway, all uses in a Flood Plain Overlay District are as otherwise specified in this article for the underlying district.

(2) In addition to the requirements of Title 14 {"Conditional Uses"} of this article, conditional uses in a Flood Plain Overlay District are subject to the standards and procedures contained in § 8-213 {"Conditional uses and variances"} of this subtitle.

(b) *Floodway.*

The only uses allowed in the Floodway are the following recreational facilities, but not including accessory buildings:

(1) Athletic fields.

(2) Golf courses.

(3) Parks.

(4) Lacrosse and soccer fields.

(City Code, 1976/83, art. 30, §3B.0-1a(1st sen.), 1b(1st sen.), §3B.1 to 5A.) (Ord. 99-547.)

§ 8-208. Use regulations — public utility and government services.

Notwithstanding any other provision to the contrary, no public utility or government service use may be located in any flood plain if it:

(1) might impede, retard, or change the direction of the flow of water;

(2) will catch or collect debris carried by the water; or

(3) is placed where the natural flow of the stream or flood waters would carry it downstream to the damage or detriment of any public or private property in or adjacent to the flood plain.

(City Code, 1976/83, art. 30, §3B.7.) (Ord. 99-547.)

§ 8-209. Bulk regulations.

The bulk regulations set forth in this article for each underlying district apply to properties in the Flood Plain Overlay District.

(City Code, 1976/83, art. 30, §3B.0-2.) (Ord. 99-547.)

§§ 8-210 to 8-211. *{Reserved}*

PART III. ADMINISTRATION

§ 8-212. Proposed amendments.

Amendments to the Flood Plain Overlay District maps must be reviewed and approved by:

(1) the Department of Planning; and

(2) the Federal Emergency Management Agency or its designee.

(City Code, 1976/83, art. 30, ch. 3B(intro par.)(4th sen.).) (Ord. 99-547.)

§ 8-213. Conditional uses and variances.

(a) *Additional standards.*

(1) In addition to the requirements of Title 14 {"Conditional Uses"} and Title 15 {"Variances"} of this article, the additional standards specified in paragraph (2) of this subsection apply to any conditional use or variance that involves any substantial improvement or new construction in a Flood Plain Overlay District.

(2) All conditional uses and variances described in paragraph (1) of this subsection are subject to the following additional standards:

(i) the conditional use or variance will not result in increased flood heights or additional danger to the public health, welfare, or safety;

(ii) the proposal is consistent with the need to minimize flood damage;

(iii) all necessary permits have been received from the appropriate State and federal agencies;

(iv) all public and private utilities and facilities (including sewer, water, telephone, electric, gas, etc.) are located and constructed to minimize or eliminate flood damage;

(v) adequate drainage is provided to reduce exposure to flood hazard; and

(vi) the conditional use or variance is necessary because of extraordinary circumstances in local conditions that render the application of certain standards a severe hardship.

(b) *Warning letters.*

If the Board grants a conditional use or variance under this section, the Executive Secretary must attach to the Board Resolution a warning that:

(1) construction of a structure located below the base flood level will result in increased premium rates for flood insurance; and

(2) construction below the base flood level increases risks to life and property.

(City Code, 1976/83, art. 30, §3B.8a, 8b.) (Ord. 99-547.)

§ 8-214. Municipal and personal liability.

A zoning authorization for property that is near a delineated flood plain or near any other land later discovered to be a flood plain:

(1) is not a representation, guarantee, or warranty of any kind that the property is not in a flood plain; and

(2) may not be used to impose any liability on Baltimore City, its elected or appointed officials, or its employees.

(City Code, 1976/83, art. 30, §3B.6.) (Ord. 99-547.)

SUBTITLE 3
CRITICAL AREA OVERLAY DISTRICT

PART I. DEFINITIONS; OVERVIEW

§ 8-301. Definitions.

(a) *In general.*

In this subtitle, the following terms have the meanings indicated.
(Ord. 99-547.)

(b) *Buffer*.

(1) *In general.*

"Buffer" means an existing naturally vegetated area or vegetated area established or managed to protect aquatic, wetland, shoreline, and terrestrial environments from man-made disturbance.

(2) *Establishment*.

The Buffer shall be established 100 feet landward from the mean high waterline of tidal waters and the landward edge of tidal wetlands and tributary streams.

(3) *Configuration; filling*.

For purposes of configuring the Critical Area Buffer, the 100 feet landward of the mean high waterline is measured at the 2-foot contour as it existed on December 4, 1987. All new lands created as a result of filling after January 4, 1988, become additional Buffer areas, and the Buffer line configured before the filling remains unchanged for purposes of determining Buffer offset requirements.
(City Code, 1976/83, art. 30, §13.0-2-9a.) (Ord. 99-547; Ord. 02-350.)

(c) *Critical Area*.

"Critical Area" means all parts of the Chesapeake Bay Critical Area, as delineated in and modified by the City in accordance with § 8-1807 of the State Natural Resources Article, that fall within City boundaries.
(City Code, 1976/83, art. 30, §13.0-2-20a.) (Ord. 99-547.)

(d) *Critical Area Management Program*.

"Critical Area Management Program" means the Baltimore City Critical Area Management Program, as approved by the Chesapeake Bay Critical Area Commission and adopted by Resolution of the Mayor and City Council of Baltimore.
(City Code, 1976/83, art. 30, §13.0-2-20b.) (Ord. 99-547.)

(e) *Development*.

"Development" means any one or combination of the following:

(1) construction, reconstruction, modification, or expansion of structures;

(2) placement of fill;

(3) dredging;

(4) drilling;

(5) mining;

(6) grading;

(7) paving;

(8) land excavation;

(9) land clearing;

(10) land improvement; or

(11) storage of materials.

(City Code, 1976/83, art. 30, §13.0-2-23a.) (Ord. 99-547.)

(f) *Significant development.*

"Significant development" means any development that would:

(1) disturb land in the Buffer;

(2) disturb 10,000 or more square feet of land in the Critical Area;

(3) result in any disturbance, caused by use, development, or destruction of vegetation, to land in an area designated under the Critical Area Management Program as a Habitat Protection Area; or

(4) involve an expenditure for improvements to the property equal to or greater than 50% of the assessed value of the property, as certified by the Department of Planning.

(City Code, 1976/83, art. 30, §13.0-2-42.5, §13.0-2-87a.) (Ord. 99-547; Ord. 02-350.)

(g) *Water-dependent facilities*.

(1) *In general.*

"Water-dependent facilities" means land uses or structures that:

(i) are associated with industrial, maritime, recreational, educational, or fisheries activities;

(ii) require a location within the Buffer near the shoreline; and

(iii) are dependent on the water by reason of the intrinsic nature of their operation.

(2) *Inclusions.*

"Water-dependent facilities" include:

(i) ports;

(ii) intake and outfall structures of power plants;

(iii) water-use industries;

(iv) marinas and other boat-docking structures;

(v) public beaches and water-oriented recreation areas; and

(vi) fisheries.

(3) *Exclusions.*

"Water-dependent facilities" do not include private piers that are installed and maintained by riparian landowners and are not part of a subdivision that provides community piers.

(City Code, 1976/83, art. 30, §13.0-2-98a.) (Ord. 99-547; Ord. 02-350.)

§ 8-302. Design.

The Critical Area Overlay District is designed to foster more sensitive, consistent, and uniform development and redevelopment activity along the City's shoreline areas of the Chesapeake Bay and its tributaries, so as to minimize damage to water quality and natural or established habitats for the benefit of current and future generations.

(City Code, 1976/83, art. 30, ch. 3C(intro)(1st par.).) (Ord. 99-547.)

§ 8-303. Critical Area and Buffer.

(a) *Critical Area.*

The Chesapeake Bay Critical Area Act (Title 8, Subtitle 18 of the State Natural Resources Article) requires that the City designate as its Critical Area an area that consists of, at a minimum:

(6) all waters of and land under the Chesapeake Bay and its tributaries to the head of the tide, as indicated on the State Wetland Maps;

(7) all State and private wetlands designated under Title 9 of the Natural Resources Article; and

(8) all land and water areas within 1,000 feet beyond the landward boundaries of state or private wetlands and the heads of the tides.

(b) *Buffer*.

(1) The Buffer shall be expanded beyond 100 feet to include contiguous sensitive areas, such as steep slopes, hydric soils, or highly erodible soils, whose development or disturbance may impact streams, wetlands, or other aquatic environments.

(2) In the case of contiguous slopes of 15% or greater, the Buffer shall be expanded 4 feet for every 1% of slope or to the top of the slope, whichever is greater in extent.

(City Code, 1976/83, art. 30, ch. 3C(intro)(2nd par.).) (Ord. 99-547; Ord. 02-350.)

§ 8-304. Development Areas.

(a) *In general.*

The State regulations that implement the Critical Area Law also require that the City designate "Development Areas" within the Critical Area, based generally on existing development patterns and densities.

(b) *Types designated*.

The 2 types of Development Areas specified in the Critical Area Management Program are:

(1) Resource Conservation Areas.

(1) Intensely Developed Areas, which comprise 2 subareas:

(i) Waterfront Revitalization Areas.

(ii) Waterfront Industrial Areas.

(City Code, 1976/83, art. 30, ch. 3C(intro)(2nd par.), §13.0-2-23b(2nd sen.).) (Ord. 99-547; Ord. 02-350.)

§ 8-305. Boundaries.

(a) *As delineated on maps.*

The Critical Area Buffer and Development Area boundaries are delineated on a series of maps maintained by the Baltimore City Department of Planning. These maps may be periodically revised with the approval of the Planning Commission and the Chesapeake Bay Critical Area Commission.

(b) *Other depictions illustrative only.*

Any other representation of the Critical Area or its Development Areas, regardless of the source of publication, are illustrative only and may not be used for determining any of the development requirements or restrictions required in this subtitle or by the Baltimore City Critical Area Management Program.

(City Code, 1976/83, art. 30, ch. 3C(intro)(3rd par.).) (Ord. 99-547.)

§§ 8-306 to 8-307. *{Reserved}*

PART II. GENERAL REQUIREMENTS

§ 8-308. In general.

In addition to the general provisions of Title 3 {"General Rules"} of this article, the following provisions apply to Critical Area Overlay District.

(Ord. 99-547.)

§ 8-309. General use regulations.

(a) *Permitted uses.*

Permitted uses are as set forth in Part III of this subtitle for each type of Development Area.

(b) *Conditional uses.*

Conditional uses are as set forth in Part III of this subtitle for each type of Development Area.

(c) *Nonconforming uses.*

Any expansion made after January 3, 1988, to a nonconforming use in the Critical Area Overlay District must comply with the development requirements of Section III of the Critical Area Management Program if the Department of Planning determines it to be a significant development.

(City Code, 1976/83, art. 30, §3C.0-1a, 1b, 1c(2nd par.).) (Ord. 99-547.)

§ 8-310. Prohibited uses.

(a) *Within Critical Area.*

Except as specified in subsection (c) of this section, the following uses are prohibited within the Critical Area:

(1) Solid or hazardous waste collection or disposal facilities.

(2) Sanitary landfills.

(3) Materials recovery facilities.

(4) Waste disposal (except garbage) for land fill and land reclamation.
(5) Junk or scrap storage and yards.

(6) Radioactive waste handling.

(7) Incinerators: commercial or municipal.

(8) Recycling collection stations.

(9) Transfer stations.

(10) Hazardous material: handling and storage.

(b) *Within Buffer.*

Except as specified in subsection (c) of this section, the following additional uses are prohibited within the Buffer:

(1) Storage facilities for toxic or hazardous substances (as those terms are defined in COMAR 11.07.01.01A) or nutrients (that is, elements or compounds essential as raw material for organic growth and development; for example, carbon, nitrogen, and phosphorus).

(2) Open storage facilities for any bulk solid or semi-solid material that is a toxic or hazardous substance or nutrient or that becomes one when left to stand or exposed to water.

(1) Outdoor facilities for the maintenance, storage, or dismantling of abandoned, unlicensed, junked, or derelict vehicles.

(4) Sand or gravel operations.

(5) Cement plants.

(6) Chemical plants.

(7) Non-water-dependent structures on:

(i) piers; or

(2) barges or other non-self-propelled vessels (other than historic vessels used as museums).

(8) As specified in § 3-107 {"Prohibited uses"} of this article.

(c) *Exceptions.*

The prohibitions in subsections (a) and (b) of this section do not apply if:

(1) on recommendation of the Department of Planning, the Board finds that:

(i) there is no environmentally acceptable alternative outside the Critical Area; and

(ii) the use is needed to correct an existing water quality or wastewater management problem; and

(2) for any new use that constitutes a significant development or for any expansion of a nonconforming use, a best management practices plan that will achieve a net improvement in water quality is submitted and implemented as a requirement of the Critical Area review process.

(City Code, 1976/83, art. 30, §3C.0-1d1, 1d2, 1d4 to 1d6, 1e, 1f.) (Ord. 99-547; Ord. 02-350.)

§ 8-311. Water-dependant facilities within Buffer.

(a) *Intensely Developed Areas.*

Water-dependent facilities are allowed in the Buffer in Intensely Developed Areas only if:

(1) the use and project meet a recognized private right or public need;

(2) adverse effects on water quality and on fish, plant, and wildlife habitats are minimized;

(3) to the extent possible, all associated non-water-dependent uses and structures are located outside the Buffer; and

(4) the facilities meet the requirements of the Critical Area Management Program, the Critical Area Development Manual, and the State law and regulations governing the Critical Area.

(b) *Resource Conservation Areas.*

Except as otherwise specifically provided in § 8-317 of this subtitle, water-dependent facilities are prohibited in Resource Conservation Areas.

(City Code, 1976/83, art. 30, §3C.0-1g.) (Ord. 99-547; Ord. 02-350.)

§ 8-312. Public utility and government services.

Notwithstanding any other provision to the contrary, every significant development of public utilities or governmental services within the Critical Area is subject to the special requirements and restrictions of the Critical Area Management Program.

(City Code, 1976/83, art. 30, §3C.2-1.) (Ord. 99-547.)

§ 8-313. Abandoned uses.

Any use that is discontinued for 12 consecutive months:

(1) is considered abandoned; and
(2) may not be reestablished in the Critical Area unless, on recommendation of the Department of Planning, the Board finds that the use complies with the Critical Area Management Program.

(City Code, 1976/83, art. 30, §3C.0-1h.) (Ord. 99-547.)

§ 8-314. Bulk regulations.

The standards set forth in this article for each underlying district apply to properties in the Critical Area Overlay District.

(City Code, 1976/83, art. 30, §3C.0-2.) (Ord. 99-547.)

§§ 8-315 to 8-316. *{Reserved}*

PART III. DEVELOPMENT AREA REQUIREMENTS

§ 8-317. Resource Conservation Area.

(a) *Permitted uses within Critical Area.*

In a Resource Conservation Area within the Critical Area but outside the Buffer, permitted uses are as follows:

Non-profit or publicly-owned open space, natural parks, pedestrian easements, promenades, bike paths, cultural and historic sites, and educational facilities.

(b) *Permitted uses within Buffer.*

In a Resource Conservation Area within the Buffer, permitted uses are as follows:

Areas for passive recreation, such as nature study and education – but service facilities for these areas must be located outside of the Buffer.

(c) *Accessory and conditional uses within Critical Area.*

In a Resource Conservation Area within the Critical Area or Buffer, accessory and conditional uses are as follows:

None.

(City Code, 1976/83, art. 30, §3C.1-1.) (Ord. 99-547; Ord. 02-350.)

§ 8-318. Intensely Developed Areas - Waterfront Revitalization Subarea.

(a) *Permitted, accessory, and conditional uses within Critical Area.*

In a Waterfront Revitalization Area within the Critical Area but outside the Buffer, permitted, accessory, and conditional uses are as follows:

As otherwise provided in this article for the underlying zoning district, subject to the provisions of § 8-310 {“Prohibited uses”} of this subtitle.

(b) *Permitted, accessory, and conditional uses within Buffer.*

In a Waterfront Revitalization Area within the Buffer, permitted, accessory, and conditional uses are as follows:

As otherwise provided in this article for the underlying zoning district, subject to the provisions of § 8-310 {"Prohibited uses"} and § 8-311 {"Water-dependent facilities within Buffer"} of this subtitle.

(City Code, 1976/83, art. 30, §3C.1-2.) (Ord. 99-547; Ord. 02-350.)

§ 8-319. Intensely Developed Areas - Waterfront Industrial Subarea.

(a) *Permitted, accessory, and conditional uses within Critical Area*.

In a Waterfront Industrial Area within the Critical Area but outside the Buffer, permitted, accessory, and conditional uses are as follows:

As otherwise provided in this article for the underlying zoning district, subject to the provisions of § 8-310 {"Prohibited uses"} of this subtitle.

(b) *Permitted, accessory, and conditional uses within Buffer*.

In a Waterfront Industrial Area within the Buffer, permitted, accessory, and conditional uses are as follows:

As otherwise provided in this article for the underlying zoning district, subject to the provisions of § 8-310 {"Prohibited uses"} and § 8-311 {"Water-dependent facilities within Buffer"} of this subtitle.

(City Code, 1976/83, art. 30, §3C.1-3.) (Ord. 99-547; Ord. 02-350.)

§§ 8-320 to 8-321. *{Reserved}*

PART IV. ADMINISTRATION

§ 8-322. Conditional uses and variances.

(a) *In general.*

In addition to the requirements of Title 14 {"Conditional Uses"} and Title 15 {"Variances"} of this article, the standards and procedures of this section apply to any conditional use or variance in the Critical Area.

(b) *Findings — Planning Department.*

The Planning Department must find that:

(1) special conditions or circumstances exist that are peculiar to the land or structure for which the application is made; and

(2) a literal enforcement of the requirements of the Critical Area Management Program would result in unwarranted hardship.

(c) *Findings — Board.*

In addition, the Board must find that:

(1) a literal interpretation of the Critical Area Management Program, the State Chesapeake Bay Critical Area law, or related regulations will deprive the applicant of rights commonly enjoyed by other properties in similar areas within the Critical Area;

(2) the granting of a conditional use or variance will not confer on the applicant any special privilege that would be denied under the Critical Area Management Program, the Chesapeake Bay Critical Area law, or related regulations to other lands or structures within the Critical Area;

(3) the application for the conditional use or variance:

(i) is not based on conditions or circumstances that are the result of the applicant's own actions; and

(ii) does not arise from any condition that relates to a land or building use, whether nonconforming or otherwise allowed, on any neighboring property;

(4) the granting of a conditional use or variance will not adversely affect water quality or adversely impact fish, wildlife, or plant habitats within:

(i) the Critical Area;

(ii) a Resource Conservation Area; or

(iii) any other protected part of the State Chesapeake Bay Critical Area within a neighboring jurisdiction; and

(5) the granting of a conditional use or variance will be in harmony with the general spirit and intent of the Critical Area Management Program, the State Chesapeake Bay Critical Area law, and related regulations.

(d) *Application copies to Planning and Critical Area Commission.*

All applications for a conditional use or variance must be made in writing to the Board, and the Board must furnish copies of all applications to the Planning Department and the Chesapeake Bay Critical Area Commission.

(City Code, 1976/83, art. 30, §3C.2-2.) (Ord. 99-547.)

TITLE 9
PLANNED UNIT DEVELOPMENTS

SUBTITLE 1
OVERVIEW; GENERAL REQUIREMENTS

PART I. OVERVIEW

§ 9-101. Design.

(a) *Unitary plan of development.*

Planned Unit Developments are intended to encourage the best possible design of building forms and site planning under a unitary development plan that, in accordance with this title, establishes:

(1) land uses;

(2) distances between buildings;

(3) allocations for open space;

(4) on-site parking;

(5) density limitations per acre;

(6) periphery setbacks;

(7) floor area ratio;

(8) land coverage;

(9) land use relationships with adjoining areas; and

(10) all other applicable specifications.

(b) *Benefits.*

Unitary control over an entire development, rather than lot-by-lot regulation, will produce a well-designed development that will have a beneficial effect on the health, security, general welfare, and morals of the City and the neighboring areas.

(City Code, 1976/83, art. 30, ch. 12(intro par.)(1st, 2nd sens.), §13.0-2-69(2nd sen.).) (Ord. 99-547.)

§ 9-102. Regulatory intent.

(a) *In general.*

The regulations established in this title are intended to permit and encourage sound and imaginative development.

(b) *Standards.*

Specific, additional standards are established by this title to:

(1) insure that a Planned Unit Development conforms to the character and nature of the district in which it is located;

(2) achieve maximum coordination between the Planned Unit Development and neighboring land uses;

(3) promote the intent and purposes of this article; and

(4) encourage the most appropriate use of land within the area of the Planned Unit Development.

(c) *Development Plan.*

In addition to the other requirements of this title, the design features and standards of development within a Planned Unit Development must conform to a detailed Development Plan that has been approved by ordinance of the Mayor and City Council.

(City Code, 1976/83, art. 30, ch. 12(intro par.)(3rd, 4th sens.), §12.0-1e(1st sen.).) (Ord. 99-547.)

§§ 9-103 to 9-104. *{Reserved}*

PART II. APPLICATION FOR APPROVAL

§ 9-105. Initiation of process.

(a) *Preliminary conference.*

Before submitting an application for approval of a Planned Unit Development, the owner or developer must:

(1) hold a preliminary conference with the Planning Commission or its designated representative to review the scope and nature of the proposed Planned Unit Development; and

(2) prepare a detailed Development Plan in accordance with this title.

(b) *Initiation by Commission for certain areas.*

For any area of potential land use development that is located within 2,000 feet of a rapid transit station or interchange, the Planning Commission itself may recommend the area as a Planned Unit Development and initiate a detailed Development Plan in accordance with this title.

(City Code, 1976/83, art. 30, §12.0-1a.) (Ord. 99-547.)

§ 9-106. Submission to City Council.

(a) *In general.*

After the preliminary conference, the applicant must submit to the City Council a formal application for approval of the Development Plan.

(b) *Form.*

The application must be in the form of a proposed ordinance of the Mayor and City Council of Baltimore, containing the information and accompanied by the documents that the City Council requires.

(City Code, 1976/83, art. 30, §12.0-1b(1st sen.).) (Ord. 99-547.)

§ 9-107. Development Plan.

The Development Plan accompanying the application must include, at a minimum:

(1) an accurate topographic and boundary line map of the project area;

(2) a location map showing the relationship of the project area to surrounding properties;

(3) the pattern and intended design standards of existing and proposed roads, driveways, and parking facilities, whether public or private;

(4) the use, type, size, arrangement, and location of existing and proposed lots, structures, and building groups;

(5) the location, type, and size of existing and proposed landscaping;

(6) architectural drawings and sketches that illustrate the design and character of proposed structures;

(7) the location of existing and proposed sewer and water facilities;

(8) existing topography and storm drainage pattern;

(9) proposed storm drainage system showing basic topographic changes;

(10) the location of:

(i) recreational and open space areas and areas reserved or dedicated for public uses, such as school and park sites; and

(ii) any open space to be owned and maintained by a property owners' association.

(11) statistical data on:

(i) the total size of the project area;

(ii) density computations;

(iii) the proposed number of residential units, by type; and

(iv) any other similar factors pertinent to a comprehensive evaluation of the proposed Planned Unit Development;

(12) a copy of:

(i) the intended organizational structure of and governing documents for any property owners' association;

(ii) all existing and proposed protective covenants; and

(iii) all maintenance and service provisions; and

(13) a detailed time schedule for the start and completion of the Planned Unit Development.
(City Code, 1976/83, art. 30, §12.0-1e(2nd sen.).) (Ord. 99-547.)

§§ 9-108 to 9-109. *{Reserved}*

PART III. REVIEW AND APPROVAL

§ 9-110. In general.

The City Council may authorize the Planned Unit Development and approve the Development Plan in accordance with the procedures, guides, and standards of this title and of Title 14 {"Conditional Uses"} and Title 16 {"Legislative Authorizations"} of this article.
(City Code, 1976/83, art. 30, §12.0-1b(3rd par.)(1st sen.).) (Ord. 99-547.)

§ 9-111. Agency reviews.

(a) *Referrals.*

On introduction of a bill proposing a Planned Unit Development, the City Council must refer the bill for review by the Board, the Planning Commission, and other agencies as provided in Title 16 {"Legislative Authorizations"} of this article.

(b) *Reports and recommendations.*

The agencies to which a bill has been referred must submit their reports and recommendations to the City Council as provided in Title 16 {"Legislative Authorizations"} of this article.
(City Code, 1976/83, art. 30, §12.0-1b(1st par.)(2nd sen.), (2nd par.).) (Ord. 99-547.)

§ 9-112. Governing standards.

(a) *In general.*

In reviewing the proposal, the agencies to which a bill is referred must consider:

(1) the standards in Title 14 {"Conditional Uses"} of this article governing conditional uses; and

(2) in addition, whether:

(i) the plans for the Planned Unit Development are in general conformance with:

(A) all elements of the Master Plan; and

(B) the character and nature of existing and contemplated development in the vicinity of the proposed Planned Unit Development;

(ii) the Planned Unit Development will preserve unusual topographic or natural features of the land;

(iii) the design of the Planned Unit Development will best utilize and be compatible with the topography of the land;

(iv) the physical characteristics of the Planned Unit Development will adversely affect:

(A) future development or the value of undeveloped neighboring areas; or

(B) the use, maintenance, or value of neighboring areas already developed;

(v) with respect to availability of light, air, open space, and street access, the Planned Unit Development will secure for its residents and neighboring residents substantially the same benefits as would be provided by application of the basic district regulations;

(vi) with respect to fire, health hazards, and other dangers, the Planned Unit Development will secure for its residents and neighboring residents substantially the same protection as would be provided by application of the basic district regulations; and

(vii) the Planned Unit Development will permit design features that would not be possible by application of the basic district regulations.

(b) *Use regulations.*

The uses that would be allowed under this title but not under the basic regulations governing the underlying district in which they are located:

(1) must be necessary or desirable for and appropriate to the primary purpose of the Planned Unit Development; and

(2) may not be of a nature, or so located, as to adversely affect the surrounding neighborhood.

(c) *Bulk regulations.*

The application of bulk regulations under this title, which are expressed in terms of overall density for the entire Planned Unit Development rather than on a lot-by-lot basis, should result in overall development that is no less beneficial to the residents than would be obtained by application of the basic regulations for the underlying district.

(City Code, 1976/83, art. 30, §12.0-1b(1st par.)(3rd sen.), 1c, 1d.) (Ord. 99-547.)

§ 9-113. Action by City Council.

(a) *Options.*

After it receives the reports and recommendations of the Board and the Planning Commission, or on failure of either to report within the time specified in § 16-302 {"Agency reports and recommendations"} of this article, the City Council may:

(1) approve or disapprove the Development Plan as submitted;

(2) grant conditional approval; or

(3) require that the applicant modify the Development Plan before approval.

(b) *Approval to be in form of ordinance.*

The City Council's approval must be in the form of an ordinance of the Mayor and City Council of Baltimore.

(City Code, 1976/83, art. 30, §12.0-1b(3rd par.).) (Ord. 99-547.)

§§ 9-114 to 9-115. *{Reserved}*

PART IV. ADMINISTRATION AND ENFORCEMENT

§ 9-116. Zoning maps and files.

(a) *Map delineations.*

The Zoning Administrator must delineate and designate approved Planned Unit Developments on the official zoning maps, for informational and reference purposes.

(b) *Files.*

The Zoning Administrator must keep a file, available for public inspection, for each Planned Unit Development. The file must contain a record of the approved Development Plan and all related matters.

(City Code, 1976/83, art. 30, §12.0-6.) (Ord. 99-547.)

§ 9-117. Ordinance and Plan as binding agreement.

The ordinance and approved Development Plan constitute a binding agreement by the owner and developer that it will proceed with the development in strict accordance with the approved Plan, including the detailed time schedule contained in the Plan.

(City Code, 1976/83, art. 30, §12.0-1b(3rd par.)(last sen.).) (Ord. 99-547.)

§ 9-118. Modifications or deviations.

(a) *New application required.*

Except as specified in this section, every modification of or deviation from an approved Development Plan must be processed and approved under this title as a new application.

(b) *Changes to other allowed uses.*

The Board may authorize changes of use to other uses if those other uses are otherwise allowed as permitted uses or as Board-approved conditional uses in the underlying district in which the Planned Unit Development is located.

(c) *Minor modifications — design features; interiors.*

(1) The Planning Commission may authorize minor modifications that:

(i) are limited to design features and interior planning; and

(ii) do not include any change in the applicable density or bulk regulations.

(2) The Planning Commission may determine what constitutes a "minor modification" for purposes of this subsection.

(d) *Minor modifications — time schedule.*

On a showing of reasonable cause by the applicant, the Board may authorize an extension of or minor modification in the Plan's detailed time schedule.

(e) *Form of requests and approvals.*

(1) All requests for authorizations under subsection (b), (c), or (d) of this section must be in writing.

(2) All authorizations under those subsections must be in the form of a written order, with copies to the Zoning Administrator and, for Board authorizations, to the Planning Commission.

(City Code, 1976/83, art. 30, §12.0-1b(4th par.).) (Ord. 99-547.)

§ 9-119. Enforcement.

(a) *Noncompliance cause for cancellation.*

Failure to comply with the requirements set by or under authority of this title is cause for canceling the Planned Unit Development and Development Plan.

(b) *Notice.*

The Zoning Administrator must provide the owner or developer at least 15 days' notice to appear before the Zoning Administrator and answer to any charge of noncompliance.

(c) *Action by Administrator*.

If the Zoning Administrator finds the charges to be substantiated, and if the situation is not satisfactorily adjusted within a specified period set by the Zoning Administrator, the Zoning Administrator may:

(1) order cancellation of the Planned Unit Development and Development Plan; and

(2) take any other action that is appropriate.

(City Code, 1976/83, art. 30, §12.0-1b(5th par.).) (Ord. 99-547.)

§§ 9-120 to 9-121. ***{Reserved}***

PART V. UNIFORM REGULATIONS

§ 9-122. Yards.

In a Planned Unit Development, the basic yard requirements for the underlying district may be reduced to the extent specifically provided in the approved Development Plan.

(City Code, 1976/83, art. 30, §12.0-2b4, §12.0-3b4, §12.0-4b4, §12.0-5b2.) (Ord. 99-547.)

§ 9-123. Building height and floor area ratio.

(a) *Height requirements.*

In a Planned Unit Development, the basic building height limitations for the underlying district may be increased to the extent specifically provided in the approved Development Plan.

(b) *Floor area ratio — in general.*

(1) The floor area ratio requirements of the underlying district apply to the entire Planned Unit Development and not to the specific uses, lots, or structures located within the Planned Unit Development.

(2) For this purpose, the computation:

(i) includes:

(A) the entire land area within the boundaries of a site; and

(B) all fountains, reflecting pools, lakes, and similar water areas; but

(ii) excludes the land area required or proposed for public rights-of-way.

(c) *Floor area ratio — gross density premiums.*

Qualification under this title for a gross density premium increases the maximum floor area ratio by an equal percentage.

(City Code, 1976/83, art. 30, §12.0-2b5, §12.0-3b5, §12.0-4b5, §12.0-5b3, §13.0-2-59.) (Ord. 99-547.)

§ 9-124. Off-street parking.

Off-street parking in a Planned Unit Development must be provided in accordance with the requirements of Title 10 {"Off-Street Parking Regulations"} of this article, as they apply to the underlying district.

(City Code, 1976/83, art. 30, §12.0-2d, §12.0-3d, §12.0-4d, §12.0-5d.) (Ord. 99-547.)

§ 9-125. Signs.

Signs in a Planned Unit Development must comply with the requirements of Title 11 {"Sign Regulations"} of this article, as they apply to the underlying district.

(City Code, 1976/83, art. 30, §12.0-2c, §12.0-3c, §12.0-4c, §12.0-5c.) (Ord. 99-547.)

§ 9-126. Performance standards in Business and Industrial Developments.

Uses in a Business or Industrial Planned Unit Development must comply with the performance standards of Title 12 {"Performance Standards"} of this article, as they apply to the underlying district.

(City Code, 1976/83, art. 30, §12.0-4e, §12.0-5e.) (Ord. 99-547.)

SUBTITLE 2
RESIDENTIAL PLANNED UNIT DEVELOPMENTS

PART I. USE REGULATIONS

§ 9-201. In general.

For an approved Planned Unit Development located in a Residence District, the uses allowed are as specified in this Part I, subject to the general provisions of Title 3 {"General Rules"} of this article.
(City Code, 1976/83, art. 30, §12.0-2(intro cl.).) (Ord. 99-547.)

§ 9-202. Uses of underlying district.

(a) *Uses permitted in district.*

All uses specified as permitted uses in the underlying district are allowed in a Residential Planned Unit Development.

(b) *Certain dwellings.*

In a Residential District in which single-family detached dwellings are permitted uses, single-family attached, single-family semi-detached, and multiple-family detached dwellings are also allowed to the extent specifically provided in the approved Development Plan.

(c) *Uses conditional in district.*

Uses specified as conditional uses in the underlying district are allowed in a Residential Planned Unit Development to the extent specifically provided in the approved Development Plan.
(City Code, 1976/83, art. 30, §12.0-2a1, 2a2.) (Ord. 99-547.)

§ 9-203. Uses of O-R, B-1, B-2, and M-1 Districts.

Uses specified as permitted or conditional uses in O-R, B-1, B-2, and M-1 Districts are allowed in a Residential Planned Unit Development to the extent specifically provided in the approved Development Plan.
(City Code, 1976/83, art. 30, §12.0-2a3.) (Ord. 99-547.)

§ 9-204. Uses in Urban Renewal Area.

If the Planned Unit Development is located in an Urban Renewal Area, uses allowed under this subtitle but disallowed by the governing Urban Renewal Plan are allowed in the Planned Unit Development to the extent specifically provided in the approved Development Plan.
(City Code, 1976/83, art. 30, §12.0-2a4.) (Ord. 99-547.)

§§ 9-205 to 9-206. ***{Reserved}***

PART II. BULK REGULATIONS

§ 9-207. In general.

For an approved Planned Unit Development located in a Residence District, the bulk regulation requirements are as specified in this Part II, subject to the general provisions of Title 3 {"General Rules"} of this article.

(City Code, 1976/83, art. 30, §12.0-2(intro cl.).) (Ord. 99-547.)

§ 9-208. Area and coverage.

(a) *Minimum area.*

(1) In R-1 through R-5 Districts, a Planned Unit Development must contain at least 5 acres.

(2) In R-6 through R-10 Districts, a Planned Unit Development must contain at least 2 acres.

(b) *Lot coverage.*

The basic lot coverage maximums for the underlying district may be increased to the extent specifically provided in the approved Development Plan.

(City Code, 1976/83, art. 30, §12.0-2b1.) (Ord. 99-547.)

§ 9-209. Gross density.

(a) *In general.*

(1) In R-8, R-9, and R-10 Districts, dwelling units are computed for purposes of this section as follows:

(i) 1 efficiency unit counts as 0.67 of a dwelling unit; and

(ii) 1 rooming unit counts as 0.5 of a dwelling unit.

(2) The aggregate number of dwellings units in a Residential Planned Unit Development may not exceed the following:

District	*Dwelling Units per Acre*
R-1 District	6
R-1A District	3
R-1B District	2
R-2 District	6
R-3 District	9
R-4 District	9
R-5 District	17
R-6 District	29

R-7 District	40
R-8 District	58
R-9 District	79
R-10 District	218

(b) *Housing for elderly.*

For housing for the elderly, the density regulations established for the underlying district apply.

(c) *Development encompassing 2 or more Residence Districts.*

Where 2 or more Residence Districts are included in a Planned Unit Development, dwelling units may be located without regard to district boundary lines, as long as the overall density does not exceed the aggregate density allowable for all the districts.

(City Code, 1976/83, art. 30, §12.0-2b2.) (Ord. 99-547.)

§ 9-210. Gross density premiums.

(a) *In general.*

To the extent specifically provided in the approved Development Plan, the maximum gross densities specified in § 9-209 {"Gross density"} of this subtitle may be increased by up to 25% in accordance with one or more of the following subsections.

(b) *Near park land.*

For a Residential Planned Unit Development that is adjacent to a public park of at least 15 acres, a premium may be added of up to 10%.

(c) *Near rapid transit*.

For a Residential Planned Unit Development that is within 1/8 mile of a rapid transit station facility or interchange, a premium may be added of up to 5%.

(d) *With dedicated recreational and educational sites.*

For a Residential Planned Unit Development that has dedicated public recreational and educational sites, as recommended in the Master Plan, a premium may be added that is equal to the number of dwelling units that would otherwise have been permitted on the land so dedicated.

(e) *With unique design features.*

For a Residential Planned Unit Development that provides unique design features requiring unusually high development costs and achieving an especially attractive and stable development, a premium may be added of up to 5%.

(f) *Open space in certain districts.*

In R-7, R-8, R-9, and R-10 Districts, for a Residential Planned Unit Development that provides at grade permanent open space developed for recreational use, terraces, sculptures, reflecting pools, fountains, and similar uses, a premium may be added of a percentage equal to 2 times the percentage of the Planned Unit Development so devoted to permanent open space uses.

(City Code, 1976/83, art. 30, §12.0-2b3.) (Ord. 99-547.)

SUBTITLE 3
OFFICE-RESIDENTIAL PLANNED UNIT DEVELOPMENTS

PART I. USE REGULATIONS

§ 9-301. In general.

For an approved Planned Unit Development located in an Office-Residence District, the uses allowed are as specified in this Part I, subject to the general provisions of Title 3 {"General Rules"} of this article.
(City Code, 1976/83, art. 30, §12.0-3.) (Ord. 99-547.)

§ 9-302. Uses of underlying district.

(a) *Uses permitted in district.*

All uses specified as permitted uses in the underlying district are allowed in an Office-Residential Planned Unit Development.

(b) *Uses conditional in district.*

Uses specified as conditional uses in the underlying district are allowed in an Office-Residential Planned Unit Development to the extent specifically provided in the approved Development Plan.
*(City Code, 1976/83, art. 30, §§*12.0-3a1, 3a2.*) (Ord. 99-547.)*

§ 9-303. Uses of B-1, B-2, and M-1 Districts.

Uses specified as permitted or conditional uses in B-1, B-2, and M-1 Districts are allowed in an Office-Residential Planned Unit Development to the extent specifically provided in the approved Development Plan.
(City Code, 1976/83, art. 30, §12.0-3a3.) (Ord. 99-547.)

§ 9-304. Uses in Urban Renewal Area.

If the Planned Unit Development is located in an Urban Renewal Area, uses allowed under this subtitle but disallowed by the governing Urban Renewal Plan are allowed in the Planned Unit Development to the extent specifically provided in the approved Development Plan.
(City Code, 1976/83, art. 30, §12.0-3a4.) (Ord. 99-547.)

§§ 9-305 to 9-306. ***{Reserved}***

PART II. BULK REGULATIONS

§ 9-307. In general.

For an approved Planned Unit Development located in an Office-Residence District, the bulk regulation requirements are as specified in this Part II, subject to the general provisions of Title 3 {"General Rules"} of this article.

(City Code, 1976/83, art. 30, §12.0-3(intro cl.).) (Ord. 99-547.)

§ 9-308. Area.

(a) *O-R-1 Districts.*

In an O-R-1 District, a Planned Unit Development must contain at least 3 acres.

(b) *Others.*

In O-R-2, O-R-3, and O-R-4 Districts, a Planned Unit Development must contain at least 2 acres.
(City Code, 1976/83, art. 30, §12.0-3b1.) (Ord. 99-547.)

§ 9-309. Gross density.

(a) *In general.*

(1) In all Office-Residence Districts, dwelling units are computed for purposes of this section as follows:

(i) 1 efficiency unit counts as 0.67 of a dwelling unit; and

(ii) 1 rooming unit counts as 0.5 of a dwelling unit.

(2) The aggregate number of dwellings units in an Office-Residential Planned Unit Development may not exceed the following:

District	*Dwelling Units per Acre*
O-R-1 District	17
O-R-2 District	79
O-R-3 District	218
O-R-4 District	218

(b) *Housing for elderly.*

For housing for the elderly, the density regulations established for the underlying district apply.

(c) *Development encompassing 2 or more Office-Residence Districts.*

Where 2 or more Office-Residence Districts are included in a Planned Unit Development, dwelling units may be located without regard to district boundary lines, as long as the overall density does not exceed the aggregate density all the districts.
(City Code, 1976/83, art. 30, §12.0-3b2.) (Ord. 99-547.)

§ 9-310. Gross density premiums.

(a) *In general.*

To the extent specifically provided in the approved Development Plan, the maximum gross densities specified in § 9-309 {"Gross density"} of this subtitle may be increased by up to 25% in accordance with one or more of the following subsections.

(b) *Near park land.*

For an Office-Residential Planned Unit Development that is adjacent to a public park of at least 15 acres, a premium may be added of up to 10%.

(c) *Near rapid transit.*

For an Office-Residential Planned Unit Development that is within 1/8 mile of a rapid transit station facility or interchange, a premium may be added of up to 5%.

(d) *With dedicated recreational and educational sites.*

For an Office-Residential Planned Unit Development that has dedicated public recreational and educational sites, as recommended in the Master Plan, a premium may be added that is equal to the number of dwelling units that would otherwise have been permitted on the land so dedicated.

(e) *With unique design features.*

For an Office-Residential Planned Unit Development that provides unique design features requiring unusually high development costs and achieving an especially attractive and stable development, a premium may be added of up to 5%.

(f) *Open space in certain districts.*

In O-R-2, O-R-3, and O-R-4 Districts, for an Office-Residential Planned Unit Development that provides at grade permanent open space developed for recreational use, terraces, sculptures, reflecting pools, fountains, and similar uses, a premium may be added of a percentage equal to 2 times the percentage of the Planned Unit Development so devoted to permanent open space uses.

(City Code, 1976/83, art. 30, §12.0-3b3.) (Ord. 99-547.)

SUBTITLE 4
BUSINESS PLANNED UNIT DEVELOPMENTS

PART I. USE REGULATIONS

§ 9-401. In general.

For an approved Planned Unit Development located in a Business District, the uses allowed are as specified in this Part I, subject to the general provisions of Title 3 {"General Rules"} of this article.
(City Code, 1976/83, art. 30, §12.0-4(intro cl.).) (Ord. 99-547.)

§ 9-402. Uses of underlying district.

(a) *Uses specified as permitted in district.*

All uses specified as permitted uses in the underlying district are allowed in a Business Planned Unit Development.

(b) *Uses specified as conditional in district.*

Uses specified as conditional uses in the underlying district are allowed in a Business Planned Unit Development to the extent specifically provided in the approved Development Plan.
(City Code, 1976/83, art. 30, §12.0-4a1, 4a2.) (Ord. 99-547.)

§ 9-403. Uses of other Business Districts and of M-1 District.

Uses specified as permitted or conditional uses in other Business Districts and an M-1 District are allowed in a Business Planned Unit Development to the extent specifically provided in the approved Development Plan.
(City Code, 1976/83, art. 30, §12.0-4a3, 4a4.) (Ord. 99-547.)

§ 9-404. Uses in Urban Renewal Area.

If the Planned Unit Development is located in an Urban Renewal Area, uses allowed under this subtitle but disallowed by the governing Urban Renewal Plan are allowed in the Planned Unit Development to the extent specifically provided in the approved Development Plan.
(City Code, 1976/83, art. 30, §12.0-4a5.) (Ord. 99-547.)

§§ 9-405 to 9-406. ***{Reserved}***

PART II. BULK REGULATIONS

§ 9-407. In general.

For an approved Planned Unit Development located in a Business District, the bulk regulation requirements are as specified in this Part II, subject to the general provisions of Title 3 {"General Rules"} of this article.
(City Code, 1976/83, art. 30, §12.0-4(intro cl.).) (Ord. 99-547.)

§ 9-408. Area.

(a) *B-1 Districts.*

In B-1-1, B-1-2, and B-1-3 Districts, a Planned Unit Development must contain at least 1 acre.

(b) *B-2 Districts.*

(1) In a B-2-1 District, a Planned Unit Development must contain at least 3 acres.

(2) In B-2-2, B-2-3, and B-2-4 Districts, a Planned Unit Development must contain at least 2 acres.

(c) *B-3 Districts.*

(1) In a B-3-1 District, a Planned Unit Development must contain at least 3 acres.

(2) In B-3-2 and B-3-3 Districts, a Planned Unit Development must contain at least 2 acres.

(d) *B-4 and B-5 Districts.*

In B-4-1, B-4-2, B-5-1, and B-5-2 Districts, a Planned Unit Development must contain at least 2 acres.

(City Code, 1976/83, art. 30, §12.0-4b1.) (Ord. 99-547.)

§ 9-409. Gross density.

(a) *In general.*

(1) In all Business Districts, dwelling units are computed for purposes of this section as follows:

(i) 1 efficiency unit counts as 0.67 of a dwelling unit; and

(ii) 1 rooming unit counts as 0.5 of a dwelling unit.

(2) The aggregate number of dwellings units in a Business Planned Unit Development may not exceed the following:

District	*Dwelling Units per Acre*
B-1-1 District	9
B-1-2 District	40
B-1-3 District	79
B-2-1 District	9
B-2-2 District	40
B-2-3 District	79

B-2-4 District	218
B-3-1 District	9
B-3-2 District	40
B-3-3 District	79
B-4-1 District	256
B-4-2 District	363
B-5-1 District	As specifically provided in approved Plan
B-5-2 District	As specifically provided in approved Plan

(b) *Housing for elderly.*

For housing for the elderly, the density regulations established for the underlying district apply.

(c) *Development encompassing 2 or more Business Districts.*

Where 2 or more Business Districts are included in a Planned Unit Development, dwelling units may be located without regard to district boundary lines, as long as the overall density does not exceed the aggregate density allowable for all the districts.

(City Code, 1976/83, art. 30, §12.0-4b2.) (Ord. 99-547.)

§ 9-410. Gross density premiums.

(a) *In general.*

To the extent specifically provided in the approved Development Plan, the maximum gross densities specified in § 9-409 {"Gross density"} of this subtitle may be increased by up to 25% in accordance with one or more of the following subsections.

(b) *Near park land.*

For a Business Planned Unit Development that is adjacent to a public park of at least 15 acres, a premium may be added of up to 10%.

(c) *Near rapid transit.*

For a Business Planned Unit Development that is within 1/8 mile of a rapid transit station facility or interchange, a premium may be added of up to 5%.

(d) *With dedicated recreational and educational sites.*

For a Business Planned Unit Development that has dedicated public recreational and educational sites, as recommended in the Master Plan, a premium may be added that is equal to the number of dwelling units that would otherwise have been permitted on the land so dedicated.

(e) *With unique design features.*

For a Business Planned Unit Development that provides unique design features requiring unusually high development costs and achieving an especially attractive and stable development, a premium may be added of up to 5%.

(f) *Open space.*

For a Business Planned Unit Development that provides at grade permanent open space developed for recreational use, terraces, sculptures, reflecting pools, fountains, and similar uses, a premium may be added of a percentage equal to 2 times the percentage of the Planned Unit Development so devoted to permanent open space uses.

(City Code, 1976/83, art. 30, §12.0-4b3.) (Ord. 99-547.)

SUBTITLE 5
INDUSTRIAL PLANNED UNIT DEVELOPMENTS

PART I. USE REGULATIONS

§ 9-501. In general.

For an approved Planned Unit Development located in an Industrial District, the uses allowed are as specified in this Part I, subject to the general provisions of Title 3 {"General Rules"} of this article.
(City Code, 1976/83, art. 30, §12.0-5(intro cl.).) (Ord. 99-547.)

§ 9-502. Uses of underlying district.

(a) *Uses permitted in district.*

All uses specified as permitted uses in the underlying district are allowed in an Industrial Planned Unit Development.

(b) *Uses conditional in district.*

Uses specified as conditional uses in the underlying district are allowed in an Industrial Planned Unit Development to the extent specifically provided in the approved Development Plan.
(City Code, 1976/83, art. 30, §12.0-5a1, 5a2.) (Ord. 99-547.)

§ 9-503. Uses of Business Districts and other Industrial Districts.

Uses specified as permitted or conditional uses in Business Districts and in other Industrial Districts are allowed in an Industrial Planned Unit Development to the extent specifically provided in the approved Development Plan.
(City Code, 1976/83, art. 30, §12.0-5a3, 5a4.) (Ord. 99-547.)

§ 9-504. Uses in Urban Renewal Area.

If the Planned Unit Development is located in an Urban Renewal Area, uses allowed under this subtitle but disallowed by the governing Urban Renewal Plan are allowed in the Planned Unit Development to the extent specifically provided in the approved Development Plan.
(City Code, 1976/83, art. 30, §12.0-5a5.) (Ord. 99-547.)

§§ 9-505 to 9-506. ***{Reserved}***

PART II. BULK REGULATIONS

§ 9-507. In general.

For an approved Planned Unit Development located in an Industrial District, the bulk regulation requirements are as specified in this Part II, subject to the general provisions of Title 3 {"General Rules"} of this article.
(City Code, 1976/83, art. 30, §12.0-5(intro cl.).) (Ord. 99-547.)

§ 9-508. Area.

(a) *M-1 District*s.

(1) In an M-1-1 District, a Planned Unit Development must contain at least 3 acres.

(2) In M-1-2 and M-1-3 Districts, a Planned Unit Development must contain at least 2 acres.

(b) *M-2 Districts.*

(1) In M-2-1 and M-2-1S Districts, a Planned Unit Development must contain at least 3 acres.

(2) In M-2-2 and M-2-3 Districts, a Planned Unit Development must contain at least 2 acres.

(c) *M-3 Districts.*

In an M-3 District, a Planned Unit Development must contain at least 3 acres.
(City Code, 1976/83, art. 30, §12.0-5b1.) (Ord. 99-547.)

TITLE 10
OFF-STREET PARKING REGULATIONS

SUBTITLE 1
DEFINITIONS; OVERVIEW

§ 10-101. Definitions.

(a) *In general.*

In this title, the following terms have the meanings indicated.
(Ord. 99-547.)

(b) *Parking space.*

"Parking space" means a designated area, whether open or enclosed, that is used for the off-street parking of a motor vehicle.
(City Code, 1976/83, art. 30, §13.0-2-65.) (Ord. 99-547.)

(c) *Stacking space.*

"Stacking space" means off-street space allocated for the temporary standing of motor vehicles awaiting entry to a particular establishment.
(City Code, 1976/83, art. 30, §13.0-2-88.) (Ord. 99-547.)

§ 10-102. Purpose.

(a) *Lessen congestion to promote public safety.*

The purpose of this title is to lessen or prevent congestion of the public streets and thoroughfares and thereby promote the safety and welfare of the public.

(b) *Considerations.*

(1) The minimum requirements of this title for off-street parking are established in accordance with various land uses. In addition, the number of parking spaces required for uses and activities is necessarily varied according to the location and intensity of development of the particular district.

(2) Off-street parking requirements for the central business district are designed in recognition of existing and proposed public transportation facilities, as well as strategically located public parking facilities.
(City Code, 1976/83, art. 30, ch. 9(intro par.).) (Ord. 99-547.)

SUBTITLE 2
SCOPE AND APPLICABILITY

§ 10-201. New structures and uses.

For all newly-erected structures and all newly-established uses of land, accessory off-street parking facilities must be provided for that structure and use, as required by this title.
(City Code, 1976/83, art. 30, §9.0-1a1.) (Ord. 99-547.)

§ 10-202. Expanded structures or premises.

(a) *In general.*

Except as specified in subsection (b) of this section, if the intensity in use of a structure or premises is increased through the addition of dwelling, efficiency, or rooming units, floor area, seating capacity, or other units of measurement, off-street parking facilities must be provided for that increased intensity, as required by this title.

(b) *Preexisting non-residence uses.*

A non-residence use that was lawfully established before April 20, 1971, does not need parking facilities for the increase until the aggregate increase in units of measurement equals 10% or more of the units of measurement existing on April 20, 1971. Once that level of increase has been reached, however, off-street parking facilities must be provided, as required by this title, for the total increase.
(City Code, 1976/83, art. 30, §9.0-1a2.) (Ord. 99-547.)

§ 10-203. Changes of use.

(a) *In general.*

Except as specified in subsection (b) of this section, whenever the existing use of a structure is changed to a new use, off-street parking facilities must be provided, as required by this title, for that new use.

(b) *Preexisting structures.*

If the structure was lawfully erected before April 20, 1971, additional off-street parking facilities are mandatory only in the amount by which the requirements for the new use exceed those for the existing use.
(City Code, 1976/83, art. 30, §9.0-1a3.) (Ord. 99-547.)

§ 10-204. Preexisting facilities not to be reduced.

Accessory off-street parking facilities that existed on April 20, 1971, and still serve a structure or use may not be reduced below — or, if already below, may not be further reduced below — the minimum requirements of this title for a similar new structure or use.
(City Code, 1976/83, art. 30, §9.0-1b.) (Ord. 99-547.)

§ 10-205. Restoration of destroyed, etc., structures.

If a structure or use is restored and continued in operation after having been destroyed or damaged by fire, other casualty, or act of God, off-street parking facilities must be provided that are at least equivalent to those in existence at the time of the destruction or damage.
(City Code, 1976/83, art. 30, §9.0-1d.) (Ord. 99-547.)

§ 10-206. Spaces to be used exclusively for parking.

(a) *In general.*

All parking spaces required by this title must be used solely for the parking of motor vehicles.

(b) *Specifically prohibited uses.*

(1) In no event, may required parking spaces be used for the temporary or permanent storage of vehicles for sale or hire.

(2) No motor vehicle repair work or service of any kind, except emergency repair service, is permitted in any parking spaces.
(City Code, 1976/83, art. 30, §9.0-2a, 2h5.) (Ord. 99-547.)

§ 10-207. Exemptions; special provisions.

(a) *In Business or Industrial District.*

(1) Except as specified in paragraph (2) of this subsection, if the application of this title results in a requirement of no more than 2 spaces on a single lot in a Business or Industrial District, those off-street parking spaces need not be provided.

(2) This subsection, however, does not apply to off-street parking required for dwelling and efficiency units.

(b) *For slot dwellings.*

(1) *In general.*

For a single- or 2-family dwelling that is placed, constructed, or reconstructed in an existing row or group of attached or formerly attached dwellings, no off-street parking spaces need be provided if:

(i) no off-street parking space existed for the previous dwelling;

(ii) the lot adjoins a street that is at least 34 feet wide;

(iii) the lot is less than 125 feet deep; and

(iv) at least _ of the dwellings in the block are:

(A) over 10 years old; and

(B) in substantially sound condition, as determined by the Department of Housing and Community Development.

(2) *Regardless of lot depth or street width.*

Regardless of the depth of the lot or the width of the street, no off-street parking space need be provided for an attached dwelling that is rebuilt or replaced where the existing alley adjacent to the dwelling is less than 15 feet wide.

(c) *For public housing.*

No more than 1 parking space need be provided for every 2 dwelling units in dwellings erected or rehabilitated to be sold to, to be developed by, or to be developed for the use of the Housing Authority of Baltimore City for low-rent public housing.

(d) *For elderly.*

No more than 1 parking space need be provided for every 4 units designed for occupancy by the elderly in:

(1) a federally-assisted private or public housing dwelling; or

(2) housing for the elderly.

(City Code, 1976/83, art. 30, §9.0-2b, 2m, 2n.) (Ord. 99-547.)

§ 10-208. Permissive parking facilities.

Nothing in this article prevents the voluntary establishment of off-street parking facilities to serve any existing use of land or structure, as long as all regulations governing the use, location, design, and operation of those facilities are complied with.

(City Code, 1976/83, art. 30, §9.0-1c.) (Ord. 99-547.)

SUBTITLE 3
GENERAL REQUIREMENTS

§ 10-301. Plot plan.

(a) *Plan to show facilities.*

When a plot plan is submitted with an application for a building permit, or with an application for a use permit where a building permit is not required, the plot plan must include the off-street parking facilities to be provided.

(b) *Form and contents.*

The plot plan must:

(1) be drawn to scale and fully dimensioned; and

(2) indicate the location of, and provision for:

(i) parking spaces;

(ii) curbing and wheelstops;

(iii) pavement markings;

(iv) surfacing;

(v) screening and landscaping;

(vi) lighting; and

(vii) drainage; and

(3) contain any other pertinent information that the Zoning Administrator requires.

(c) *Required reviews.*

(1) If a proposed new or expanded use provides for 5 or more new parking spaces, the Zoning Administrator must forward the plot plan for that use to:

(i) the Department of Planning; and

(ii) the Department of Public Works.

(2) The Department of Public Works must determine:

(i) compliance with:

(A) drainage requirements;

(B) sidewalk, curb, and driveway requirements; and

(C) other relevant standards adopted by the Department of Public Works; and

(ii) the adequacy of:

(A) ingress and egress provisions for vehicular movement;

(B) safety provisions for pedestrian and vehicular traffic; and

(C) all safeguards needed to ensure a minimum of disruption to public rights-of-way and a maximum of safety.

(3) Within 10 days of their having received the plot plan, the Department of Planning and the Department of Public Works must return the plot plan to the Zoning Administrator, with their written approvals or recommended modifications.

(City Code, 1976/83, art. 30, §9.0-1e.) (Ord. 99-547.)

§ 10-302. Location of facilities — to be on lot served.

(a) *In general.*

Except as specified in this subtitle, all off-street parking facilities must be located on the same lot as the use or structure served.

(b) *In required yards.*

Parking spaces may be located in required yards as permitted in § 3-209 {"Projections... into required yards"} of this article.

(City Code, 1976/83, art. 30, §9.0-2g, §9.0-2i(1st sen.).) (Ord. 99-547.)

§ 10-303. Location of facilities — exception for Planned Unit Developments.

The requirements of § 10-302(a) of this subtitle do not apply to off-street parking facilities in an approved Planned Unit Development. All parking facilities in a Planned Unit Development count towards meeting the parking space requirements for all uses and structures in that Planned Unit Development.

(City Code, 1976/83, art. 30, §9.0-2i(4th sen.).) (Ord. 99-547.)

§ 10-304. Location of facilities — nearby facilities under common control.

(a) *In general.*

Off-street parking facilities may be located off-site of the lot on which the structure or use being served is located if:

(1) the facilities are located in a district where this parking is permitted or has been granted as a conditional use;

(2) the land on which the off-site parking facilities are located is within 300 feet of the lot line of the use or structure served; and

(3) the requirements of subsection (b) of this section are met.

(b) *Required control of off-site facilities.*

(1) *Lots to be possessed by same owner.*

(i) The off-site parking facilities must be on a lot possessed by the record title holder of the lot occupied by the structure or use to be served by the parking facilities.

(ii) Possession of the facilities for purposes of this section may be:

(A) by deed; or

(B) by long-term lease, the term of which must be equal to or greater than the useful economic and physical life of the structure served.

(2) *Administrator's approval required.*

The location of the off-site parking facilities and the term and contents of the lease permitting the owner of the use or structure served to use the off-site facilities are subject to the approval of the Zoning Administrator.

(3) *Requirements for lease or covenant.*

The lease must be recorded in the Land Records of Baltimore City, binding the owner of that lot and the owner's heirs and assigns to maintain the required number of parking spaces for the duration of the use served or the term of the lease, whichever first terminates.

(City Code, 1976/83, art. 30, §9.0-2i(2nd, 3rd sens.), §9.0-2j.) (Ord. 99-547.)

§ 10-305. Minimum size of space.

Each parking space must be at least 180 square feet, exclusive of access drives or aisles.

(City Code, 1976/83, art. 30, §9.0-2e.) (Ord. 99-547.)

§ 10-306. Required access.

(a) *To street or alley.*

Each parking space must be designed with safe and efficient means of vehicular access to:

(1) a street; or

(2) an alley at least 15 feet wide.

(b) *Design of driveways and ramps*.

In establishing parking spaces under this title, driveways or access ramps must be designed and constructed in a way that permits vehicles to enter or leave the parking spaces without having to move any other vehicle onto the public way.

(City Code, 1976/83, art. 30, §9.0-2f.) (Ord. 99-547.)

§ 10-307. Surfacing.

(a) *In general.*

Except as specified in subsection (b) of this section, parking spaces must be surfaced and maintained with a dustless all-weather material in accordance with the Building Code of Baltimore City.

(b) *Single- and 2-family dwellings.*

For single- and 2-family dwellings, a parking space may consist of 2 parallel paved parking strips, each of which is at least 18 inches wide and at least 20 feet long.

(City Code, 1976/83, art. 30, §9.0-2h1.) (Ord. 99-547.)

§ 10-308. Screening and landscaping near Residence or Office-Residence Districts.

(a) *When screening required.*

Screening is required for any parking facility with 5 or more parking spaces, if the facility:

(1) either adjoins or is within 100 feet of a lot in a Residence or Office-Residence District; and

(2) is visible from the ground level of the Residence or Office-Residence District.

(b) *Type of screening required.*

The facility must be effectively screened from the Residence or Office-Residence lot by:

(1) a masonry wall or durable fence, or combination of them, that is at least 4 feet high but no more than 8 feet high, together with a planting strip on the outside of the wall or fence;

(2) a compact evergreen hedge that is at least 4 feet high at the time of its original planting; or

(3) a terrain or landscaping feature, or a railroad right-of-way or siding track, that functions as an effective screen.

(c) *Design and placement.*

Screening and landscaping must be designed, placed, and maintained in good condition so as not to obstruct vehicle sight distances at entrances and exits.

(City Code, 1976/83, art. 30, §9.0-2h2.) (Ord. 99-547.)

§ 10-309. Lighting near Residence or Office-Residence Districts.

If lighting is provided, it must be arranged so that:

(1) it does not reflect or direct rays of light into any adjacent lot in an Residence or Office-Residence District; and

(2) no direct or indirect illumination from the lighting exceeds ½ -foot candle, when measured at the nearest point of a lot in a Residence or Office-Residence District.

(City Code, 1976/83, art. 30, §9.0-2h3.) (Ord. 99-547.)

§ 10-310. Signs.

Accessory signs are allowed for parking facilities in accordance with Title 11 {"Sign Regulations"} of this article.

(City Code, 1976/83, art. 30, §9.0-2h4.) (Ord. 99-547.)

SUBTITLE 4
REQUIRED NUMBER OF OFF-STREET SPACES

§ 10-401. Floor area for determining requirements.

(a) *In general.*

For determining off-street parking requirements, the floor area of a use is the sum of the area of each floor or part of a floor devoted to that use.

(b) *Floor areas included.*

Floor areas devoted to the following uses are included in the computation:

(1) accessory storage areas located within selling or working space, such as counters or racks; and

(2) any basement floor area devoted to:

(i) retailing activities;

(ii) the production or processing of goods; or

(iii) business or professional offices.

(c) *Floor areas excluded.*

Floor areas devoted to the following uses are not included in the computation:

(1) floor area devoted primarily to storage purposes (except as specified in subsection (b)(1) of this section); and

(2) space permanently devoted to off-street parking or loading facilities.

(City Code, 1976/83, art. 30, §13.0-2-39.) (Ord. 99-547.)

§ 10-402. Computation of spaces.

(a) *Fractional spaces.*

When the application of this subtitle results in a requirement for a fractional space:

(1) any fraction less than ½ may be disregarded; and

(2) any fraction of ½ or more counts as 1 parking space.

(b) *Employee-based requirements.*

Where parking spaces are required on a number-of-employee basis, the spaces must be computed on the greatest number of on-duty employees on the premises at any one time.

(c) *Rated-capacity-based requirements.*

Where parking spaces are required on a rated-capacity-in-persons basis, the "rated capacity" is the maximum number of people that, as determined by the Zoning Administrator, may reasonably be accommodated by the use at any one time.

(City Code, 1976/83, art. 30, §9.0-2c, 2k, 2l.) (Ord. 99-547.)

§ 10-403. Grouped facilities.

Parking spaces for 2 or more separate uses may be provided collectively if:

(1) the total number of parking spaces so provided is at least equal to the sum of the separate requirements for each use;

(2) all regulations governing the location of parking spaces in relation to the use served are complied with; and

(3) no parking space serves as a required parking space for more than one use, unless otherwise authorized by the Board in accordance with § 15-208 {"Off-street parking — in general"} of this article.

(City Code, 1976/83, art. 30, §9.0-2d.) (Ord. 99-547.)

§ 10-404. Mixed uses.

If 2 or more uses are located on the same lot or in the same structure, the number of parking spaces required is the sum of the separate requirements for each use. The parking spaces for separate uses may be grouped as specified in § 10-403 {"Grouped facilities"} of this subtitle.

(City Code, 1976/83, art. 30, §9.0-3(last par.).) (Ord. 99-547.)

§ 10-405. Schedule of required spaces.

Off-street parking spaces must be provided as follows:

(1) *Dwellings.*

(i) Single-family detached dwellings

All districts	1 per dwelling unit

(ii) Single-family semi-detached dwellings

All districts	1 per dwelling unit

(iii) Single-family attached dwellings

All districts	1 per dwelling unit

(iv) Multiple-family dwellings; apartment

hotels; rooming houses

O-R-4, B-4-1, B-4-2, B-5-1, B-5-2	1 per 4 dwelling units, 1 per 8 efficiency units, 1 per 12 rooming units
R-1 through R-9	1 per dwelling unit, 1 per efficiency unit, 1 per rooming unit
All other districts	1 per 2 dwelling units, 1 per 4 efficiency units, 1 per 6 rooming units

(2) *Amusement parks, carnivals, drive-in theaters*.

Amusement parks; permanent carnivals; theaters, drive-in

All districts	1 per company or business vehicle maintained on the premises, plus any additional spaces the Board requires after considering written recommendations by the Department of Public Works

(3) *Automobile services.*

(i) Car washes

All districts	1 per 6 employees, plus 1 space for the manager or owner, plus 10 spaces per washing lane, plus the number of stacking spaces the Department of Public Works requires to avoid street congestion

(ii) Gasoline service stations

All districts	2 per service bay, plus any additional spaces the Board requires after considering written recommendations by the Department of Public Works

(4) *Banking and financial services*.

Banks and building and loan associations; financial institutions; security sales, brokerages, and exchanges; and check cashing agencies

B-4-1, B-4-2, B-5-1, B-5-2	No requirement
All other districts	1 per 400 square feet of floor area plus, for drive-in establishments, the number of stacking spaces the Department of Public Works requires to avoid street congestion

(5) *Boat services*.

(i) Marinas— in general

In each case, the nearest boundaries of the parking area must be located within 300 feet of the marina entrance at the water's edge. There must be short-term parking and a drop-off area, the requirements for which are as determined by the Department of Planning and the Department of Public Works. The Board must require landscape or other appropriate screening of parking and boat storage areas.

(ii) Accessory marinas

All districts	1 per 2 slips unless reduced by variance under § 15-209 {"Off-street parking-marinas"}

(iii) Dry storage marinas (boatels)

All districts	1 per 3 slips (During the off-season, September 15 to May 14, the parking area may be used for the storage of boats, trailers, or other related materials, as long as at least 10% of required parking remains.)
(iv) Industrial marinas (boat repair facilities)	
All districts	1 per 3 slips
(v) Recreational marinas	
All districts	1 per 2 slips
(6) *Bowling establishments*.	
Bowling establishments	
B-4-1, B-4-2, B-5-1, B-5-2	No requirement
All other districts	4 per bowling lane
(7) *Clubs and lodges*.	
Clubs and lodges; club houses; tennis and lacrosse clubs	
O-R-4, B-4-1, B-4-2, B-5-1, B-5-2	No requirement
R-9, R-10, O-R-2, O-R-3, B-1-3, B-2-3, B-2-4, B-3-3	1 per 10 persons of rated capacity
All other districts	1 per 4 persons of rated capacity
(8) *Fire and police.*	
Fire and police stations	
All districts	1 for each 2 employees
(9) *Fraternities and sororities.*	
Fraternity and sorority houses	
0-R-4, B-4-1, B-4-2, B-5-1, B-5-2	No requirement
R-10, O-R-3	1 per 10 persons of rated capacity
All other districts	1 per 4 persons of rated capacity
(10) *Furniture and appliances.*	
Furniture stores; electrical and household appliance stores	
B-4-1, B-4-2, B-5-1, B-5-2	No requirement
B-2-2, B-2-3, B-2-4, B-3-2, B-3-3	1 per 1,000 square feet of floor area in excess of 4,000 square feet
All other districts	1 per 500 square feet of floor area in excess of 1,000 square feet

(11) *Health care services.*

(i) Hospitals

R-9, R-10, O-R-2, O-R-3, O-R-4, B-2-3, B-3-3, B-4-1, B-4-2, B-5-1, B-5-2	1 per 10 hospital beds, plus 1 per 6 employees including staff doctors
All other districts	1 per 5 hospital beds, plus 1 per 3 employees including staff doctors

(ii) Institutions for the care of the aged and for children; convalescent, nursing, and rest homes

R-9, R-10, O-R-2, O-R-3, O-R-4, B-3-3, B-5-l, B-5-2	1 per 10 beds, plus 1 per 6 employees including staff doctors
All other districts	1 per 5 beds, plus 1 per 6 employees including staff doctors

(iii) Massage therapists offices

O-R, M-1, M-2, M-3	1 per massage therapist's station or table at the location
All other districts	No requirement

(iv) Medical and dental clinics

M-1-3, M-2-3, B-4-1, B-4-2, B-5-1, B-5-2	No requirement
M-1-2, M-2-2, B-2-2, B-2-3, B-2-4, B-3-2, B-3-3	1 per 400 square feet of floor area in excess of 1,000 square feet
All other districts	1 per 200 square feet of floor area

(12) *Heliports and helistops.*

Heliports and helistops

All districts	As the Board requires after considering written recommendations by Department of Public Works

(13) *Hiring halls, etc.*

Hiring halls and work distribution centers; union halls; pay distribution centers; employment agencies

M-2-3, B-4-1, B-4-2, B-5-1, B-5-2	No requirement
All other districts	1 per 10 persons of rated capacity

(14) *Hotels, motels, and bed and breakfasts.*

(i) Hotels and motels

M-1-3, M-2-3, B-4-1, B-4-2, B-5-1, B-5-2	1 per 8 dwelling, efficiency, or rooming units
All other districts	1 per dwelling, efficiency, or rooming unit

(ii) Bed and breakfast establishments

R-8, R-9, R-10, O-R, B-2, B-3, B-4, B-5	1 per guest room, plus 1 per dwelling unit

(iii) Bed and breakfast homes

R-7, R-8, R-9, R-10, O-R, B-2, B-3, B-4, B-5	1 per guest room, plus 1 per dwelling unit

(15) *Libraries, galleries, museums, etc.*

Libraries and art galleries; museums; aquariums and planetariums; science centers

0-R-4, B-4-1, B-4-2, B-5-1, B-5-2	No requirement
R-9, R-10, O-R-2, O-R-3, B-3-3	1 per 4 employees, plus 1 per 4,000 square feet of floor area
All other districts	1 per 2 employees, plus 1 per 2,000 square feet of floor area

(16) *Manufacturing, etc.*

Manufacturing, production, processing, fabrication, assembly, packaging, compounding, printing, publishing, bookbinding, servicing, testing, reclaiming, rebuilding, repairing, mixing, and cleaning of materials, goods, or products

B-4-1, B-4-2, M-1-3, M-2-3, B-5-1, B-5-2	No requirement
All other districts	1 per 4 employees, plus 1 per company or business vehicle maintained on the premises

(17) *Offices and other business or commercial establishments.*

(i) Offices, business, governmental, and professional

O-R-4, M-1-3, M-2-3, B-2-4, B-5-1, B-5-2, B-4-1, B-4-2	1 per 2,000 square feet of floor area in excess of 50,000 square feet
R-10, O-R-2, O-R-3, B-1-2, B-1-3, B-2-2, B-2-3, B-3-2, B-3-3, M-1-2, M-2-2	1 per 800 square feet of floor area in excess of 2,000 square feet
All other districts	1 per 400 square feet of floor area in excess of 1,000 square feet

(ii) Other business and commercial establishments — not otherwise provided for in this section

B-2-4, B-4-1, B-4-2, B-5-1, B-5-2	No requirement
B-1-2, B-1-3, B-2-2, B-2-3, B-3-2, B-3-3, B-3-2, M-1-3, M-2-2, M-2-3	1 per 800 square feet of floor area in excess of 4,000 square feet
All other districts	1 per 400 square feet of floor area in excess of 1,000 square feet

(18) *Philanthropic and consular services*.

Philanthropic and charitable institutions; foreign consulates and consular offices	
B-4-1, B-4-2, B-5-1, B-5-2	No requirement
All other districts	1 per 4 employees, plus any additional spaces the Board requires after considering written recommendations by the Department of Public Works
(19) *Planned unit developments.*	
Planned unit developments — residential, office-residential, business, industrial	
All districts	The required number set forth in this section for each use, plus any additional spaces required by the City Council after considering written recommendations by the Board, the Department of Public Works, and the Planning Commission
(20) *Pool and billiards.*	
Pool halls and billiard parlors	
B-5-1, B-5-2, B-4-1, B-4-2	No requirement
All other districts	1 per 10 persons of rated capacity
(21) *Prepared food.*	
(i) Restaurants and lunch rooms; carry-out food shops	
B-2-4, B-4-1, B-4-2, B-5-1, B-5-2	No requirement
B-1-2, B-1-3, B-2-2, B-2-3, B-3-2, B-3-3, M-2-2	1 per 400 square feet of floor area, plus, for drive-in establishments, the number of stacking spaces the Department of Public Works requires to avoid street congestion
All other districts	1 per 200 square feet of floor area., plus, for drive-in establishments, the number of stacking spaces the Department of Public Works requires to avoid street congestion
(ii) Prepared food delivery services	
B-2	As the Department of Public Works requires
(22) *Public assemblies; recreational facilities.*	
(i) Auditoriums and concert halls; convention halls; meeting and banquet halls; auction rooms; exhibit rooms; amusement establishments; theaters; dance halls	
B-2-4, B-4-1, B-4-2, B-5-1, B-5-2	No requirement
All other districts	1 per 10 persons of rated capacity
(ii) Bingo halls	
B-5-1, B-5-2	No requirements
B-4-1, B-4-2, B-2-4, B-3-3	1 per 10 persons of rated capacity

All other districts	1 per 4 persons of rated capacity
(iii) Recreation buildings and community centers; multipurpose neighborhood centers; swimming pools	
All districts	As the Board requires after considering written recommendations by Department of Public Works
(iv) Recreation facilities, indoor or outdoor	
All districts	1½ per tee stand, batting cage, miniature golf hole, or activity station, or as recommended by the Planning Department

(23) *Public utilities, transportation, governmental.*

Public utility uses, transportation uses, and governmental services — not otherwise provided for in this section	
All districts	As the Board requires after considering written recommendations by Department of Public Works

(24) *Radio, television, recording stations and studios.*

Radio and television stations and studios; recording studios	
B-4-1, B-4-2, B-5-1, B-5-2	No requirement
All other districts	1 per 2 employees

(25) *Religious institutions.*

(i) Churches, temples, and synagogues	
O-R-4, B-4-1, B-4-2, B-5-1, B-5-2	No requirement
R-9, R-10, O-R-2, O-R-3, B-2-3, B-3-3	1 per 20 seats
All other districts	
For a religious institution whose worshipers are required to walk to worship because of religious tenet	1 per 8 seats
For all other facilities	1 per 4 seats
(ii) Convents, seminaries, and monasteries	
All districts	1 per 10 residents

(26) *Retail establishments.*

Retail sales establishments (not including furniture stores, and electrical and household appliance stores)	
B-2-4, B-4-1, B-4-2, B-5-1, B-5-2	No requirement

B-1-2, B-1-3, B-2-2, B-2-3, B-3-2, B-3-3	1 per 600 square feet of floor area in excess of 4,000 square feet
All other districts	1 per 300 square feet of floor area in excess of 1,000 square feet

(27) *Schools*.

(i) Elementary schools; middle schools

R-9, R-10, O-R-2, O-R-3, O-R-4	1 per 4 teachers and employees, plus 1 per 24 auditorium (or other public assembly facility) seats
All other districts	1 per 2 teachers and employees, plus 1 per 12 auditorium (or other public assembly facility) seats

(ii) High schools; community colleges; colleges and universities; business colleges and commercial schools; trade schools

R-9, R-10, O-R-2, O-R-3, O-R-4, B-2-3, B-3-3, B-4-1, B-4-2, B-5-1, B-5-2	1 per 4 teachers and employees, plus 1 per 24 students (based on the greatest number of students on the premises at any one time)
All other districts	1 per 2 teachers and employees, plus 1 per 12 students (based on the greatest number of students on the premises at any one time)

(iii) Schools and studios — music, dance and business; day nurseries and nursery schools

All districts	1 per 2 teachers and employees

(28) *Stadiums and racetracks*.

Stadiums and racetracks

All districts	1 per 6 persons of rated capacity

(29) *Undertaking establishments.*

Undertaking establishments and funeral parlors

All districts	6 per reposing room or parlor, plus 1 per company or business vehicle maintained on the premises, plus the number of stacking spaces the Department of Public Works requires to avoid street congestion

(30) *Wholesalers, distributors, etc*.

Wholesale establishments; storage and warehousing; mail order houses and distribution centers; parcel collection and delivery stations; distribution and sales of industrial supplies

M-1-3, M-2-3, B-4-1, B-4-2, B-5-1, B-5-2	No requirement
All other districts	1 per 3 employees, plus 1 per company or business vehicle maintained on the premises

(City Code, 1976/83, art. 30, §9.0-3.) (Ord. 98-252; Ord. 99-547.)

SUBTITLE 5
PARKING LOT DISTRICTS

§ 10-501. "Parking lot" defined.

In this subtitle, "parking lot" means land used for the off-street parking of 3 or more motor vehicles, together with the adjoining and perimeter areas required by this subtitle or by any other law of Baltimore City.

(City Code, 1976/83, art. 30, §9.0-3b(1st sen.).) (Ord. 99-547.)

§ 10-502. Scope of subtitle.

(a) *In general.*

Except as otherwise specified in this section, this subtitle applies to all parking lots in the Parking Lot Districts described in § 10-503 {"Delineation of Districts"} of this subtitle.

(b) *Exceptions — Planned Unit Developments.*

This subtitle does not apply to any parking lot that is included in an approved Planned Unit Development.

(c) *Exceptions — temporary lots in Urban Renewal Areas.*

(1) Except as specified in paragraph (2) of this subsection, nothing in this subtitle applies to a person seeking to establish a temporary parking lot within the boundaries of any Urban Renewal Area.

(2) In the Parking Lot District, a person may establish a temporary parking lot within the boundaries of an Urban Renewal Area for a period not to exceed 18 months.

(City Code, 1976/83, art. 30, §9.0-3b(2nd - 4th sens.).) (Ord. 99-547.)

§ 10-503. Delineation of Districts.

The Parking Lot Districts comprise the following parts of the City:

(1) *District I.*

Beginning for the same at the point formed by the intersection of the east side of Guilford Avenue, as now laid out, and the southwest side of The Fallsway, as now laid out, and running thence binding on the southwest, west, and northwest sides of said Fallsway, crossing Chase Street, Eager Street, Madison Street, Monument Street, Centre Street, Orleans Street, Hillen Street, Gay Street, Lexington Street, and Fayette Street, southeasterly, southerly, and southwesterly direction 5340 feet, more or less, to intersect the north side of Baltimore Street, as now laid out; thence by a straight line, crossing said Baltimore Street, southwesterly 80 feet, more or less, to the southwest corner of said Baltimore Street and Westfalls Avenue, as now laid out; thence binding in part on the southwest side of said Westfalls Avenue, in part on the line of the southwest side of said Westfalls Avenue if projected southeasterly and in all crossing Water Street and Lombard Street, southeasterly 1150 feet, more or less, to intersect the south side of Pratt Street, as now laid out; thence binding on the south side of said Pratt Street, westerly 1100 feet, more or less, to intersect the west side of Pier 3; thence binding on the west side of Pier 3, southerly 727 feet, more or less, to the southwest corner of Pier 3; thence binding in part on the line of the proposed Pierhead and Bulkhead Line if projected northeasterly, in part on the proposed Pierhead and Bulkhead Line and in all, southwesterly 853 feet, more or less, to the point formed by the intersection of the existing Pierhead and Bulkhead Line and the east side of Battery Avenue; thence binding on the existing Pierhead and Bulkhead Line, easterly 720 feet, more or less, to intersect the line of the west side of Covington Street, as

now laid out, if projected northerly; thence binding in part on last said line so projected, in part on the west side of said Covington Street and in all, southerly 350 feet, more or less, to intersect the north side of Key Highway, as now laid out; thence binding on the north side of said Key Highway, crossing Henry Street and Battery Avenue, westerly 1100 feet, more or less, to intersect the east side of William Street as now laid out; thence by a straight line, crossing said Key Highway, westerly 200 feet, more or less, to the point formed by the intersection of the southwest side of said Key Highway and the north side of Hughes Street, as now laid out; thence binding in part of the north side of said Hughes Street, crossing Light Street, Charles Street and Hanover Street, in part on the line of the north side of said Hughes Street if projected westerly and in all, westerly 2600 feet, more or less, to intersect the northwest side of Eutaw Street, as now laid out: thence binding on the northwest and west sides of said Eutaw Street, crossing Lee Street, Houser Street, and Conway Street, northeasterly and northerly direction 1900 feet, more or less to intersect the north side of Camden Street, as now laid out; thence binding on the north side of said Camden Street, westerly 300 feet, more or less, to intersect the east side of Paca Street, as now laid out; thence binding on the east side of said Paca Street, crossing Pratt Street, Lemmon Street, Lombard Street, Redwood Street, Baltimore Street, Fayette Street, Lexington Street, Saratoga Street, Mulberry Street, Franklin Street and Centre Street, northerly 4400 feet, more or less, to intersect the southeast side of St. Mary Street, as now laid out; thence by a straight line crossing McCulloh Street, northeasterly 250 feet, more or less, to the east corner of said St. Mary Street and McCulloh Street, as now laid out; thence binding on the southeast side of said St. Mary Street, northeasterly 150 feet, more or less, to intersect the line of the northeast side of Tiffany Alley, as now laid out between St. Mary Street and Biddle Street, if projected southeasterly; thence binding in part on last said line so projected, in part on the northeast side of said Tiffany Alley, in part on the line of the northeast side of said Tiffany Alley, if projected northwesterly, in part on the northeast side of Tiffany Alley, as now laid out between Presstman Street and Gold Street and in all northwesterly 5800 feet, more or less, to intersect the southeast side of Gold Street, as now laid out; thence binding on the southeast side of said Gold Street, northeasterly 150 feet, more or less, to intersect the southwest side of Madison Avenue, as now laid out; thence by a straight line, crossing said Madison Avenue, northwesterly 180 feet, more or less, to the west corner of said Madison Avenue and North Avenue, as now laid out; thence binding on the southwest side of said Madison Avenue, northeasterly 400 feet, more or less, to intersect the line of the south side of Lennox Street, as now laid out between Park Avenue and Callow Avenue, if projected westerly; thence binding in part on last said line so projected, in part on the south side of said Lennox Street, in part on the line of the south side of said Lennox Street if projected easterly and in all, crossing Morris Street, Eutaw Place, Linden Avenue, Callow Avenue, Bolton Street, Park Avenue, and Mt. Royal Terrace, easterly 4900 feet, more or less, to intersect the west side of Howard Street, as now laid out; thence by a straight line, crossing said Howard Street, easterly 66 feet, more or less, to the southeast corner of said Howard Street and Twentieth Street, as now laid out; thence binding on the south side of said Twentieth Street, crossing Maryland Avenue, Charles Street, and St. Paul Street, easterly 1550 feet, more or less, to intersect the east side of Calvert Street, as now laid out; thence binding on the east side of said Calvert Street, southerly 300 feet, more or less, to intersect the north side of North Avenue, as now laid out; thence binding on the north side of last said North Avenue, easterly 400 feet, more or less, to intersect the line of the aforesaid east side of Guilford Avenue, if projected northerly, and thence binding in part on last said line so projected, in part on the east side of said Guilford Avenue and in all, crossing North Avenue, Lafayette Avenue, Lanvale Street, Federal Street, Oliver Street, Preston Street, Biddle Street, and The Fallsway, southerly 3100 feet, more or less, to the place of beginning.

(2) *District II.*

Beginning at the intersection of East Twenty-Fifth Street and Guilford Avenue, thence westwardly along the southerly side of East Twenty-Fifth Street and West Twenty-Fifth Street to the intersection of Huntingdon Avenue, thence on the northwesterly side of Huntingdon Avenue, the northerly side of Thirty-First Street, the northwesterly side of Wyman Park Drive, the northerly side of Twenty-Ninth Street, and the westerly side of Charles Street to the intersection of University Parkway; thence on the northeasterly side of University Parkway to the intersection of Guilford Avenue, and thence on the easterly side of Guilford Avenue to the intersection of East Twenty-Fifth Street, the place of beginning. This parking lot district includes both sides of the streets described above.

(City Code, 1976/83, art. 30, §9.0-3a.) (Ord. 99-547.)

§ 10-504. Ordinance required to establish lot in District.

(a) *In general.*

In the Parking Lot Districts, no land may be used as a parking lot nor may any building be razed so as to permit the use of the land as a parking lot unless authorized by an ordinance of the Mayor and City Council.

(b) *Considerations.*

This requirement is to permit the Mayor and City Council, while considering the proposed ordinance, to consider and evaluate:

(1) the need for the parking lot;

(2) the proposed appearance of the parking lot; and

(3) possible aesthetic damage to the area surrounding the parking lot, with particular respect to the proposed removal of historic or aesthetically valuable properties.

(City Code, 1976/83, art. 30, §9.0-3c.) (Ord. 99-547.)

§ 10-505. Procedures, standards, and approvals.

(a) *In general.*

In addition to any other requirements of this article, a parking lot in the Parking Lot District must comply with the procedures, standards, and approvals required by this section.

(b) *Buffer zone.*

(1) Any side of a parking lot that faces a street must have an empty or buffer zone at least 3 feet wide in which no parking, building, or other use exists, except as specified in this section.

(2) This empty or buffer zone must be used for a wall that is:

(i) at least 3 feet high above ground level; and

(ii) constructed of attractive and durable brick, stone, concrete block, or metal grill facing.

(c) *Review by Planning.*

(1) When introducing an ordinance to authorize a parking lot in the Parking Lot District, the person requesting the ordinance must submit to the Department of Planning a precise architectural plan of:

(i) the parking lot;

(ii) the masonry or metal facing;

(iii) the shrubbery and trees, if any, to be planted;

(iv) the type of structure to be constructed; and

(v) the advertising sign to be used.

(2) The Department of Planning must:

(i) consider the proposals from the standpoint of their attractiveness and their effect on the aesthetic beauty of the surrounding area; and

(ii) within 30 days of its receipt of the plan, file with the City Council a written advisory report that:

(A) indicates whether it approves or disapproves of the plan; and

(B) if it disapproves, sets forth the modifications that it recommends to accomplish the purposes of this subtitle.

(d) *Signs.*

All signs that identify or refer to the parking lot must be:

(1) of a non-flashing type; and

(2) in accordance with regulations of the Department of Planning, constructed so as to blend with surrounding properties and to be in accordance with the aesthetic beauty of the surrounding area.

(City Code, 1976/83, art. 30, §9.0-3d.) (Ord. 99-547.)

TITLE 11
SIGN REGULATIONS

SUBTITLE 1
DEFINITIONS; OVERVIEW

§ 11-101. Definitions.

(a) *In general.*

In this title, the following terms have the meanings indicated.
(Ord. 99-547.)

(b) *Business sign.*

"Business sign" means an accessory sign that directs attention to a business, commodity, service, event, or other activity that is sold, offered, or conducted on the premises on which the sign is located or to which it is affixed.
(City Code, 1976/83, art. 30, §13.0-2-76.) (Ord. 99-547.)

(c) *Directly illuminated sign*.

(1) *In general.*

"Directly illuminated sign" means a sign designed to emit artificial light directly (or through transparent or translucent material) from a source within the sign.

(2) *Inclusions.*

"Directly illuminated sign" includes:

(i) a neon or exposed lamp sign; and

(ii) any illuminated sign that is not effectively shielded as required for an indirectly illuminated sign.
(City Code, 1976/83, art. 30, §13.0-2-77, §13.0-2-82(last sen.).) (Ord. 99-547.)

(d) *Free-standing sign.*

"Free-standing sign" means a sign placed on or supported by the ground, independent of the principal structure on the lot.
(City Code, 1976/83, art. 30, §13.0-2-78.) (Ord. 99-547.)

(e) *General advertising sign*.

(1) "General advertising sign" means any billboard, posterboard, or other sign that directs attention to a business, commodity, service, event, or other activity that is:

(i) sold, offered, or conducted somewhere other than on the premises on which the sign is located or to which it is affixed; and

(ii) sold, offered, or conducted on the premises only incidentally if at all.

(2) "General advertising sign" does not include a sign that:

(i) is attached to a bus passenger shelter; and

(ii) complies fully with all requirements of § 11-424 of this title.

(City Code, 1976/83, art. 30, §13.0-2-79.) (Ord. 99-547; Ord. 01-230.)

(f) *Identification sign.*

(1) *In general.*

"Identification sign" means a sign that serves to indicate the name, address, and use of the premises on which the sign is located or to which it is affixed.

(2) *Inclusions.*

"Identification sign" includes a bulletin board of a public, charitable, or religious institution used to display announcements of meetings and activities held on the premises.

(City Code, 1976/83, art. 30, §13.0-2-81.) (Ord. 99-547.)

(g) *Indirectly illuminated sign.*

"Indirectly illuminated sign" means a sign illuminated with a light that is:

(1) directed primarily toward the sign; and

(2) so shielded that no direct rays from the light are visible anywhere other than on the lot where the sign is located.

(City Code, 1976/83, art. 30, §13.0-2-82(1st sen.).) (Ord. 99-547.)

(h) *Nameplate.*

"Nameplate" means a sign that:

(1) is affixed flat against a wall of a building; and

(2) designates only the name or the name and professional (or home) occupation of a person who resides or occupies space in the building.

(City Code, 1976/83, art. 30, §13.0-2-83.) (Ord. 99-547.)

(i) *Non-illuminated sign.*

"Non-illuminated sign" means a sign that is neither directly nor indirectly illuminated.

(City Code, 1976/83, art. 30, §13.0-2-84.) (Ord. 99-547.)

(j) *Roof line.*

"Roof line" means:

(1) the upper edge of any building wall or parapet; or

(2) in the case of a pitched roof, the mean height level of that roof.

(City Code, 1976/83, art. 30, §13.0-2-71.) (Ord. 99-547.)

(k) *Roof sign.*

"Roof sign" means a sign that is erected or located on or over the roof or any roof structure of a building.

(City Code, 1976/83, art. 30, §13.0-2-85.) (Ord. 99-547.)

(l) *Sale or lease sign.*

"Sale or lease sign" means a sign that serves only to indicate, with pertinent information, the availability for sale, auction, lease, or rental of all or part of the lot or building on which the sign is placed.

(City Code, 1976/83, art. 30, §13.0-2-86.) (Ord. 99-547.)

(m) *Wind sign.*

"Wind sign" means any sign in the nature of a series of banners, flags, or other objects fastened so that they move when subjected to pressure by wind or breeze.

(City Code, 1976/83, art. 30, §13.0-2-87.) (Ord. 99-547.)

§ 11-102. Purpose.

(a) *Need to regulate.*

Signs serve an important function, and reasonable and adequate display of signs is therefore allowed under this title. At the same time, this title recognizes that a definite need exists to regulate the display of signs.

(b) *Limitations and standards.*

(1) This title establishes limitations and standards consistent with the character of the various districts and the uses and activities in those districts.

(2) These limitations and standards are intended to encourage sound practices with respect to size, type, and placement of signs for the purpose of:

(i) safeguarding and enhancing properties in residential, business, and industrial areas;

(ii) providing an environment that will promote the growth and development of business in the City;

(iii) protecting public investment in public buildings, open spaces, and thoroughfares;

(iv) reducing hazards to motorists and pedestrians on the public ways; and

(v) promoting the public safety and general welfare.

(City Code, 1976/83, art. 30, ch. 10(intro par.).) (Ord. 99-547.)

§ 11-103. Exemptions from sign regulations.

This title does not apply to any of the following:

(1) flags or emblems of a national or political subdivision or of a patriotic, religious, philanthropic, civic, or educational organization;

(2) governmental signs and lights for control of traffic and other regulatory purposes;

(3) street signs, ordinary house numbers, “No Parking” signs, and “No Trespassing” signs;

(4) railroad-crossing signs, danger signs, and signs of public service companies indicating danger or aids to service or safety;

(5) official public notices or notices posted by public officers in performance of their duties;

(6) memorial plaques, cornerstones, and historical tablets; or

(7) temporary signs in connection with civic non-commercial health, art, safety, and welfare campaigns, but the sponsoring organization must remove them promptly at the conclusion of the campaign.

(City Code, 1976/83, art. 30, §10.0-1f.) (Ord. 99-547.)

SUBTITLE 2
GENERAL REQUIREMENTS

§ 11-201. Design and construction.

The structural design and construction of signs, including their supports, must comply with the applicable requirements of the Building Code of Baltimore City.
(City Code, 1976/83, art. 30, §10.0-1d.) (Ord. 99-547.)

§ 11-202. Projections into public right-of-way.

Except as otherwise specified in this title, no sign may project beyond the street line into the public way.
(City Code, 1976/83, art. 30, §10.0-2a4, §10.0-3a6.) (Ord. 99-547.)

§ 11-203. Computing area.

(a) *In general.*

The area of a sign is determined by measuring the entire area within a single continuous perimeter enclosing the extreme limits of writing, representation, emblem, flag, device, or other figure of similar character, together with any frame or other material or color forming an integral part of the display or used to differentiate the sign from the background against which it is placed.

(b) *Excluded areas.*

Necessary supports or uprights on which the sign is placed are not included in the computation.

(c) *Multi-faced signs.*

(1) If a sign has 2 or more faces, the area of all faces is included in determining the area of the sign, except as specified in paragraph (2) of this subsection.

(2) If 2 faces are placed back to back and are nowhere more than 2 feet from one another (excluding necessary supports or uprights), the area of the sign is taken as:

(i) the area of 1 face, if the 2 faces are of equal area; or

(ii) the area of the larger face, if the 2 faces are of unequal area.

(d) *Letters on structures.*

For individual letters placed on a structure, the entire area of the letter, based solely on its stroke, is used in computing the sign area.
(City Code, 1976/83, art. 30, §13.0-2-75.) (Ord. 99-547.)

§ 11-204. Computing height.

The height of a sign is determined by measuring the vertical distance:

(1) from the uppermost point used to measure the area of a sign, as described in § 11-203 {"Computing area"} of this subtitle;

(2) to the ground immediately below that point or to the level of the upper surface of the nearest curb of a street or alley, whichever measurement permits the greater elevation of the sign.

(City Code, 1976/83, art. 30, §13.0-2-80.) (Ord. 99-547.)

§ 11-205. Signs not to constitute traffic hazards.

(a) *In general.*

No sign or other advertising structure that is regulated by this article may be erected:

(1) at any street intersection in a way that might obstruct free and clear vision;

(2) at any location where, by reason of its position, shape, or color, it might interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal, or device; or

(3) at any location if it uses the word "Stop", "Look", or "Danger", or any other word, phrase, symbol, or character in a way that might interfere with, mislead, or confuse traffic.

(b) *Removal required.*

Any sign that the Zoning Administrator, on the advice of the Director of Public Works, declares to be a traffic hazard must be relocated, rearranged, or removed as the Zoning Administrator directs.

(City Code, 1976/83, art. 30, §10.0-1c.) (Ord. 99-547.)

§ 11-206. General advertising signs.

The erection, placement, or construction of new general advertising signs is prohibited, and the City may not issue permits for these signs.

(City Code, 1976/83, art. 30, §10.0-1b, §13.0-2-36.) (Ord. 99-547; Ord. 00-001; Ord. 01-230.)

§ 11-207. Alcoholic beverage advertising signs.

(a) *"Licensed premises" defined.*

In this section, "licensed premises" means a premises that operates under an alcoholic beverages license or permit issued under State Code Article 2B.

(b) *General prohibition.*

No person may place any sign, poster, placard, device, graphic display, or other item that advertises alcoholic beverages in any publicly visible location, including any outdoor billboard, side of a building, or freestanding signboard.

(c) *Exceptions.*

This section does not apply to:

(1) the placement of signs, including advertisements:

(i) inside a licensed premises;

(ii) on commercial vehicles used for transporting alcoholic beverages; or

(iii) in conjunction with a temporary license or a 1-day alcoholic beverages license granted by the Board of License Commissioners;

(2) any sign that contains the name or slogan of a licensed premises and that has been placed for the purpose of identifying the licensed premises;

(3) except for billboards and freestanding signboards, any sign for which Zoning Board approval or a minor privilege permit is required and has been obtained;

(4) any sign that refers to beer, wine, liquor, spirits, or other alcoholic beverages solely by way of generic description;

(5) any neon or electrically charged sign that is on a licensed premises and has been provided as part of a promotion of a particular brand of alcoholic beverage;

(6) any sign on a Maryland Transit Authority vehicle or on a taxicab;

(7) any sign on property owned, leased, or operated by the Maryland Stadium Authority;

(8) any sign at a facility that operates in accordance with a license issued under § 11-304 of the State Business Regulation Article;

(9) any sign on property adjacent to an interstate highway; or

(10) any sign located:

(i) in a B-4 District;

(ii) in an M-3 District, if the sign is more than 1,000 feet from the boundary of any other district that is not a B-4 or M-3 District; or

(iii) in an M-3 District, if the sign is more than 500 feet from the boundary of any other district that is not a B-4 or M-3 District and the sign faces away from that other district.

(City Code, 1976/83, art. 30, §10.0-1h.) (Ord. 99-547.)

§ 11-208. Cigarette advertising signs.

(a) *General prohibition.*

No person may place any sign, poster, placard, device, graphic display, or other item that advertises cigarettes in a publicly visible location, including any outdoor billboard, side of a building, or freestanding signboard.

(b) *Exceptions.*

This section does not apply to:

(1) the placement of signs, including advertisements:

(i) inside any premises used by the holder of a cigarette business license issued under Title 16 of the State Business Regulation Article; or

(ii) on commercial vehicles used for transporting cigarettes;

(2) any sign that contains the name or slogan of the premises used by a holder of a cigarette business license and that has been placed for the purpose of identifying the premises;

(3) except for billboards and freestanding signboards, any sign for which Zoning Board approval or a minor privilege permit is required and has been obtained;

(4) any sign that refers to cigarettes solely by way of a generic description;

(5) any neon or electrically charged sign that is on premises used by a holder of a cigarette business license and that has been provided as part of a promotion of a particular brand of cigarettes;

(6) any sign on a Maryland Transit Authority vehicle or on a taxicab;

(7) any sign on property owned, leased, or operated by the Maryland Stadium Authority;

(8) any sign at a facility that operates under a horse racing license issued under Title 11 of the State Business Regulation Article;

(9) any sign on property adjacent to an interstate highway; or

(10) any sign located:

(i) in a B-4 District;

(ii) in an M-3 District, if the sign is more than 1,000 feet from the boundary of any other district that is not a B-4 or M-3 District; or

(iii) in an M-3 District, if the sign is more than 500 feet from the boundary of any other district that is not a B-4 or M-3 District and the sign faces away from that other district.

(City Code, 1976/83, art. 30, §10.0-1i.) (Ord. 99-547.)

§ 11-209. Permitted text.

Any sign allowed under this article may contain, in place of any other copy, any otherwise lawful noncommercial message that:

(1) does not direct attention to a business operated for profit or to a commodity or service for sale; and

(2) complies with all other requirements of this article.

(City Code, 1976/83, art. 30, §10.0-1g.) (Ord. 99-547.)

§ 11-210. Title does not permit what is otherwise prohibited.

Nothing in this title permits any sign or any use of property that is otherwise prohibited by this article or by any other law.

(City Code, 1976/83, art. 30, §10.0-1e.) (Ord. 99-547.)

SUBTITLE 3
SIGNS IN RESIDENCE AND OFFICE-RESIDENCE DISTRICTS

PART I. SCOPE OF SUBTITLE

§ 11-301. Compliance required.

In addition to the requirements of Subtitle 2 of this title, signs in Residence and Office-Residence Districts must comply with the requirements of this subtitle.
(City Code, 1976/83, art. 30, §10.0-2(intro cl.).) (Ord. 99-547.)

§§ 11-302 to 11-303. ***{Reserved}***

PART II. PROHIBITED SIGNS

§ 11-304. In general.

The following types of signs are prohibited in Residence and Office-Residence Districts.
(Ord. 99-547.)

§ 11-305. Moving or flashing, etc., signs.

No sign may have or consist of:

(1) any moving, rotating, or otherwise animated part; or

(2) if otherwise permitted to be illuminated, any flashing, blinking, fluctuating, or otherwise animated light.

(City Code, 1976/83, art. 30, §10.0-2a1.) (Ord. 99-547.)

§ 11-306. Roof, wind, and general advertising signs.

No roof sign, wind sign, or general advertising sign is permitted.
(City Code, 1976/83, art. 30, §10.0-2a2.) (Ord. 99-547.)

§ 11-307. Extension above roof line.

No sign may extend above the roof line of a building to which it is attached.
(City Code, 1976/83, art. 30, §10.0-2a3.) (Ord. 99-547.)

§§ 11-308 to 11-310. ***{Reserved}***

PART III. REGULATED SIGNS

§ 11-311. In general.

The following types of signs are allowed in Residence and Office-Residence Districts, subject to the limitations prescribed for them.
(City Code, 1976/83, art. 30, §10.0-2b(intro cl.).) (Ord. 99-547.)

§ 11-312. Sale, lease, and sold signs — apartment hotels, 20-or-more-unit dwellings, and non-residential buildings.

(a) *Sign allowed.*

For apartment hotels, buildings containing 20 or more dwelling units, and non-residential buildings, 1 non-illuminated sale, lease, or sold sign is allowed.

(b) *Limitations.*

The sign may not:

(1) exceed 36 square feet;

(2) if free-standing, be more than 8 feet high;

(3) if attached to a building, extend above the roof line; or

(4) be displayed for more than 7 days after the leasing of the premises to which the sign pertains or after the transfer of title to the premises on which the sign is erected.

(City Code, 1976/83, art. 30, §10.0-2a5, §10.0-2b1, §10.0-2b8(last sen.).) (Ord. 99-547.)

§ 11-313. Sale, lease, and sold signs — single-family dwellings, 19-or-fewer-unit dwellings, and unimproved lots.

(a) *Sign allowed.*

For single-family dwellings, buildings containing 19 or fewer dwelling units, and unimproved lots, 1 non-illuminated sale, lease, or sold sign for each street frontage of the lot is allowed.

(b) *Limitations.*

The sign may not:

(1) exceed 6 square feet;

(2) be more than 6 feet high; or

(3) be displayed for more than 7 days after the leasing of the premises to which the sign pertains or after the transfer of title to the premises on which the sign is erected.

(City Code, 1976/83, art. 30, §10.0-2a5, 2b1a .) (Ord. 99-547.)

§ 11-314. Temporary construction signs.

(a) *Signs allowed.*

Temporary non-illuminated construction signs of persons connected with work on buildings under active construction or alteration, indicating their names and information pertinent to the project, are allowed.

(b) *Limitations.*

These signs may not:

(1) exceed a combined area for all signs of 36 square feet for each street frontage; or

(2) be more than 16 feet high each.

(City Code, 1976/83, art. 30, §10.0-2b2.) (Ord. 99-547.)

§ 11-315. Temporary subdivision or Planned Unit Development signs.

(a) *Signs allowed.*

Temporary non-illuminated or indirectly illuminated subdivision development and Planned Unit Development signs, indicating the names and information pertinent to the project, are allowed.

(b) *Limitations.*

These signs may not:

(1) exceed a combined area for all signs of 100 square feet for the project; or

(2) be more than 20 feet high each.

(City Code, 1976/83, art. 30, §10.0-2b3.) (Ord. 99-547.)

§ 11-316. Nameplates.

(a) *Sign allowed.*

1 non-illuminated or indirectly illuminated nameplate is allowed for each street frontage of the lot.

(b) *Limitations.*

The sign may not:

(1) be more than 12 feet high; or

(2) exceed:

(i) for apartment hotels, buildings containing 20 or more dwelling units, and non-residential buildings, 9 square feet; or

(ii) for all others, 1 square foot.

(City Code, 1976/83, art. 30, §10.0-2b4, §10.0-2b8(last sen.).) (Ord. 99-547.)

§ 11-317. Parking access signs.

(a) *Signs allowed.*

1 non-illuminated or indirectly illuminated sign, indicating the entrance to or exit from an open off-street parking area or off-street parking garage, is allowed for each street frontage of the lot.

(b) *Limitations.*

The sign may not:

(1) exceed 4 square feet;

(2) be more than 20 feet high; or

(3) project more than 18 inches across a street line.

(City Code, 1976/83, art. 30, §10.0-2b6.) (Ord. 99-547.)

§ 11-318. Identification signs — neighborhood.

(a) *Signs allowed.*

Non-illuminated or indirectly illuminated identification signs, indicating the name of a neighborhood, are allowed.

(b) *Limitations.*

These signs may not:

(1) exceed 20 square feet each;

(2) be more than 6 feet high; or

(3) exceed 2 signs per neighborhood.

(City Code, 1976/83, art. 30, §10.0-2b5.) (Ord. 99-547.)

§ 11-319. Identification signs — 20-or-more-unit dwellings and non-residential buildings in R-1 to R-8 Districts.

(a) *Signs allowed.*

For buildings containing 20 or more dwelling units and non-residential buildings in R-1 through and including R-8 Districts, 1 non-illuminated or indirectly illuminated identification sign is allowed for each street frontage.

(b) *Limitations.*

These signs may not:

(1) exceed:

(i) 18 square feet, or

(ii) if directly illuminated, 12 square feet; or

(2) be more than :

(i) if free-standing, 6 feet high; or

(ii) if attached to a building, 16 feet high.

(City Code, 1976/83, art. 30, §10.0-2b8(a), §10.0-2b8(last sen.).) (Ord. 99-547.)

§ 11-320. Identification signs — apartment hotels, 20-or-more-unit dwellings, and non-residential buildings in R-9, R-10, and O-R Districts.

(a) *Signs allowed.*

For apartment hotels, buildings containing 20 or more dwelling units, and non-residential buildings in R-9, R-10, and O-R Districts, 1 non-illuminated or indirectly illuminated identification sign is allowed for each street frontage.

(b) *Limitations.*

These signs may not:

(1) exceed:

(i) 36 square feet; or

(ii) if directly illuminated, 24 square feet;

(2) if free-standing, be more than of 8 feet high;

(3) if attached to a building, extend above the roof line; or

(4) project more than 8 inches across a street line.

(City Code, 1976/83, art. 30, §10.0-2b8(b), §10.0-2b8(last sen.).) (Ord. 99-547.)

SUBTITLE 4
SIGNS IN BUSINESS AND INDUSTRIAL DISTRICTS

PART I. SCOPE OF SUBTITLE

§ 11-401. Compliance required.

In addition to the requirements of Subtitle 2 of this title, signs in Business and Industrial Districts must comply with the requirements of this subtitle.
(City Code, 1976/83, art. 30, §10.0-3(intro cl.).) (Ord. 99-547.)

§§ 11-402 to 11-403. *{Reserved}*

PART II. PROHIBITED SIGNS

§ 11-404. In general.

The following types of signs are prohibited in Business and Industrial Districts.
(Ord. 99-547.)

§ 11-405. Flashing, etc., signs.

(a) *In general.*

Except as specified in subsection (b) of this section, no sign in any Business or Industrial District may have or consist of any flashing, blinking, fluctuating, or otherwise animated light.

(b) *Exception.*

This section does not apply to:

(1) theater marquees;

(2) newscast screens; or

(3) signs that show the time of day, temperature, and weather forecast.
(City Code, 1976/83, art. 30, §10.0-3a1.) (Ord. 99-547.)

§ 11-406. General advertising signs in B-1 and M-1 Districts.

No general advertising sign is permitted in any B-1 or M-1 District.
(City Code, 1976/83, art. 30, §10.0-3a2.) (Ord. 99-547.)

§ 11-407. Extension above roof line in B-1, B-2, B-4, and M-1 Districts.

No sign in any B-1, B-2, B-4, or M-1 District may extend above the roof line of a building to which it is attached.
(City Code, 1976/83, art. 30, §10.0-3a3.) (Ord. 99-547.)
§ 11-408. Roof signs in B-1, B-2, B-4, and M-1 Districts.

No roof sign is permitted in any B-1, B-2, B-4, or M-1 District.
(City Code, 1976/83, art. 30, §10.0-3a4.) (Ord. 99-547.)

§ 11-409. Wind signs.

No wind sign is permitted in any Business or Industrial District.
(City Code, 1976/83, art. 30, §10.0-3a5.) (Ord. 99-547.)

§ 11-410. Excessive percentage of window area.

For all windows associated with a commercial use, at least 50% of the window area on each side of a building must be free of signs.
(City Code, 1976/83, art. 30, §10.0-3a7.) (Ord. 99-547.)

PART III. REGULATED SIGNS

§ 11-411. In general.

The following types of signs are allowed in Business and Industrial Districts, subject to the limitations prescribed for them.
(City Code, 1976/83, art. 30, §10.0-3a7.) (Ord. 99-547.)

§ 11-412. Sale, lease, and sold signs.

(a) *Signs allowed.*

1 non-illuminated or indirectly illuminated sale, lease, or sold sign is allowed for each street frontage of the lot.

(b) *Limitations.*

The sign may not:

(1) exceed 36 square feet;

(2) if free-standing, be more than 8 feet high; or

(3) if attached to a building, extend above the roof line.
(City Code, 1976/83, art. 30, §10.0-3b1.) (Ord. 99-547.)

§ 11-413. *{Reserved}*

§ 11-414. Temporary construction signs.

(a) *Signs allowed.*

Temporary non-illuminated construction signs of persons connected with work on buildings under active construction or alteration, indicating their names and information pertinent to the project, are allowed.

(b) *Limitations.*

These signs may not:

(1) exceed a combined area for all signs of 48 square feet for each street frontage; or

(2) be more than 20 feet high each.

(City Code, 1976/83, art. 30, §10.0-3b2.) (Ord. 99-547.)

§ 11-415. Temporary subdivision or Planned Unit Development signs.

(a) *Signs allowed.*

Temporary non-illuminated or indirectly illuminated subdivision development and Planned Unit Development signs, indicating the names and information pertinent to the project, are allowed.

(b) *Limitations.*

These signs may not:

(1) exceed a combined area for all signs of 180 square feet for the project; or

(2) be more than 20 feet high each.

(City Code, 1976/83, art. 30, §10.0-3b3.) (Ord. 99-547.)

§ 11-416. Nameplates, business signs, and identification signs.

Non-illuminated or indirectly or directly illuminated nameplates, business signs, and identification signs are allowed as follows:

District	***Area Factor*** *(a)*	***Projection*** *(b)*	***Height extension above roof line when attached to building***	***Height for free-standing*** *(e)*
B-1	2	1 ft.	none	24 ft. *(f) (h)*
B-2	3	4 ft. *(c) (d)*	none	36 ft. *(g)*
B-3	3	4 ft. *(c) (d)*	10 ft.	36 ft. *(f)*
B-4	4	1 ft. *(c) (d)*	none	36 ft. *(g)*
B-5	5	4 ft. *(c) (d)*	20 ft.	36 ft. *(g)*
M-1	2	1 ft.	none	

				24 ft.[f]
M-2	3	4 ft.[c] [d]	20 ft.	36 ft.[g]
M-3	5	4 ft.[c] [d]	20 ft.	40 ft.

[a] The total permitted area of all signs is the product in square feet of multiplying the lineal feet of the length of the building facing the front lot line by the area factor. Where the building wall fronts on 2 or more streets, the sign area for each street is computed separately. Also, where a building covers less than 200 square feet of lot area, or a use is operated on the lot without a building, then the total area of all signs may not exceed an area factor of 1 for each foot of street frontage, computed separately for each street on which the lot adjoins. In no case may signs permitted under this section exceed a combined area of 500 square feet on any lot in B-1 Districts.

[b] Maximum projection across a street line.

[c] Except a canopy or awning that contains no sign other than an identification sign that is (i) placed flat against a face of the canopy or awning and (ii) does not extend beyond any edge of the face. Also, except a marquee accessory to a hotel, motel, theater, or convention hall that advertises events scheduled or taking place in the building.

[d] Except that signs designating public parking facilities may project up to 5 feet across a street line.

[e] Not to exceed 1 sign for each street frontage of the lot.

[f] In no case may the sign exceed an area of 80 square feet.

[g] In no case may the sign exceed an area of 140 square feet.

[h] Such free standing sign permitted only: (i) as a shopping center identification sign; or (ii) subject to approval by ordinance as a conditional use, for a non-conforming drive-in restaurant, without a drive-through window, but not exceeding 1 free-standing sign with a maximum area of 60 square feet and a maximum height of 16 feet.

(City Code, 1976/83, art. 30, §10.0-3b3.) (Ord. 99-547.)

§ 11-417. Parking access signs.

(a) *Signs allowed.*

1 non-illuminated or indirectly or directly illuminated sign, indicating the entrance to or exit from an open off-street parking area or off-street parking garage, is allowed for each street frontage of the lot.

(b) *Limitations.*

The sign may not:

(1) exceed 12 square feet;

(2) be more than 24 feet high; or

(3) project more than 3 feet across a street line.

(City Code, 1976/83, art. 30, §10.0-3b4.) (Ord. 99-547.)

§§ 11-418 to 11-419. ***{Reserved}***

PART IV. SPECIAL STANDARDS

§ 11-420. Gasoline service stations.

(a) *In general.*

For gasoline service stations, only the following business and identification signs are permitted, subject to the standards in this section and to all other requirements of this title.

(b) *Oil company sign.*

(1) 1 non-illuminated or indirectly or directly illuminated free-standing oil company sign is allowed.

(2) The sign may not:

(i) exceed 80 square feet;

(ii) be higher than the maximum height permitted for free-standing signs in the district in which it is located; or

(iii) project more than 18 inches across a street line.

(c) *Other incidental signs.*

(1) Other non-illuminated or indirectly or directly illuminated permanent and temporary signs, customarily incidental to service station use (but not including wind signs), are allowed.

(2) These signs may not:

(i) exceed a combined area for all signs of 80 square feet for the premises;

(ii) if attached to a building, extend above the roof line; or

(iii) in any case, project beyond any street line.

(City Code, 1976/83, art. 30, §10.0-3b6.) (Ord. 99-547.)

§ 11-421. Adult entertainment, adult book or video stores, peep shows.

(a) *In general.*

The following business and identification signs are prohibited for adult-entertainment businesses, adult book or video stores, and peep show establishments.

(b) *Neon lights.*

Neon lights that depict any adult entertainment are prohibited.

(c) *Posters, etc.*

Posters, photographs, sketches, painted or laminated signs, or similar materials that are displayed on the exterior of the building or in windows and that depict or illustrate adult entertainment are prohibited.

(d) *Free-standing signs.*

Free-standing signs that are on or adjacent to the premises and that identify or advertise the business are prohibited.

(City Code, 1976/83, art. 30, §10.0-3b7.) (Ord. 99-547.)

§ 11-422. Consolidated display areas for store fronts.

(a) *Owner to designate consolidated areas.*

The owner or operator of a business premises, other than a gasoline service station, must designate to the Zoning Administrator consolidated area(s) on which all signs for the premises will be located.

(b) *Maximum square footage.*

The consolidated area(s) may not exceed the square footage permitted for all signs, less the total area used by any identification sign or nameplate.

(c) *Permit required for each area.*

(1) A permit is required for each consolidated area.

(2) The permit application must:

(i) be made on a 1-time basis for each area;

(ii) include descriptions or drawings of the consolidated display area(s); and

(iii) comply with any other requirements that the Zoning Administrator sets.

(d) *Continued compliance required.*

Failure to maintain the consolidated areas in conformity with approved descriptions or drawings causes the permit to terminate.

(City Code, 1976/83, art. 30, §10.0-3b8.) (Ord. 99-547.)

§ 11-423. Conditional use signs.

(a) *In general.*

The following types of non-illuminated or indirectly or directly illuminated signs may be authorized by the Board as conditional uses in the districts indicated, subject to:

(1) the guides and standards set forth in Title 14 {“Conditional Uses”} of this article; and

(2) the limitations set forth in this section.

(b) *Roof signs.*

A roof sign may be authorized as a conditional use in B-3, B-5, M-2, and M-3 Districts if:

(1) the sign is a business or identification sign; and

(2) the sign is located on the side of a roof structure that forms a backdrop for it.

(City Code, 1976/83, art. 30, §10.0-3c.) (Ord. 99-547; Ord. 00-001.)

§ 11-424. Advertising signs on passenger shelters.

(a) *In general.*

Advertising signs on bus passenger shelters are allowed in all districts as provided in this section.

(b) *Limitations — All districts.*

(1) In all districts, these signs are subject to the following requirements.

(2) The sign display area must be integral to the design of the passenger shelter.

(3) No sign may extend from the face of the passenger shelter.

(4) No sign may extend above the top of the passenger shelter.

(5) The advertising sign area may not exceed 25 square feet on one side. The sign may be double-sided. Informational signs, transit rider information, and maps provided by the Mass Transit Administration are not included within this size limit. A community information panel is allowed and is not included within this size limit as long as it does not exceed 11" x 17" and is placed on the inside of the shelter.

(2) (i) Except as specified in subparagraph (ii) of this paragraph, no sign may advertise alcoholic beverages or tobacco products.

(ii) The prohibition of this paragraph (6) does not apply to any sign located:

(A) in a B-4 District;
(B) in an M-3 District, if the sign is more than 1,000 feet from the boundary of any other district that is not a B-4 or M-3 District; or

(C) in an M-3 District, if the sign is more than 500 feet from the boundary of any other district that is not a B-4 or M-3 District and the sign faces away from that other district.

(7) Parties are eligible to place advertising on bus passenger shelters only if they:

(i) have obtained a minor privilege permit for each shelter that is in a public right-of-way; and

(ii) have an agreement for the advertising that has been approved by the Board of Estimates.

(3) The sign must otherwise comply with all applicable requirements of this title.

(c) *Limitations — B-4 and B-5 Districts.*

In a B-4 or B-5 District, the shelter and site must be approved by the Planning Commission. *(Ord. 01-230.)*

SUBTITLE 5
NONCONFORMANCE

PART I. NONCONFORMING SIGNS

§ 11-501. In general.

Signs that were lawful when erected but no longer conform to the requirements of this article must comply with the following regulations.
(City Code, 1976/83, art. 30, §10.0-4(intro cl.).) (Ord. 99-547.)

§ 11-502. Permitted alterations, replacements, relocations, etc.

Any nonconforming sign may be structurally altered, reconstructed, replaced, or relocated, as long as the alteration, reconstruction, replacement, or relocation does not result in:

(1) an increase in the area or any dimension of the sign;

(2) an increase in the degree of illumination of the sign;

(3) the addition or retention of:

(i) any moving, rotating, or otherwise animated part; or

(ii) any flashing, blinking, fluctuating, or otherwise animated light; or

(4) any other increase in the degree of the sign's nonconformity.
(City Code, 1976/83, art. 30, §10.0-4a.) (Ord. 99-547.)

§ 11-503. Termination of nonconforming general advertising signs.

(a) *In general.*

In all Residence, Office-Residence, and B-1 Districts, a nonconforming general advertising sign:

(1) may be continued for 5 years after the date on which the sign became nonconforming; and

(2) except only as specified in subsection (b) of this section, must be removed before the end of that period.

(b) *Near expressway.*

A preexisting general advertising sign that became nonconforming solely because of the enactment of § 11-206(c) {"Signs near expressways: Along Interstate within 1,500 ft. of another"} of this title may be continued.
(City Code, 1976/83, art. 30, §10.0-4b.) (Ord. 99-547.)

§ 11-504. Termination of nonconforming business and identification signs.

(a) *Residence and Office-Residence Districts.*

In all Residence and Office-Residence Districts, a nonconforming business or identification sign:

(1) may be continued for 5 years after the date on which the sign became nonconforming; and

(2) before the end of that period, must be:

(i) removed;

(ii) altered or converted to a sign permitted in the district in which it is located; or

(iii) altered or converted to an identification sign that conforms to the requirements of Part II of this subtitle.

(b) *B-1 and M-1 Districts.*

In all B-1 and M-1 Districts, a nonconforming business or identification sign:

(1) may be continued for 5 years after the date on which the sign became nonconforming; and

(2) before the end of that period, must be:

(i) removed; or

(ii) altered or converted to a sign permitted in the district in which it is located.

(City Code, 1976/83, art. 30, §10.0-4c, 4e.) (Ord. 99-547.)

§ 11-505. Adult entertainment, adult book or video stores, peep shows.

Any nonconforming sign used in connection with an adult-entertainment business, adult book or video store, or peep show establishment:

(1) may be continued for 3 years after the date on which that sign became nonconforming; and

(2) before the end of that period must be:

(i) removed; or

(ii) altered or converted to a sign permitted in the district in which it is located.

(City Code, 1976/83, art. 30, §8.0-6m.) (Ord. 99-547.)

§ 11-506. Nonconforming general advertising signs.

(a) *In general.*

This section applies to each application for change in a nonconforming general advertising sign.

(b) *Required conditions.*

The Board must find, and require as conditions of approval, that:

(1) the sign conforms to its original approvals as granted by the Board;

(2) neither the height nor size of the sign may be increased; and

(3) the sign may not be relocated by more than 10 feet from its approved location.

(c) *Prohibited changes.*

The Board may not authorize:

(1) internally illuminated box signs;

(2) neon signs;

(3) trivision signs; or

(4) fluctuating signs, other than for time or temperature.

(d) *Change in structure.*

The Board may approve a change in structure.
(Ord. 00-001.)

§11-507. *{Reserved}*

PART II. SIGNS FOR NONCONFORMING USES

§ 11-508. In general.

In Residence and Office-Residence Districts, business or identification signs for uses that are nonconforming under the provisions of this article must comply with the following regulations.
(City Code, 1976/83, art. 30, §10.0-4d(intro cl.).) (Ord. 99-547.)

§ 11-509. Business and identification signs.

(a) *In general.*

1 non-illuminated or indirectly or directly illuminated business or identification sign is allowed for each street frontage for each building devoted to a nonconforming use, subject to the limitations of this section.

(b) *Location*.

The sign must be located flat against the wall of the building and may not project more than 1 foot from that wall.

(c) *Maximum size.*

The area of the sign may not exceed whichever of the following is the least:

(1) a factor of 1 times the lineal feet of the length of the building facing the front lot line;

(2) 30 square feet; or

(3) the total area of all signs that now lawfully exist.

(d) *Maximum height*.

The sign may not be more than 15 feet high.

(e) *Moving, flashing, etc., parts or lights prohibited.*

The sign may not have or consist of:

(1) any moving, rotating, or otherwise animated part; or

(2) if otherwise permitted to be illuminated, any flashing, blinking, fluctuating, or otherwise animated light.

(f) *Duration.*

The sign may be displayed only during the life of the nonconforming use.
(City Code, 1976/83, art. 30, §10.0-4d1.) (Ord. 99-547.)

§ 11-510. Gasoline service stations.

(a) *In general*.

For nonconforming gasoline service stations, only the following business or identification signs are permitted, subject to the standards in this section and all other requirements of this article.

(b) *Oil company sign.*

(1) 1 non-illuminated or indirectly or directly illuminated free-standing oil company sign is allowed.

(2) The sign may not:

(i) exceed 64 square feet;
(ii) be more than 20 feet high; or

(iii) project more than 1 foot across a street line.

(c) *Other incidental signs.*

(1) Other non-illuminated or indirectly or directly illuminated business or identification signs, customarily incidental to the service station use (but not including wind signs), are allowed.

(2) These signs may not:

(i) exceed a combined area for all signs of 64 square feet for the premises;

(ii) if attached to a building, extend above the roof line; or

(iii) in any case, project beyond any street line.

(City Code, 1976/83, art. 30, §10.0-4d2.) (Ord. 99-547.)

TITLE 12
PERFORMANCE STANDARDS

SUBTITLE 1
OVERVIEW

§ 12-101. Purpose.

The performance standards in this title are designed to promote and protect Business Districts, as business areas, and M-1 Districts, as light industrial areas, thereby promoting and maintaining the most appropriate and beneficial use of these areas. The application of these standards will also tend to protect business and residential areas in or adjacent to a Business District or an M-1 District from adverse characteristics that might otherwise result from the operation of the uses allowed in those districts.

(City Code, 1976/83, art. 30, §7.1-1e(intro par.).) (Ord. 99-547.)

§ 12-102. Scope of standards.

The performance standards in this title establish criteria to control the effects, as they might emanate from a particular source, of the following:

(1) noise;

(2) vibration;

(3) smoke and particulate matter;

(4) toxic matter;

(5) odorous matter; and

(6) glare.

(City Code, 1976/83, art. 30, §7.1-1e1(1st sen.), 1e2(v).) (Ord. 99-547.)

§ 12-103. Applicability of standards.

(a) *In general.*

Except as specified in subsection (b) of this section, the performance standards in this title apply to:

(1) all uses in an M-1 District; and

(2) all activities in a Business District that involve the production, processing, cleaning, servicing, testing, or repair of materials, goods, or products.

(b) *Preexisting uses.*

(1) Uses lawfully established before these performance standards were enacted or extended to apply to the district in which they are located need not comply with the standards.

(2) However, if that use is later expanded, the expansion must comply with all applicable performance standards.

(City Code, 1976/83, art. 30, §7.1-1e1(2nd, 3rd sens.).) (Ord. 99-547.)

§ 12-104. Use of instruments.

All instruments used for measurements required by these performance standards must meet and be used in accordance with nationally recognized good practice.

(City Code, 1976/83, art. 30, §7.1-1e3.) (Ord. 99-547.)

SUBTITLE 2
NOISE

§ 12-201. Definitions.

(a) *In general.*

In this subtitle, the following terms have the meanings indicated.
(City Code, 1976/83, art. 30, §7.1-1e2(intro).) (Ord. 99-547.)

(b) *Decibel*.

(1) "Decibel" or "dB" means the unit of measurement of relative sound intensity equal to 20 times the logarithm to the base 10 of the ratio of the effective sound pressure to a reference pressure of 20 micronewtons per square meter.

(2) In formula,

$$dB = 20 \text{ Log}_{10} P/P_0$$

where P is the average pressure of the measured sound, and P_0 indicates the reference pressure considered to be the weakest audible pressure a young ear can detect under ideal listening conditions.
(City Code, 1976/83, art. 30, §7.1-1e2(b).) (Ord. 99-547.)

(c) *Frequency*.

"Frequency" signifies the number of oscillations per second in a sound wave and is an index of the pitch of the resulting sound.
(City Code, 1976/83, art. 30, §7.1-1e2(k).) (Ord. 99-547.)

(d) *Octave band*.

"Octave band" means a prescribed interval of sound frequencies that classifies sound according to its pitch.
(City Code, 1976/83, art. 30, §7.1-1e2(q).) (Ord. 99-547.)

§ 12-202. Method of measurement.

(a) *Required instruments.*

For measuring the intensity and frequency of sound, the following instruments must be used:

(1) an octave band analyzer; and

(2) an impact noise analyzer.

(b) *Octave band analyzer*.

(1) Octave band analyzers calibrated with Pre-1960 Octave Bands (American Standards Association Z24.10-1953, "Octave Band Filter Set") must use Table A at the end of this subtitle.

(2) Octave band analyzers calibrated in the Preferred Frequencies (American Standards Association S1.6-1960, "Preferred Frequencies for Acoustical Measurements") must use Table B at the end of this subtitle.

(c) *Impact noise analyzer.*

The impact noise analyzer must be used for all impact noises (that is, short-duration sounds, as from forge hammers, punch presses, and metal shears).

(City Code, 1976/83, art. 30, §7.1-1e2(l), (r), (w), (x), §7.1-1e4(a).) (Ord. 99-547.)

§ 12-203. Standards.

(a) *In general.*

(1) At no point in an adjacent lot or in the districts shown in Tables A, B, and C may the sound pressure level of an operation or activity exceed the decibel limits in the octave bands designated.

(2) Impact noises, as measured on an impact noise analyzer, may not exceed the peak intensities set forth in Table C.

(b) *Exceptions.*

In determining decibel limits, the following are not to be included:

(1) background noises produced by sources not under the control of the business or industry, such as the operation of motor vehicles or other transportation facilities; and

(2) noises produced by blasting during necessary periods of building construction, but only if the blasting operation complies with the permit and other requirements of City Code Article 9, § 8-6 {"Blasting — permits; regulations"}.

(c) *Adjustment for nighttime activities*.

(1) The decibel values specified for Residence and Office-Residence Districts in Tables A, B, and C are permitted only between the hours of 7 a.m. and 7 p.m.

(2) From 7 p.m. to 7 a.m., the values specified in the tables are reduced by 5 decibels.

(City Code, 1976/83, art. 30, §7.1-1e2(dd), §7.1-1e4(b).) (Ord. 99-547.)

Table A
Pre-1960 Octave Band

Octave Band Pre-1960	*Adjacent*	*Business*	*Office-Residence and*

(Cycles per Second)	*Lot*	*District*	*Residence Districts*
20 - 75	80	77	74
75 - 150	69	66	62
150 - 300	62	58	54
300 - 600	57	53	49
600 - 1200	54	49	45
1200 - 2400	51	46	41
2400 - 4800	48	43	38
Above 4800	46	41	36

* * * * * * * * * *

Table B
Preferred Frequencies

Octave Band Preferred Frequencies (Cycles per Second)	*Adjacent Lot*	*Business District*	*Office-Residence and Residence Districts*
31.5	88	86	83
63	77	74	71
125	68	64	60
250	61	57	53
500	56	52	48
1000	53	48	44
2000	50	45	40
4000	48	42	38
8000	46	41	36

* * * * * * * * * * *

Table C
Impact Noises

	Adjacent Lot	*Business District*	*Office-Residence and Residence Districts*
Overall Peak	86	83	80

* * * * * * * * * * *

(City Code, 1976/83, art. 30, §7.1-1e4.) (Ord. 99-547.)

SUBTITLE 3
VIBRATIONS

§ 12-301. Definitions.

(a) *In general.*

In this subtitle, the following terms have the meanings indicated.
(City Code, 1976/83, art. 30, §7.1-1e2(intro).) (Ord. 99-547.)

(b) *Displacement (earth).*

"Displacement (earth)" means the amplitude of intensity of an earthborne vibration measured in inches. The displacement of amplitude is ½ the total earth movement.
(City Code, 1976/83, art. 30, §7.1-1e2(c).) (Ord. 99-547.)

(c) *Earthborne vibration.*

"Earthborne vibration" means a cyclic movement of the earth due to the propagation of mechanical energy.
(City Code, 1976/83, art. 30, §7.1-1e2(d).) (Ord. 99-547.)

(d) *Frequency.*

"Frequency" has the meaning stated in § 12-201 if this title.
(Ord. 99-547.)

(e) *Vibration.*

"Vibration" means the periodic displacement of the earth.
(City Code, 1976/83, art. 30, §7.1-1e2(gg).) (Ord. 99-547.)

§ 12-302. Method of measurement.

Vibration displacements must be measured with a three-component measuring system, simultaneously measuring earthborne vibrations in three mutually perpendicular directions. The maximum vector resultant must be less than the vibration displacement permitted by this subtitle.
(City Code, 1976/83, art. 30, §7.1-1e2(ee), §7.1-1e5(a).) (Ord. 99-547.)

§ 12-303. Standards.

(a) *In general.*

(1) An operation or activity is prohibited if, at any point in an adjacent lotor in the districts shown in Tables D and E, it causes earthborne vibrations in excess of the limits specified.

(2) For purposes of exact interpolation between 10 cycles per second and 60 cycles per second, the product of frequency times displacement may not exceed the values set forth in Table E.

(b) *Exceptions.*

In determining limits, the following are not to be included:

(1) background vibrations produced by sources not under the control of the business or industry, such as the operation of motor vehicles or other transportation facilities; and

(2) vibrations produced by blasting during necessary periods of building construction, but only if the blasting operation complies with the permit and other requirements of City Code Article 9, § 8-6 {"Blasting — permits; regulations"}.

(c) *Adjustment for nighttime activities.*

(1) The values specified for Residence and Office-Residence Districts in Table D are permitted only between the hours of 7 a.m. and 7 p.m.

(2) From 7 p.m. to 7 a.m., the values specified in that table are reduced to ½ of those listed.
(City Code, 1976/83, art. 30, §7.1-1e5(b).) (Ord. 99-547.)

Table D
(Displacement in Inches)

Frequency (Cycles per Second)	*Adjacent Lot*	*Business District*	*Office-Residence and Residence Districts*
10 and below	.0015	.0008	.0006
20	.0007	.0005	.0003
30	.0005	.0003	.0002
40	.0004	.0003	.0002
50	.0003	.0002	.0002
60 and above	.0002	.0002	.0002

For impact vibrations (discrete vibration pulsations not exceeding 1 second in duration and having a pause of at least 1 second between pulses), the values specified above shall be multiplied by two.

* * * * * * * * * * *

Table E

Adjacent Lot	*Business District*	*Office-Residence and Residence Districts*
.0150	.0080	.0060

* * * * * * * * * * *

(City Code, 1976/83, art. 30, §7.1-1e2(m), §7.1-1e5.) (Ord. 99-547.)

SUBTITLE 4
SMOKE AND PARTICULATE MATTER

§ 12-401. Definitions.

(a) *In general.*

In this subtitle, the following terms have the meanings indicated.
(City Code, 1976/83, art. 30, §7.1-1e2(intro).) (Ord. 99-547.)

(b) *Particulate matter.*

"Particulate matter" means any material that is suspended in or discharged into the atmosphere in a finely-divided form as a solid.
(City Code, 1976/83, art. 30, §7.1-1e2(u).) (Ord. 99-547.)

(c) *Ringelmann Chart*.

"Ringelmann Chart" means the chart by that name, as adopted and published by the United States Bureau of Mines in Circular No. 7718, on which are illustrated graduated shades of gray for estimating the light obscuration capacity of smoke or its equivalent.
(City Code, 1976/83, art. 30, §7.1-1e2(y), §7.1-1e6(a).) (Ord. 99-547.)

(d) *Ringelmann No.*

"Ringelmann No." means the number assigned to the area on the Ringelmann Chart that coincides most nearly with the visual density or equivalent opacity of the emission or smoke observed.
(City Code, 1976/83, art. 30, §7.1-1e2(z).) (Ord. 99-547.)

(e) *Smoke*.

"Smoke" means small gas-borne particles, other than water, that form a visible plume in the air.
(City Code, 1976/83, art. 30, §7.1-1e2(bb).) (Ord. 99-547.)

§ 12-402. Method of measurement.

For determining the visual density or equivalent opacity of smoke, the Ringelmann Chart must be used.
(City Code, 1976/83, art. 30, §7.1-1e6(a).) (Ord. 99-547.)

§ 12-403. Standards.

(a) *Smoke.*

(1) Except as specified in paragraph (2) of this subsection, the emission of smoke from a vent, stack, chimney, or combustion process may not exceed a density or equivalent opacity of Ringelmann No. 1.
(2) Smoke that exceeds Ringelmann No. 1 but does not exceed Ringelmann No. 3 is permitted for 2 minutes during any 8-hour period.

(b) *Particulate matter*.

(1) The emission of particulate matter from vents, stacks, and chimneys may not exceed, as measured in the sources, 0.2 pounds per hour per acre of lot property.

(2) The wind-bourne emission of particulate matter from open storage areas, yards, service roads, or other areas of a lot must be kept to a minimum by appropriate landscaping, paving, oiling, wetting, or other means.

(3) The emission of particulate matter from sources in a lot must be controlled so as not to cause a nuisance across lot lines.

(City Code, 1976/83, art. 30, §7.1-1e6(b).) (Ord. 99-547.)

SUBTITLE 5
TOXIC MATTER

§ 12-501. Definitions.

(a) *In general.*

In this subtitle, the following terms have the meanings indicated.
(City Code, 1976/83, art. 30, §7.1-1e2(intro).) (Ord. 99-547.)

(b) *Toxic matter.*

(1) "Toxic matter" means materials that, when present in relatively small amounts, are capable of causing injury to living organisms by chemical means.

(2) "Toxic matter" includes radioactive materials.
(City Code, 1976/83, art. 30, §7.1-1e2(ff).) (Ord. 99-547.)

§ 12-502. Method of measurement.

For measuring toxic matter, the most recent list of "Threshold Limit Values", as published by the American Conference of Governmental Industrial Hygienists or its successor, must be used.
(City Code, 1976/83, art. 30, §7.1-1e7(a).) (Ord. 99-547.)

§ 12-503. Standards.

(a) *Where measured.*

All measurements for toxic matter must be taken at a point beyond the lot line, at ground level or at habitable elevations, whichever is more restrictive.

(b) *Maximum permitted.*

(1) If a toxic matter is listed in "Threshold Limit Values", the measured concentration based on a 24-hour sampling period may not exceed 1/30 of the maximum permissible airborne concentration allowed by "Threshold Limit Values" for an industrial worker.

(2) If a toxic matter is not listed in "Threshold Limit Values", the concentration either at ground level or at habitable elevations outside the lot line may not be injurious to health, as determined by the City Health Department.
(City Code, 1976/83, art. 30, §7.1-1e7(b).) (Ord. 99-547.)

SUBTITLE 6
ODOROUS MATTER

§ 12-601. Definitions.

(a) *In general.*

In this subtitle, the following terms have the meanings indicated.
(City Code, 1976/83, art. 30, §7.1-1e2(intro).) (Ord. 99-547.)

(b) *Odorous matter*.

"Odorous matter" means any material that produces an olfactory response in human beings.
(City Code, 1976/83, art. 30, §7.1-1e2(s).) (Ord. 99-547.)

(c) *Odor threshold*.

"Odor threshold" means the minimum concentration of odorous matter that, when in the air, produces an olfactory response in human beings.
(City Code, 1976/83, art. 30, §7.1-1e2(t).) (Ord. 99-547.)

§ 12-602. Method of measurement.

For measuring odor thresholds, the American Society of Testing and Materials Method D1391-57, "Standard Method for Measurement of Odor in Atmospheres (Dilution Method)" must be used.
(City Code, 1976/83, art. 30, §7.1-1e8(a).) (Ord. 99-547.)

§ 12-603. Standards.

(a) *In general*.

The release of odorous matter across lot lines may not exceed the odor threshold when measured in an adjacent lot, either at ground level or at habitable elevations.

(b) *Odorous effluent.*

If the effluent from any use becomes odorous, such as by bacterial action or chemical reaction, the odor produced must meet the requirements of the district in which the odor originates.
(City Code, 1976/83, art. 30, §7.1-1e8(b).) (Ord. 99-547.)

SUBTITLE 7
GLARE

§ 12-701. Definitions.

(a) *In general.*

In this subtitle, the following terms have the meanings indicated.
(City Code, 1976/83, art. 30, §7.1-1e2(intro).) (Ord. 99-547.)

(b) *Footcandle.*

"Footcandle" means the unit of illumination that equals the illumination at all points 1 foot distant from a uniform point source of 1 candle power.
(City Code, 1976/83, art. 30, §7.1-1e2(i).) (Ord. 99-547.)

§ 12-702. Method of measurement.

For measuring illumination, the International Candle, adopted in 1940 as 1/60 of the brightness of freezing platinum, must be used.
(City Code, 1976/83, art. 30, §7.1-1e10(a).) (Ord. 99-547.)

§ 12-703. Standards.

(a) *Maximum levels.*

(1) An operation or activity that produces glare must be conducted so that no direct or indirect illumination from the source of light exceeds a level of ½ -foot candle when measured at the nearest point of any lot line in a Residence or Office-Residence District.

(2) If street lighting produces illumination in excess of 1 footcandle at any point in a Residence or Office-Residence District, the contribution by light sources from within a Business District or an M-1 District measured at the same point may not exceed 50% of the street lighting.

(b) *Flickering or intense lights.*

Flickering or intense sources of light must be controlled or shielded so they do not cause a nuisance across lot lines.
(City Code, 1976/83, art. 30, §7.1-1e10(b).) (Ord. 99-547.)

TITLE 13
NONCONFORMANCE

SUBTITLE 1
DEFINITIONS; OVERVIEW

§ 13-101. Definitions.

(a) *In general.*

In this title, the following terms have the meanings indicated.
(Ord. 99-547.)

(b) *Noncomplying structure.*

"Noncomplying structure" means any lawfully existing structure that does not comply with the applicable bulk regulations of the district in which it is located.
(City Code, 1976/83, art. 30, §13.0-2-60.) (Ord. 99-547.)

(c) *Nonconforming use.*

"Nonconforming use" means any lawfully existing use of a structure or of land that does not conform to the applicable use regulations of the district in which it is located.
(City Code, 1976/83, art. 30, §13.0-2-61.) (Ord. 99-547.)

§ 13-102. Purpose.

This article establishes separate districts, each of which is an appropriate area for the location of the uses and structures that are allowed in that district. Consistent with the establishment of those districts, all uses and structures incompatible with allowed uses and structures must be strictly regulated and properly controlled. This title, therefore, provides for the regulation of nonconforming uses and noncomplying structures existing in the various districts.
(City Code, 1976/83, art. 30, ch. 8(intro)(1st par.).) (Ord. 99-547.)

§ 13-103. Scope.

(a) *In general.*

Except as specified in subsection (b) of this section, this title regulates the continuance of all:

(1) nonconforming uses;

(2) nonconforming structures and their uses; and

(3) noncomplying structures.

(b) *Nonconforming signs.*

The continuance of nonconforming signs are regulated by Title 11 {"Sign Regulations"} of this article.

(City Code, 1976/83, art. 30, ch. 8(intro)(3rd par.), §8.0-1.) (Ord. 99-547.)

§ 13-104. Termination of certain uses.

(a) *Imposed on certain uses.*

Nonconforming uses and noncomplying structures substantially and adversely affect the maintenance, development, use, and taxable value of other property in the district. Accordingly, for those uses that have serious blighting effects on adjacent uses, a time limit, or tolerance period, has been placed on their continuance.

(b) *Benefits.*

In those cases, the owner is given time within which to make alternative plans for the property, while the public is assured that the district in which the nonconforming use exists will eventually benefit from a substantial uniformity of uses within the district.

(c) *Terminations required by prior ordinances to govern.*

Notwithstanding any other provisions of this title, if any use is required to be terminated under this article and was also required to be terminated or made conforming under any prior ordinance of the Mayor and City Council, the prior ordinance governs as to the date of the required termination.

(City Code, 1976/83, art. 30, ch. 8(intro)(2nd par.), §8.0-7d.) (Ord. 99-547.)

§ 13-105. Nonconformity not established by casual, temporary, or unlawful uses.

A casual, temporary, or unlawful use of any land or structure does not establish any nonconforming use, noncomplying density, or other form of nonconformity.

(City Code, 1976/83, art. 30, §8.0-7c(3rd par.).) (Ord. 99-547.)

§ 13-106. Noncompliance with off-street parking requirements.

No use may be construed as nonconforming solely by reason of noncompliance with the off-street parking requirements of this article.

(City Code, 1976/83, art. 30, §8.0-7c(2nd par.).) (Ord. 99-547.)

§ 13-107. Determinations of nonconformity or noncompliance.

(a) *By Board.*

Whether a nonconforming use, noncomplying density, or other form of nonconformity exists is a question of fact that, except as specified in subsection (b) of this section, must be decided by the Board after public notice and hearing and in accordance with the rules of the Board.

(b) *By Administrator.*

The Zoning Administrator may issue a use permit, without referring the matter to the Board, if:

(1) permits, ordinances, the Police Survey of 1931, or other records on file with the Zoning Administrator:

(i) document the existence of a bona fide nonconforming use, noncomplying density, or other nonconformance; and

(ii) clearly show its continued and uninterrupted use to the date of inquiry or application; and

(2) a field inspection of the construction, design, and arrangement of the structure or use in question confirms these records.

(City Code, 1976/83, art. 30, §8.0-7c(1st par.).) (Ord. 99-547.)

SUBTITLE 2
NONCONFORMING USES OF LAND (CLASS I)

§ 13-201. Scope of subtitle.

This subtitle applies to Class I nonconforming uses, which comprise:

(1) any nonconforming use of land on which no structure is located;

(2) any nonconforming use of land on which the use of a structure is accessory to the nonconforming use; and

(3) any nonconforming use of land on a part of which a structure is located and the nonconforming use of the land is not accessory to any use of the structure.

(City Code, 1976/83, art. 30, §8.0-2a.) (Ord. 99-547.)

§ 13-202. Continuation of use.

Except as specified in this article, Class I nonconforming uses of land may be continued, subject to the regulations of this subtitle.

(City Code, 1976/83, art. 30, §8.0-1.) (Ord. 99-547.)

§§ 13-203 to 13-204. *{Reserved}*

§ 13-205. Changes in use.

(a) *Only to permitted use.*

A Class I nonconforming use may not be changed to any other use except a use that is permitted in the district in which the land is located.

(b) *Reversion prohibited.*

If a Class I nonconforming use has been changed to a conforming use, it may not later be changed back to a nonconforming use.

(City Code, 1976/83, art. 30, §8.0-2b.) (Ord. 99-547.)

§ 13-206. Expansions of use.

(a) *In general.*

Except as specified in subsection (b) of this section, a Class I nonconforming use in any district may not be expanded in any manner, nor may any structure be erected or expanded, unless the use of the land and the structure is made to conform to the regulations of the district in which they are located.

(b) *In B-3, B-4, B-5, M-2, and M-3 Districts.*

In accordance with Subtitle 7 {"Modifications and Continuances by Board"} of this title, the Board may authorize an expansion of a Class I nonconforming use in a B-3, B-4, B-5, M-2, or M-3 District.

(City Code, 1976/83, art. 30, §8.0-2c.) (Ord. 99-547.)

§ 13-207. Discontinuance or abandonment.

(a) *Discontinuance of use.*

Whenever the active and continuous operation of any Class I nonconforming use, or any part of that use, has been discontinued for 6 consecutive months:

(1) the discontinuance constitutes an abandonment of the discontinued nonconforming use, or discontinued part of that use, regardless of any reservation of an intent to resume active operations or otherwise not abandon the use; and

(2) the discontinued nonconforming use, or discontinued part of that use:

(i) may not be reestablished; and

(ii) any subsequent use of any part of the land or structure previously used for the discontinued use, or discontinued part of that use, must conform to the regulations of the district in which the land or structure is located.

(b) *Abandonment of use.*

If, at any time, actual abandonment in fact is evidenced by removal of structures, machinery, or equipment, or by alterations that indicate a change in the use of any part of the land or structure:

(1) that action constitutes an abandonment of the nonconforming use, or affected part of that use; and

(2) all rights to continue or reestablish the nonconforming use, or part of that use, immediately terminate.

(City Code, 1976/83, art. 30, §8.0-2d.) (Ord. 99-547.)

§ 13-208. Relocation within lot.

(a) *In general.*

Except as specified in subsection (b) of this section, a Class I nonconforming use in any district may not be moved, in whole or in part, to any other location on the lot.

(b) *In B-3, B-4, B-5, M-2, and M-3 Districts.*

In accordance with Subtitle 7 {"Modifications and Continuances by Board"} of this title, the Board may authorize a Class I nonconforming use in a B-3, B-4, B-5, M-2, or M-3 District to be moved to another location on the lot.

(City Code, 1976/83, art. 30, §8.0-2e.) (Ord. 99-547.)

§ 13-209. Mandatory termination in Residence, Office-Residence, and B-1 Districts

In a Residence, Office-Residence, or B-1 District, a Class I nonconforming use must be discontinued and cease no later than 3 years after the date on which that use became nonconforming, whether the use became nonconforming by the enactment of or amendment to this article or by reclassification of a district or property.

(City Code, 1976/83, art. 30, §8.0-2f.) (Ord. 99-547.)

SUBTITLE 3
NONCONFORMING STRUCTURES AND THEIR USES (CLASS II).

§ 13-301. Scope of subtitle.

This subtitle applies to Class II nonconforming structures and their uses, which comprise:

(1) any structure all or substantially all of which was designed and erected for a use that is no longer allowed in the district in which it is located; and

(2) any nonconforming uses of that structure or of the lot on which that structure is located.

(City Code, 1976/83, art. 30, §8.0-3a.) (Ord. 99-547.)

§ 13-302. Continuation of structure and use.

Except as specified in this article, Class II nonconforming structures and their uses may be continued, subject to the regulations of this subtitle.

(City Code, 1976/83, art. 30, §8.0-1.) (Ord. 99-547.)

§ 13-303. Repairs and alterations.

(a) *In general.*

A Class II nonconforming structure may be maintained, repaired, or structurally altered subject to the conditions of this section.

(b) *Conditions of making repairs, etc.*

(1) In a Business District (other than B-1) or Industrial District, all alterations that create expansions must comply with § 13-306 of this subtitle.

(2) In a Residence, Office-Residence, or B-1 District:

(i) the nonconforming use may not be expanded; and

(ii) no structural alterations may made in or to any part of the structure, except:

(A) those required by law;

(B) those made to conform the structure and its use to the regulations of the district in which the structure is located; or

(C) the alteration of an exterior wall, if authorized by the Board under Subtitle 7 {“Modifications and Continuances by Board”} of this title.

(c) *Permitted repairs.*

The repairs permitted by this section include:

(1) the replacement of storage tanks where the safety of operations in the structure requires this replacement;

(2) other replacements or substitutions of machinery or equipment that do not involve structural alterations to any part of the structure; and

(3) the replacement of damaged or deteriorated structural members.

(City Code, 1976/83, art. 30, §8.0-3b.) (Ord. 99-547.)

§ 13-304. Restoration of damaged structures.

If any part of a Class II nonconforming structure is destroyed or damaged by fire, other casualty, or act of God, no repairs or reconstruction may be made unless:

(1) a building permit is obtained and work started within 1 year from the date of the destruction or damage and the work is diligently pursued to completion; or

(2) the repairs or reconstruction are:

(i) required by law; or

(ii) made to conform the structure to the regulations of the district in which the structure is located.

(City Code, 1976/83, art. 30, §8.0-3c.) (Ord. 99-547.)

§ 13-305. Changes in use.

(a) *In general.*

Except as specified in subsection (b) or (c) of this section, a Class II nonconforming use in any district may not be changed to any other nonconforming use.

(b) *In Residence and Office-Residence Districts.*

In accordance with Subtitle 7 {"Modifications and Continuances by Board"} of this title, the Board may authorize a Class II nonconforming use in a Residence or Office-Residence District to be changed as follows:

(1) to a use permitted in an M-1 District, if the nonconforming use is located in a structure all or substantially all of which is designed and erected for an industrial use; or

(2) to a use permitted in a B-1 District, if the nonconforming use is located in a structure all or substantially all of which is designed and erected for a business or other nonconforming use.

(c) *In Business and Industrial Districts.*

In accordance with Subtitle 7 {"Modifications and Continuances by Board"} of this title, the Board may authorize a Class II nonconforming use in a Business or Industrial District to be

changed to another nonconforming use that is similar in nature and character to the existing nonconforming use.

(d) *Reversion prohibited.*

If a Class II nonconforming use has been changed to a conforming use, it may not later be changed back to a nonconforming use.

(City Code, 1976/83, art. 30, §8.0-3d.) (Ord. 99-547.)

§ 13-306. Expansions of use.

A Class II nonconforming structure and the uses of that structure may not be expanded in any manner, nor may any structure be erected or expanded on any nonconforming use of land, unless:

(1) the use of the structure and land is made to conform to the regulations of the district in which the structure is located; or

(2) the expansion is authorized by the Board under Subtitle 7 {"Modifications and Continuances by Board"} of this title.

(City Code, 1976/83, art. 30, §8.0-3e.) (Ord. 99-547.)

§ 13-307. Discontinuance or abandonment.

(a) *Discontinuance of use.*

(1) Except as specified in paragraph (2) of this subsection, whenever the active and continuous operation of any Class II nonconforming use, or any part of that use, has been discontinued for 18 consecutive months:

(i) the discontinuance constitutes an abandonment of the discontinued nonconforming use, or discontinued part of that use, regardless of any reservation of an intent to resume active operations or otherwise not abandon the use; and

(ii) the discontinued nonconforming use, or discontinued part of that use:

(A) may not be reestablished; and

(B) any subsequent use of any part of the land or structure previously used for the discontinued use, or discontinued part of that use, must conform to the regulations of the district in which the land or structure is located.

(2) In accordance with Subtitle 7 {"Modifications and Continuances by Board"} of this title, the Board may extend the time limit for discontinuance for 1 or more additional periods. In no case, however, may the total of the additional time exceed 18 months.

(b) *Abandonment of use.*

If, at any time, actual abandonment in fact is evidenced by removal of structures, machinery, or equipment, or by alterations that indicate a change in the use of any part of the land or structure:

(1) that action constitutes an abandonment of the nonconforming use, or affected part of that use; and

(2) all rights to continue or reestablish the nonconforming use, or part of that use, immediately terminate.

(City Code, 1976/83, art. 30, §8.0-3f.) (Ord. 99-547.)

§ 13-308. Relocation within lot.

(a) *In general.*

Except as specified in subsection (b) of this section, a Class II nonconforming structure or use in any district may not be moved, in whole or in part, to any other location on the lot, unless the structure, or the moved part of the structure, and the use are made to conform to the regulations of the district in which the structure is located.

(b) *In B-2 to B-5, M-2, and M-3 Districts.*

In accordance with Subtitle 7 {"Modifications and Continuances by Board"} of this title, the Board may authorize a Class II nonconforming structure in a B-2, B-3, B-4, B-5, M-2, or M-3 District to be moved another location on the lot.

(City Code, 1976/83, art. 30, §8.0-3g.) (Ord. 99-547.)

SUBTITLE 4
NONCONFORMING USES OF STRUCTURES (CLASS III)

§ 13-401. Scope of subtitle.

This subtitle applies to Class III nonconforming uses, which comprise:

(1) any nonconforming use of all or part of a structure that was designed and erected primarily for a use that is no longer allowed in the district in which it is located;

(2) any nonconforming use of the lot on which that structure is located; and

(3) any nonconforming use of land or structures not regulated as Class I or Class II.

(City Code, 1976/83, art. 30, §8.0-4a.) (Ord. 99-547.)

§ 13-402. Continuation of use.

Except as specified in this article, Class III nonconforming uses of structures may be continued, subject to the regulations of this subtitle.

(City Code, 1976/83, art. 30, §8.0-1.) (Ord. 99-547.)

§ 13-403. Repairs and alterations.

(a) *In general.*

A structure or part of a structure devoted to a Class III nonconforming use may be maintained, repaired, or structurally altered subject to the conditions of this section.

(b) *Conditions of making repairs, etc.*

(1) In a Business District (other than B-1) or Industrial District (other than M-1), all alterations that create expansions must comply with § 13-406 {"Expansions of use"} of this subtitle.

(2) In a Residence, Office-Residence, B-1, or M-1 District:

(i) the nonconforming use may not be expanded; and

(ii) no structural alterations may made in or to any part of the structure, except:

(A) those required by law;

(B) those made to conform the structure and its use to the regulations of the district in which the structure is located; or

(C) the alteration of an exterior wall, if authorized by the Board under Subtitle 7 {"Modifications and Continuances by Board"} of this title.

(c) *Permitted repairs.*

The repairs permitted by this section include:

(1) the replacement of storage tanks where the safety of operations in the structure requires this replacement;

(2) other replacements or substitutions of machinery or equipment that do not involve structural alterations to any part of the structure; and

(3) the replacement of damaged or deteriorated structural members.

(City Code, 1976/83, art. 30, §8.0-4b.) (Ord. 99-547.)

§ 13-404. Restoration of damaged structures.

If any part of a structure devoted to a Class III nonconforming use is destroyed or damaged by fire, other casualty, or act of God, no repairs or reconstruction may be made unless:

(1) a building permit is obtained and work started within 1 year from the date of the destruction or damage and the work is diligently pursued to completion; or

(2) the repairs or reconstruction are:

(i) required by law; or

(ii) made to conform the structure and use to the regulations of the district in which the structure is located.

(City Code, 1976/83, art. 30, §8.0-4c.) (Ord. 99-547.)

§ 13-405. Changes in use.

(a) *In general.*

Except as specified in subsection (b) or (c) of this section, a Class III nonconforming use in any district may not be changed to any other nonconforming use.

(b) *In Residence and Office-Residence Districts.*

In accordance with Subtitle 7 {"Modifications and Continuances by Board"} of this title, the Board may authorize a Class III nonconforming use in a Residence or Office-Residence District to be changed to a use permitted in a B-1 District.

(c) *In B-1 and M-1 Districts.*

A Class III nonconforming use in a B-1 or M-1 District may only be changed to a use that is permitted in the district in which the nonconforming use is located.

(d) *B-2 to B-5, M-2, and M-3 Districts.*

In accordance with Subtitle 7 {"Modifications and Continuances by Board"} of this title, the Board may authorize a Class III nonconforming use in a B-2, B-3, B-4, B-5, M-2, or M-3 District

to be changed to another nonconforming use that is similar in nature and character to the existing nonconforming use.

(e) *Reversion prohibited.*

If a Class III nonconforming use has been changed to a conforming use, it may not later be changed back to a nonconforming use.

(City Code, 1976/83, art. 30, §8.0-4d.) (Ord. 99-547.)

§ 13-406. Expansions of use.

Except as authorized by the Board under Subtitle 7 {"Modifications and Continuances by Board"} of this title, a Class III nonconforming use may not be expanded in any manner, nor may any structure be erected or expanded on any nonconforming use of land, unless the use of the land and structure is made to conform to the regulations of the district in which the structure is located.

(City Code, 1976/83, art. 30, §8.0-4e.) (Ord. 99-547.)

§ 13-407. Discontinuance or abandonment.

(a) *Discontinuance of use.*

(1) Except as specified in this section, whenever the active and continuous operation of any Class III nonconforming use, or any part of that use, has been discontinued for 12 consecutive months:

(i) the discontinuance constitutes an abandonment of the discontinued nonconforming use, or discontinued part of that use, regardless of any reservation of an intent to resume active operations or otherwise not abandon the use; and

(ii) the discontinued nonconforming use, or discontinued part of that use:

(A) may not be reestablished; and

(B) any subsequent use of any part of the land or structure previously used for the discontinued use, or discontinued part of that use, must conform to the regulations of the district in which the land or structure is located.

(2) In accordance with Subtitle 7 {"Modifications and Continuances by Board"} of this title, the Board may extend the time limit for discontinuance for 1 or more additional periods. In no case, however, may the total of the additional time exceed 12 months.

(b) *Abandonment of use.*

Except as specified in this section, if, at any time, actual abandonment in fact is evidenced by removal of structures, machinery, or equipment, or by alterations that indicate a change in the use of any part of the land or structure:

(1) that action constitutes an abandonment of the nonconforming use, or affected part of that use; and

(2) all rights to continue or reestablish the nonconforming use, or part of that use, immediately terminate.

(c) *Exceptions for R-6 to R-10 Districts.*

This section does not apply to any Class III nonconforming uses in an R-6, R-7, R-8, R-9, or R-10 District.

(City Code, 1976/83, art. 30, §8.0-4f.) (Ord. 99-547.)

§ 13-408. Relocation within lot or structure.

(a) *In general.*

Except as specified in subsection (b) of this section, a Class III non-conforming use in any district may not be moved, in whole or in part, to any other location on the lot or any other part of the structure.

(b) *In B-2 to B-5, M-2, and M-3 Districts.*

In accordance with Subtitle 7 {"Modifications and Continuances by Board"} of this title, the Board may authorize a Class III nonconforming use in a B-2, B-3, B-4, B-5, M-2, or M-3 District to be moved to another location on the lot or another part of the structure.

(City Code, 1976/83, art. 30, §8.0-4g.) (Ord. 99-547.)

SUBTITLE 5
NONCOMPLYING STRUCTURES

PART I. NONCOMPLIANCE GENERALLY

§ 13-501. Scope of subtitle.

(a) *Subtitle limited to noncompliance with bulk regulations.*

This subtitle regulates only lawfully existing structures that do not comply with the bulk regulations of the districts in which they are located.

(b) *Noncomplying structures devoted to nonconforming use.*

(1) If a structure is both noncomplying and is devoted in whole or in part to a nonconforming use, the structure is subject to both:

(i) the provisions of this title that govern nonconforming uses; and

(ii) the provisions of this subtitle.

(2) In the event of any conflict or inconsistency between the provisions that govern nonconforming uses and the provisions of this subtitle, the provisions that govern nonconforming uses control.

(City Code, 1976/83, art. 30, §8.0-5(intro pars.).) (Ord. 99-547.)

§13-502. Continuation of structure.

Except as specified in this article, noncomplying structures may be continued, subject to the requirements of this subtitle.

(City Code, 1976/83, art. 30, §8.0-1.) (Ord. 99-547.)

§ 13-503. Repairs and alterations.

A noncomplying structure may be maintained, repaired, or structurally altered, as long as all alterations that create expansions comply with § 13-506 {"Expansion of Structure"} of this subtitle.

(City Code, 1976/83, art. 30, §8.0-5a.) (Ord. 99-547.)

§ 13-504. Restoration of damaged structures.

If any part of a noncomplying structure is destroyed or damaged by fire, other casualty, or act of God, the structure or damaged part may not be repaired or reconstructed unless a building permit is obtained and work started within 1 year from the date of the destruction or damage and the work is diligently pursued to completion.

(City Code, 1976/83, art. 30, §8.0-5b.) (Ord. 99-547.)

§ 13-505. *{Reserved}*

§ 13-506. Expansions of structure.

A noncomplying structure may not be expanded if the expansion would either:

(1) create a new noncompliance; or

(2) increase the degree of noncompliance of any part of the structure.

(City Code, 1976/83, art. 30, §8.0-5c.) (Ord. 99-547.)

§ 13-507. ***{Reserved}***

§ 13-508. Relocation within lot.

A noncomplying structure may not be moved, in whole or in part, to any other location on the lot, unless the structure or the moved part of the structure, is made to comply with the bulk regulations of the district in which the structure is located.

(City Code, 1976/83, art. 30, §8.0-5d.) (Ord. 99-547.)

§§ 13-509 to 13-510. ***{Reserved}***

PART II. NONCOMPLIANCE BY MULTIPLE-FAMILY STRUCTURES

§ 13-511. Scope of part.

(a) *In general.*

Except as specified in subsection (b) of this section, this Part II applies to any structure that:

(1) at any time, with or without Board authorization, has been converted for 4 or more dwelling units or, if originally built for 4 or more dwelling units, has been converted to increase the number of dwelling units; and

(2) now fails to comply with the minimum lot area requirements of the district in which it is located.

(b) *Structure previously erected lawfully*.

This Part II does not apply to any noncomplying structure that:

(1) in compliance with or before the enactment of this article, as evidenced by permits or records of the City, was originally designed and built as a multiple-family dwelling structure for 4 or more dwelling units; and

(2) has not been altered, added to, or subdivided in any manner that increases the number of dwelling units to more than the maximum now allowed under this article.

(City Code, 1976/83, art. 30, §8.0-5e1(1st cl.), 5e2(2nd cl.), 5e3.) (Ord. 99-547.)

§ 13-512. Discontinuance or abandonment.

(a) *Discontinuance.*

Whenever the active and continuous use of a dwelling unit in a non-complying multiple-family structure subject to this Part II has been discontinued for 12 consecutive months:

(1) the discontinuance constitutes an abandonment of that dwelling unit, regardless of any reservation of an intent to resume active use of or to reoccupy the unit or otherwise not to abandon it; and

(2) the number of dwelling units allowed to continue in the structure is reduced by 1.

(b) *Abandonment.*

If, at any time, actual abandonment in fact is evidenced by removal of plumbing or kitchen facilities, by alterations that indicate an abandonment of any noncomplying dwelling unit, including consolidation with another dwelling unit, or by the issuance of a use permit for fewer dwelling units:

(1) that action constitutes an abandonment of the dwelling unit;

(2) all rights to continue or reestablish the previous number of dwelling units immediately terminate; and

(3) the number of dwelling units allowed to continue in the structure is reduced by 1.

(City Code, 1976/83, art. 30, §8.0-5e1.) (Ord. 99-547.)

§ 13-513. Mandatory termination in R-8 to R-10 Districts.

(a) *In general.*

Except as specified in subsection (b) of this section, if a noncomplying multiple-family structure subject to this Part II is located in an R-8, R-9, or R-10 District, the number of dwelling units in that structure must be reduced to comply with the requirements of the district in which it is located no later than 8 years after the date on which that structure became noncomplying, whether by the enactment of or amendment to this article or by reclassification of a district or property.

(b) *Conditional continuance.*

In accordance with Subtitle 7 {"Modifications and Continuances by Board"} of this title, the Board may authorize the continuance of 1 or more noncomplying dwelling units in the noncomplying multiple-family structure.

(City Code, 1976/83, art. 30, §8.0-5e2.) (Ord. 99-547.)

SUBTITLE 6
NONCONFORMING STATUS OF CERTAIN USES

PART I. CONTINUATION AND REGULATION OF CERTAIN USES

§ 13-601. Parking structures in Residence and Office-Residence Districts.

(a) *In general.*

Notwithstanding any other provision of this title, in a Residence or Office-Residence District, if all or substantially all of a structure is designed for the storage or parking of privately owned automobiles:

(1) the structure may be continued for that use;

(2) the use does not have the status of a nonconforming use; and

(3) the use may not be changed to any nonconforming use.

(b) *Structures devoted to nonconforming use.*

(1) *In general.*

If all or any part of the structure is devoted to a use other than the storage or parking of privately owned automobiles, and that other use is nonconforming, the nonconforming use may be continued, subject to the provisions of this section.

(2) *No alterations.*

Except as required by law, no part of the structure may be altered in internal arrangement and no structural alterations may be made in or to the structure for any use other than the storage or parking of privately owned automobiles.

(3) *No change in use.*

The nonconforming use may not be changed to any other use than the storage or parking of privately owned automobiles.

(4) *No expansions.*

The nonconforming use may not be expanded in any manner.

(5) *Discontinuance.*

Whenever the active and continuous operation of the nonconforming use, or any part of that use, has been discontinued for 6 consecutive months:

(i) the discontinuance constitutes an abandonment of the discontinued nonconforming use, or discontinued part of that use, regardless of any reservation of an intent to resume active operations or otherwise not to abandon the use; and

(ii) the discontinued nonconforming use, or discontinued part of that use:

(A) may not be reestablished; and

(B) no other use may be established in the structure other than the storage or parking of privately owned automobiles.

(6) *Abandonment.*

If, at any time, actual abandonment in fact is evidenced by removal of structures, machinery, or equipment, or by alterations that indicate a change in the use of any part of the structure:

(i) that action constitutes an abandonment of the nonconforming use, or affected part of that use; and

(ii) all rights to continue or reestablish the nonconforming use, or part of that use, immediately terminate.

(7) *No relocation.*

No part of the structure or the nonconforming use may be moved to any other location on the lot.

(8) *Mandatory termination*.

The nonconforming use must be discontinued and cease no later than 3 years after the date on which that use became nonconforming, whether the use became nonconforming by the enactment of or amendment to this article or by reclassification of a district or property, and the structure may then be used only for the storage or parking of privately owned automobiles.

(c) *Accessory use allowed*.

This section does not prevent the accessory use of the structure to a building on the same lot, as permitted under this article.

(City Code, 1976/83, art. 30, §8.0-6a.) (Ord. 99-547.)

§ 13-602. Expansions of certain attached dwellings.

Nothing in this title prohibits an expansion or reconstruction of an existing attached dwelling if:

(1) the attached dwelling is nonconforming only because it exceeds the maximum number permitted in a row or group; and

(2) all applicable bulk regulations of the district in which the dwelling is located are met.

(City Code, 1976/83, art. 30, §8.0-6c.) (Ord. 99-547.)

§ 13-603. ***{Reserved}***

§ 13-604. Dwellings in Industrial Districts.

Notwithstanding § 13-304 {"Restoration of damaged structures"} and § 13-307 {"Discontinuance or abandonment"} of this title, if all or substantially all of a structure in an Industrial District is designed for dwelling use and if the structure contains a nonconforming dwelling use, the structure may be continued for that nonconforming dwelling use.

(City Code, 1976/83, art. 30, §8.0-6d.) (Ord. 99-547.)

§ 13-605. ***{Reserved}***

§ 13-606. Restaurant or tavern with live entertainment in B-2 District.

Notwithstanding the provisions of this title, any lawfully established restaurant or tavern that is in a B-2 District and, on April 20, 1971, was operating with live entertainment or dancing as an accessory use:

(1) may be continued; and

(2) does not have the status of a nonconforming use.

(City Code, 1976/83, art. 30, §8.0-6e.) (Ord. 99-547.)

§ 13-607. Conversion of certain taverns to package goods stores.

(a) *In general.*

The Zoning Administrator must issue a new use permit as a nonconforming package goods liquor store for any nonconforming tavern that:

(1) as of December 31, 1995, was operating principally as a package goods store under a Class B-D-7 beer, wine and liquor license;

(2) within the time specified by State law, renews its Class B-D-7 license as a Class A-2 beer, wine and liquor off-sale package goods license; and

(3) within 60 days of July 11, 1996, submits a completed application for the new use permit to the Zoning Administrator.

(b) *Expansions prohibited.*

Notwithstanding any other provision of this article, the nonconforming use conducted under the new use permit may not be expanded in any manner, nor may the Board, by variance or otherwise, authorize any expansion beyond that which lawfully existed on December 31, 1995.

(City Code, 1976/83, art. 30, §8.0-6n.) (Ord. 99-547.)

§ 13-608. ***{Reserved}***

§ 13-609. Adult-entertainment businesses.

Any adult-entertainment business existing on September 10, 1993, is considered a nonconforming use, subject to all Class III regulations.
(City Code, 1976/83, art. 30, §8.0-6l.) (Ord. 99-547.)

§ 13-610. Amusement devices.

(a) *In general.*

Notwithstanding any provision of this title, nonconforming amusement devices are not allowed except as specified in this section.

(b) *In certain establishments.*

No more than 5 licensed amusement devices are allowed when used in combination with one of the following:

(1) Billiard or pool room.

(2) Bowling alley.

(3) Bus, train, or boat terminal.

(4) Hotel or motel.

(5) Indoor tennis or racquet club.

(6) Marina.

(7) Miniature golf.

(8) Race track.

(9) Restaurant with alcoholic beverage license.

(10) Skating rink.

(11) Social, fraternal, or veteran club.

(12) Swimming pool.

(13) Tavern.

(c) *With other entertainment, etc., uses.*

No more than 5 amusement devices are allowed when used in combination with other uses that the Board finds, after a public hearing, to be entertainment, leisure, or recreation oriented.

(d) *With non-entertainment, etc., uses.*

No amusement devices are allowed when used in combination with uses that are not entertainment, leisure, or recreation oriented, unless:

(1) an amusement device location permit is obtained under Article 15 of the City Code; and

(2) based on the net floor area of the location's interior space devoted to the principal use:

(i) no more than 1 device is used for a location with a net floor area of 600 square feet or less; and

(ii) no more than 2 devices are used for a location with a net floor area that exceeds 600 square feet.

(City Code, 1976/83, art. 30, §8.0-6h.) (Ord. 99-547.)

§§ 13-611 to 13-614. *{Reserved}*

PART II. MANDATORY TERMINATION OF CERTAIN USES

§ 13-615. Check cashing, etc., in Residence and Office-Residence Districts.

Check cashing, money changing, and similar types of agencies operated primarily for the cashing of checks or changing of money located in a Residence or Office-Residence District must be discontinued and cease no later than 3 years after the date on which that use became nonconforming, whether the use became nonconforming by the enactment of or amendment to this article or by reclassification of a district or property.

(City Code, 1976/83, art. 30, §8.0-6b.) (Ord. 99-547.)

§ 13-616. Massage salons in Residence, Office-Residence, and B-1 to B-3 Districts.

Massage salons in a Residence, Office-Residence, B-1, B-2, or B-3 District must be discontinued and cease no later than 18 months after the date on which that use became nonconforming, whether the use became nonconforming by the enactment of or amendment to this article or by reclassification of a district or property.

(City Code, 1976/83, art. 30, §8.0-6f.) (Ord. 99-547.)

§ 13-617. *{Reserved}*

§ 13-618. After-hours establishments in Residence, Office-Residence, B-1, and B-2 Districts.

After-hours establishments, other than private clubs, located in a Residence, Office-Residence, B-1, or B-2 District must be discontinued and cease no later than 18 months after the date on which that use became nonconforming, whether the use became nonconforming by the enactment of or amendment to this article or by reclassification of a district or property.

(City Code, 1976/83, art. 30, §8.0-6j.) (Ord. 99-547.)

§ 13-619. Tire storage near Residence District.

Where the open storage of tires or tire products in an M-2 District exists as a principal or accessory use and is within 200 feet of a Residence District, that use must be discontinued and cease within 12 months after the date on which that use became nonconforming, whether the use became nonconforming by the enactment of or amendment to this article or by reclassification of a district or property, unless approved as a conditional use under § 7-307 {"Conditional uses — Board approval required"} of this article.

(City Code, 1976/83, art. 30, §8.0-6k.) (Ord. 99-547.)

§§ 13-620 to 13-622. ***{Reserved}***

§ 13-623. Amusement arcades near church or school in B-3 or B-5 District.

Amusement arcades in a B-3 or B-5 District that are located within 500 feet of the boundary line of a church or school must be discontinued and cease no later than July 1, 1985.

(City Code, 1976/83, art. 30, §8.0-6i.) (Ord. 99-547.)

SUBTITLE 7
MODIFICATIONS AND CONTINUANCES BY BOARD

PART I. GENERAL PROVISIONS

§ 13-701. "Modify" defined.

In this subtitle, "modify" means to expand, change, alter, or move.
(Ord. 99-547.)

§ 13-702. Board authority.

Subject to the provisions of this subtitle, the Board may authorize:

(1) modifications of nonconforming uses and structures; and

(2) the continuance of nonconforming uses and of noncomplying dwelling units in noncomplying structures.

(City Code, 1976/83, art. 30, §8.0-7(intro par.), §8.0-7b.) (Ord. 99-547.)

§ 13-703. Limitations.

(a) *Specific instances.*

The Board's authority extends under § 13-702 {"Board authority"} of this subtitle only to the specific instances set forth in this subtitle.

(b) *Basic standards.*

The Board may authorize modifications and continuances only where, after public notice, posting, and hearing, the Board:

(1) makes findings of fact in accordance with the guides, standards, and limitations prescribed in this subtitle; and

(2) finds that the authorization:

(i) is not contrary to the public interest; and

(ii) is in harmony with the purposes and intent of this article.

(City Code, 1976/83, art. 30, §8.0-7(intro par.), §8.0-7b.) (Ord. 99-547.)

§ 13-704. Applications.

An application for any modification or continuance under this subtitle must be filed with the Zoning Administrator in the form that the Zoning Administrator requires. The application must be accompanied by the plans and information that the Board requires by general rule.
(City Code, 1976/83, art. 30, §8.0-7a.) (Ord. 99-547.)

§§ 13-705 to 13-706. ***{Reserved}***

PART II. MODIFICATIONS

§ 13-707. In general.

The Board may authorize modifications of nonconforming uses and structures as specified in this Part II.

(City Code, 1976/83, art. 30, §8.0-7b(intro cl.).) (Ord. 99-547.)

§ 13-708. General considerations.

In addition to the guides, standards, and limitations prescribed for the specific instances to which this Part II applies, the Board must consider in each instance:

(1) the general character of uses and structures within at least 300 feet in all directions from the lot lines of the property under consideration;

(2) the site plan, arrangement, design, and architectural features of all existing and proposed structures in the surrounding neighborhood;

(3) the type, nature of illumination, and design of any signs;

(4) the amount of noise, traffic, and any other deleterious external effect that the nonconforming use can reasonably be anticipated to generate or create;

(5) the nature of any protective screening or other safeguard designed to shield the neighborhood from any adverse effect; and

(6) the amount and nature of off-street parking and loading facilities available or to be provided in conjunction with the proposed use.

(City Code, 1976/83, art. 30, §8.0-7b4(1st par.).) (Ord. 99-547.)

§ 13-709. Imposition of conditions.

(a) *Board may impose.*

To the extent necessary or desirable to reduce or minimize any effect of a proposed modification on other properties in the neighborhood, the Board may:

(1) require changes in any design or plan of any existing structure or any alteration of the structure; and

(2) impose conditions, restrictions, and limitations governing:

(i) screening or fencing;

(ii) type of lighting;

(iii) nature of any sign;

(iv) circulation of vehicles and pedestrians;

(v) parking;

(vi) hours of operation; and

(vii) any other matter.

(b) *Compliance required.*

(1) Failure to comply with any change, condition, restriction, or limitation imposed by the Board under this section constitutes a violation of this article.

(2) No condition, restriction, or limitation imposed by the Board under this section may be changed unless, on the filing of a new application to the Board, the Board authorizes that change.

(City Code, 1976/83, art. 30, §8.0-7b4(2nd par.).) (Ord. 99-547.)

§§ 13-710 to 13-711. ***{Reserved}***

§ 13-712. Change of certain Class II or III nonconforming uses.

The Board may authorize a change of a Class II or Class III nonconforming use, as limited and stated in §§ 13-305 and 13-405 {"Changes in use"} of this title, if the Board finds that:

(1) any emission of noise, vibration, smoke or particulate matter, toxic matter, odorous matter, or glare from the proposed use would be no greater than that from the existing or last use of the property;

(2) the proposed use will not generate a greater volume of traffic than the existing or last use of the property;

(3) the proposed use will not occupy a greater portion of the lot or structure than the existing or last use of the property; and

(4) the effect of the proposed use on the health, safety, or general welfare of the community will be no worse than the existing or last use of the property.

(City Code, 1976/83, art. 30, §8.0-7b1.) (Ord. 99-547.)

§ 13-713. Alteration of exterior walls of Class II or III nonconforming use.

The Board may authorize an alteration of the exterior wall of a Class II or Class III nonconforming use, as stated in §§ 13-303 and 13-403 {"Repairs and alterations"} of this title, if the Board finds that:

(1) the nonconforming use lawfully adjoins that wall;

(2) the alteration will not extend beyond that part of the building actually occupied by the nonconforming use;

(3) the alteration will not include the enlargement of any display window; and

(4) the alteration:

(i) will result in greater architectural harmony with adjacent buildings in the district in which the nonconforming use is located; and

(ii) will result in a facade that, as compared to the previous design and treatment of the building wall, is more in keeping with uses permitted in the district.

(City Code, 1976/83, art. 30, §8.0-7b2.) (Ord. 99-547.)

§ 13-714. Extension or moving of Class I, II, or III nonconforming use.

The Board may authorize an extension or moving of a Class I, Class II, or Class III nonconforming use, as limited and stated in §§ 13-206, 13-306, and 13-406 {"Expansions of use"} and §§ 13-208, 13-308, and 13-408 {"Relocations"} of this title, if the Board finds that:

(1) the extension or moving will not cause a greater volume of traffic than that generated before the extension or move;

(2) the extension or moving will not violate in any manner the bulk regulations of the district in which the property is located;

(3) the effect of the extended or moved use on the health, safety, or general welfare of the community will be no worse than the existing or last use;

(4) for the extension of a Class II or Class III nonconforming use, the extension will not result in an increase of the floor area of more than 25% beyond that which had been occupied or used when it became nonconforming; and

(5) for an extension in the Critical Area:

(i) there is no environmentally acceptable alternative outside the Critical Area; and

(ii) the use is needed to correct an existing water quality or wastewater management problem.

(City Code, 1976/83, art. 30, §8.0-7b3.) (Ord. 99-547.)

§§ 13-715 to 13-716. *{Reserved}*

PART III. CONTINUANCES

§ 13-717. In general.

The Board may authorize the continuance of nonconforming uses and of noncomplying dwelling units in noncomplying structures as specified in this Part III.
(City Code, 1976/83, art. 30, §8.0-7b(intro cl.).) (Ord. 99-547.)

§ 13-718. Continuances for Class II or III nonconforming use.

(a) *Board authority.*

The Board may extend the time limit for the discontinuance of a Class II or a Class III nonconforming use, subject to the limits stated in §§ 13-307 and 13-407 {"Discontinuance or abandonment"} of this title, as specified in this section.

(b) *Timely application required.*

To obtain an extension, the property owner must apply to the Board, in writing, before or within 6 months after the specified discontinuance period lapses.

(c) *General considerations.*

(1) In addition to the findings required by subsection (d) of this section, the Board must give due regard to the age and condition of the structure and the practicability of its adaption or conversion to a conforming use.

(2) Any relief granted by the Board:

(i) may only be as reasonably required to effect substantial justice;

(ii) may not be granted on an arbitrary or discriminatory basis; and

(iii) must be granted with due consideration for its effect on the value, utilization, enjoyment, and ultimate development of neighborhood properties.

(d) *Required findings.*

The Board must find that:

(1) the nonconforming use has not in fact been abandoned;

(2) discontinuance of the use has been beyond the control of the owner;

(3) the owner has made all reasonable efforts to rent, lease, sell, or continue the use of the property; and

(4) the enforcement of the time limit would impose on the owner or lessee of the property exceptional and practical difficulties that are not:

(i) created by or the result of any action or lack of action by any person having an interest in the property; or

(ii) the result of disregard for or ignorance of the provisions of this title.

(City Code, 1976/83, art. 30, §8.0-7b5.) (Ord. 99-547.)

§ 13-719. Continuances for noncomplying dwelling units in R-8, R-9, and R-10 Districts.

(a) *Board authority.*

The Board may authorize the continuance of a noncomplying dwelling unit in a noncomplying structure located in an R-8, R-9, or R-10 District, as stated in § 13-513 {"Mandatory termination in R-8 to R-10 Districts"} of this title.

(b) *Timely application required.*

To obtain an extension, the property owner must apply to the Board, in writing, at least 6 months before the discontinuance period lapses.

(c) *General considerations.*

(1) In addition to the findings required by subsection (d) of this section, the Board must consider and be guided by:

(i) the condition, use, operation, occupancy, and maintenance of all dwelling units within the structure;

(ii) the existing amount of floor area per individual for the occupants in each dwelling unit;

(iii) the physical arrangement of the dwelling units within the structure; and

(iv) all other matters considered to be in the interest of the general welfare.

(2) Any relief granted by the Board:

(i) may only be as reasonably required to effect substantial justice;

(ii) may not be granted on an arbitrary or discriminatory basis; and

(iii) must be granted with due consideration for its effect on the value, utilization, enjoyment, and ultimate development of neighboring properties.

(d) *Required findings.*

The Board must find that:

(1) the noncomplying dwelling unit has not in fact been abandoned;

(2) the continuance will not increase the danger of fire or otherwise endanger the public safety;

(3) the continuance will not overcrowd the lot or structure or create an undue concentration of population;

(4) the noncomplying structure meets all requirements and standards of the City's Housing, Fire Prevention, Health, and Building Codes, and of all other applicable laws and regulations of the City.

(e) *Imposition of conditions.*

(1) *Board may impose.*

To the extent necessary or desirable to secure the health, safety, and welfare of the occupants and to reduce or minimize any effect on other properties in the neighborhood, the Board may:

(i) require changes or modifications in any design or plan of any existing noncomplying structure or any alteration of the structure; and

(ii) impose conditions, restrictions, and limitations on the continuance.

(2) *Compliance required.*

(i) Failure to comply with any change, condition, restriction, or limitation imposed by the Board under this section constitutes a violation of this article.

(ii) No condition, restriction, or limitation imposed by the Board under this section may be changed unless, on the filing of a new application to the Board, the Board authorizes the change.

(City Code, 1976/83, art. 30, §8.0-7b6.) (Ord. 99-547.)

TITLE 14
CONDITIONAL USES

SUBTITLE 1
OVERVIEW; GENERAL REQUIREMENTS

§ 14-101. Purpose.

(a) *Article based on district uniformity.*

This article is based on the division of the City into districts, in which the uses of land and structures and the bulk and location of structures in relation to the land are substantially uniform.

(b) *Special consideration for certain uses.*

Certain uses exist, however, that, because of their unique characteristics, cannot properly be classified in any particular district without consideration, in each case, of the impact of those uses on neighboring land and of the public need for the particular use at the particular location. These uses, referred to as "conditional uses", may only be approved as specified in this title.

(City Code, 1976/83, art. 30, §11.0-3c(1st par.).) (Ord. 99-547.)

§ 14-102. By whom approved.

Subject to the provisions of this title:

(1) the Board may approve only those conditional uses that are specified in this article as requiring Board approval; and

(2) only the Mayor and City Council may approve those conditional uses that are specified in this article as requiring approval by ordinance.

(City Code, 1976/83, art. 30, §11.0-3c(2nd par.), §11.0-6d(1st sen.).) (Ord. 99-547.)

§ 14-103. Imposition of conditions.

(a) *When authorized.*

Before the Board or City Council, as the case may be, approves any conditional use, it may impose on the establishment, location, construction, maintenance, and operation of the conditional use any conditions, restrictions, or limitations that the Board or City Council considers necessary or desirable to:

(1) reduce or minimize any effect of the use on other properties in the neighborhood;

(2) secure compliance with the standards and requirements of this title; and

(3) better carry out the intent and purposes of this article.

(b) *When required.*

The Board must impose these conditions, restrictions, and limitations whenever it approves a conditional use relating to automotive repair or recycling collection stations.

(c) *Guarantees.*

The Board or City Council, as the case may be, may require whatever evidence and guarantees it considers necessary to assure that the conditions, restrictions, and limitations imposed will be met and complied with.

(d) *Record of conditions.*

(1) All conditions, restrictions, or limitations imposed by the Board must be set forth in the Board's written decision approving the conditional use.

(2) All conditions, restrictions, or limitations imposed by the City Council must be set forth in the ordinance approving the conditional use.

(e) *Compliance required.*

Failure to comply with any condition, restriction, or limitation imposed under this section constitutes a violation of this article.

(City Code, 1976/83, art. 30, §11.0-3c3, §11.0-6d(2nd par.).) (Ord. 99-547.)

SUBTITLE 2
PROCEDURES AND GENERAL CONSIDERATIONS

PART I. FOR BOARD APPROVAL

§ 14-201. Applications.

(a) *Who may apply.*

An application for a conditional use must be filed by the property owner or with the written consent of the property owner.

(b) *Filing with Administrator.*

The application must be filed with the Zoning Administrator in the form that the Board requires.

(c) *Contents.*

The application must:

(1) be accompanied by the plans and information that the Board requires by general rule; and

(2) include a written statement by the applicant, with adequate supporting evidence, showing how the proposed conditional use will conform to the standards set forth in this title.

(d) *Transmittal to Board.*

The Zoning Administrator must forward the application and all relevant information to the Board.
(City Code, 1976/83, art. 30, §11.0-3c1, §11.0-3c2(1st - 3rd sens.).) (Ord. 99-547.)

§ 14-202. Referral to Planning.

When forwarding the application to the Board, the Zoning Administrator must refer copies to the Department of Planning for its report and recommendations.
(City Code, 1976/83, art. 30, §11.0-3c2(3rd sen.).) (Ord. 99-547.)

§ 14-203. Planning report and recommendation.

(a) *To be submitted within 15 days.*

Within 15 working days after the Department of Planning has received the application, it must forward its written report and recommendations to the Board.

(b) *Failure to submit within 15 days.*

If the Department of Planning fails to submit its report and recommendations within the period specified in subsection (a) of this section, the Board may proceed without the report and recommendations.

(City Code, 1976/83, art. 30, §11.0-3c2(4th sen.).) (Ord. 99-547.)

§ 14-204. Required findings.

The Board may not approve a conditional use unless, after public notice and hearing and on consideration of the standards prescribed in this title, it finds that:

(1) the establishment, location, construction, maintenance, and operation of the conditional use will not be detrimental to or endanger the public health, security, general welfare, or morals;

(2) the use is not in any way precluded by any other law, including an applicable Urban Renewal Plan;

(3) the authorization is not otherwise in any way contrary to the public interest; and

(4) the authorization is in harmony with the purpose and intent of this article.

(City Code, 1976/83, art. 30, §11.0-3c(2nd par.), §11.0-5a(1st cl.).) (Ord. 99-547; Ord. 01-165.)

§ 14-205. Required considerations.

(a) *In general.*

As a further guide to its decision on the facts of each case, the Board must consider the following, where appropriate:

(1) the nature of the proposed site, including its size and shape and the proposed size, shape, and arrangement of structures;

(2) the resulting traffic patterns and adequacy of proposed off-street parking and loading;

(3) the nature of the surrounding area and the extent to which the proposed use might impair its present and future development;

(4) the proximity of dwellings, churches, schools, public structures, and other places of public gathering;

(5) accessibility of the premises for fire and police protection;

(6) accessibility of light and air to the premises and to the property in the vicinity;

(7) the type and location of adequate utilities, access roads, drainage, and other necessary facilities that have been or will be provided;

(8) the preservation of cultural and historic landmarks;

(9) the provisions of the City Master Plan;

(10) the provisions of any applicable Urban Renewal Plan;

(11) all applicable standards and requirements of this article;

(12) the intent and purpose stated in § 1-401 {"Purposes of article"} of this article; and

(13) any other matters considered to be in the interest of the general welfare.

(b) *Additional considerations and requirements.*

Additional considerations and requirements for certain uses are specified in Subtitle 3 {"Additional Considerations for Certain Uses"} of this title.

(City Code, 1976/83, art. 30, §11.0-5a1 to 12.) (Ord. 99-547.)

§§ 14-206 to 14-207. *{Reserved}*

PART II. FOR ORDINANCE

§ 14-208. In general.

Bills proposing conditional uses are governed by the procedures in Title 16 {"Legislative Authorizations"} of this article.

(City Code, 1976/83, art. 30, §11.0-6d(1st par.)(2nd, 3rd sens.).) (Ord. 99-547.)

SUBTITLE 3
ADDITIONAL CONSIDERATIONS FOR CERTAIN USES

PART I. IN GENERAL.

§ 14-301. Scope of subtitle.

The requirements of this subtitle are in addition to and not in substitution of those imposed by Subtitle 2 {"Procedures and General Considerations"}.
(Ord. 99-547.)

PART II. FOR BOARD APPROVAL

§§ 14-302 to 14-305. ***{Reserved}***

§ 14-306. Boats, trailers, etc.: parking or storage.

(a) *Required findings and conditions.*

For parking or storage of boats, boat trailers, travel trailers, recreational vehicles, or similar camping equipment, the Board must find, and require as conditions of approval, that:

(1) at no time will this equipment be used for living or housekeeping purposes;

(2) the equipment will not have fixed connections to electricity, water, gas, or sanitary sewer facilities;

(3) except only as specified in subsection (b) of this section, if the equipment is parked or stored outside of a garage, it will be parked or stored to the rear of the front building line of the lot and located at least 3 feet from the side or rear lot lines;

(4) the equipment will be kept in good repair and carry a current year's license and registration; and

(5) the parking or storage is not of an unoccupied mobile home, being a movable or portable dwelling, constructed to be towed on its own chassis and connected to utilities and designed without a permanent foundation for year-round living, which is specifically prohibited.

(b) *Exception for loading and unloading*.

Notwithstanding subsection (a)(3) of this section, the equipment may be parked anywhere on the premises, for a period of not more than 48 hours, for loading or unloading purposes.
(City Code, 1976/83, art. 30, §11.0-5a13.) (Ord. 99-547; Ord. 00-118.)

§ 14-307. Boats less than 65 ft. (manufacturing and repair with sales).

(a) *"Assembly" defined.*

In this section, assembly includes:

(1) assembly and installation of sails, masts, bridges, or other major components;

(2) sandblasting (or other preparation) and painting of hulls;

(3) installation of navigational instruments; and

(4) testing of electrical, mechanical, and other systems.

(b) *Required findings and conditions.*

For boats less than 65 feet long (manufacturing and repair with sales), the Board must find, and require as conditions of approval, that:

(1) the site will have equipment capable of repairing, hauling, and launching vessels with a gross weight of 25 tons or more; and

(2) the sale of new boats, other than those assembled or manufactured on site, be prohibited.

(City Code, 1976/83, art. 30, §11.0-3c-2.) (Ord. 99-547.)

§§ 14-308 to 14-310. *{Reserved}*

§ 14-311. Marinas.

For marinas, the Board must find, and require as conditions of approval, that:

(1) the proposed project will be compatible with and not disrupt the Master Plan for Marinas, as adopted by the Planning Commission and amended from time to time;

(2) the proposed project will not unduly impede access to open water by other marinas, commercial operations, or boat launches; and

(3) the applicant has met or will meet all local, state, and federal requirements relating to the construction, operation, and maintenance of a marina.

(City Code, 1976/83, art. 30, §11.0-5a14.) (Ord. 99-547.)

§§ 14-312 to 14-315. *{Reserved}*

§ 14-316. Microwave antennas.

(a) *Required findings.*

For the placement or erection of microwave antennas (satellite dishes), the Board may consider the quality of signal reception but must find, and require as a condition of approval, that the antenna will not interfere with the rights of the adjacent and neighboring properties to light, air, and sun.

(b) *Additional conditions.*

In addition, the Board may:

(1) specify the placement of the antenna; and

(2) require screening.

(City Code, 1976/83, art. 30, §11.0-5a15.) (Ord. 99-547.)

§§ 14-317 to 14-320. ***{Reserved}***

§ 14-321. Recreational facilities: outdoor.

The Board has continuing authority to review and determine the appropriate lighting, screening, and noise level standards for any outdoor recreational facility.

(City Code, 1976/83, art. 30, §11.0-3c-4.) (Ord. 99-547.)

§§ 14-322 to 14-325. ***{Reserved}***

§ 14-326. Recycling collection stations.

For a recycling collection station, the Board must consider:

(1) the size of the transfer trailer or roll-off and its location on the site;

(2) availability of off-street parking and the impact on any existing parking lot;

(3) whether an attendant is to be provided or required and hours of operation, which information must be clearly posted on the trailer or roll-off;

(4) impact on adjacent residences or businesses;

(5) whether other recycling collection stations are in the immediate neighborhood;

(6) whether landscaping or screening is needed and what is to be provided; and

(7) compliance with all applicable building, housing, and health code standards.

(City Code, 1976/83, art. 30, §11.0-5a17.) (Ord. 99-547.)

§§ 14-327 to 14-340. ***{Reserved}***

PART III. FOR ORDINANCE

§ 14-341. Adult-entertainment businesses, etc.

Before approving a conditional use for any adult-entertainment business, adult book or video store, or peep show establishment, the City Council must:

(1) find in each specific case that the establishment, location, construction, maintenance, and operation of that use will not be detrimental to or endanger the public health, security, general welfare, or morals; and

(2) as a further guide to its decision on the facts of each case, consider the following:

(i) the standards enumerated in § 14-205 {"Required considerations"} of this title, as appropriate; and

(ii) the adverse secondary effects of the proposed use on the community.

(City Code, 1976/83, art. 30, §11.0-6d1 and next par.) (Ord. 99-547.)

§§ 14-342 to 14-345. *{Reserved}*

§ 14-346. Community correction centers.

All bills introduced to approve a conditional use for a community correction center must be accompanied by a statement that clearly identifies all state or municipal authorities, private contractors, or other persons responsible for the operation and control of the facility.

(City Code, 1976/83, art. 30, §13.0-2-19(3rd sen.).) (Ord. 99-547.)

§§ 14-347 to 14-350. *{Reserved}*

§ 14-351. Housing for elderly.

(a) *In general.*

A conditional use for housing for the elderly is conditioned on the annual filing with the Zoning Administrator of evidence that the facility continues to comply with the requirements for housing for the elderly.

(b) *Required evidence.*

In addition to any other relevant information that the Zoning Administrator requires, the annual filing must contain a certified statement for each month of:

(1) the number of occupants by age and disability; and

(2) for each individual who is neither 60 years old or older nor disabled, that individual's relationship to a qualified occupant or to the building (spouse, caretaker, etc.).

(City Code, 1976/83, art. 30, §13.0-2-46(4th sen.).) (Ord. 99-547.)

SUBTITLE 4
REMOVAL OF GASOLINE SERVICE STATIONS

§ 14-401. "Removal" defined.

In this subtitle, "removal" means:

(1) the removal by the owner of all above-ground structures; and

(2) the removal or, at the option of the property owner, the abandonment in place of underground tanks in accordance with Appendix C, National Fire Protection Association No. 30, "Flammable and Combustible Liquids Code, 1966".

(City Code, 1976/83, art. 30, §11.0-3c-1(3rd par.).) (Ord. 99-547.)

§ 14-402. Purpose.

Gasoline service stations are a conditional use. At times, the public need for gasoline service stations ceases to exist at particular locations. The abandonment of these gasoline service stations, however, constitutes a serious problem affecting the public health, safety, security, and general welfare of the City of Baltimore.

(City Code, 1976/83, art. 30, §11.0-3c-1(1st par.).) (Ord. 99-547.)

§ 14-403. Board authority.

Subject to the provisions of this subtitle, the Board may require the removal of gasoline service stations that have been abandoned and no longer serve a public need.

(City Code, 1976/83, art. 30, §11.0-3c-1(2nd par.).) (Ord. 99-547.)

§ 14-404. Evidence of abandonment.

Any one of the following constitutes adequate evidence of the abandonment of an gasoline service station:

(1) discontinuance of the active and continuous operation of the gasoline service station for 6 consecutive months;

(2) non-renewal of trader's license or fuel permit for 6 months from due date; or

(3) actual abandonment in fact, as evidenced by the boarding or removal of structures or by the removal of substantial operating equipment, in which event the abandonment is completed at the time of that action.

(City Code, 1976/83, art. 30, §11.0-3c-1-2(3rd sen.).) (Ord. 99-547.)

§ 14-405. Applications for removal.

(a) *Commissioner of Housing may apply.*

Whenever it appears to the Commissioner of Housing and Community Development that a gasoline service station has been abandoned, the Commissioner may apply for its removal, as provided for in this subtitle.

(b) *Filing with Administrator.*

The application must be filed with the Zoning Administrator in the form that the Zoning Administrator requires.

(c) *Contents.*

The application must include a statement in writing, with adequate evidence to support the findings required by § 14-408 {"Required findings"} of this subtitle.

(d) *Administrator to forward to Board.*

The Zoning Administrator must forward the application and all relevant information to the Board.
(City Code, 1976/83, art. 30, §11.0-3c-1-1, §11.0-3c-1-2(1st, 2nd sens., last par.(1st cl.)).) (Ord. 99-547.)

§ 14-406. Referral to Planning.

When forwarding the application to the Board, the Zoning Administrator must refer copies to the Department of Planning for its report and recommendations.
(City Code, 1976/83, art. 30, §11.0-3c-1-2(last par., 2nd cl.).) (Ord. 99-547.)

§ 14-407. Planning report and recommendation.

(a) *To be submitted within 15 days.*

Within 15 working days after the Department of Planning has received the application, it must forward its written report and recommendations to the Board.

(b) *Failure to submit within 15 days.*

If the Department of Planning fails to submit its report and recommendations within the period specified in subsection (a) of this section, the Board may proceed without the report and recommendations.
(City Code, 1976/83, art. 30, §11.0-3c-1-2(last par., 2nd sen.).) (Ord. 99-547.)

§ 14-408. Required findings.

After public notice and hearing, The Board may require the removal of a gasoline service station if the Board finds that:

(1) the gasoline service station has been abandoned;

(2) its continued existence does not conform to the standards enumerated in § 14-205 {"Required considerations"} of this title;

(3) its continued existence is contrary to the public welfare; and

(4) its removal would be in harmony with the purpose and intent of this article.

(City Code, 1976/83, art. 30, §11.0-3c-1(2nd par.), §11.0-3c-1-2(part).) (Ord. 99-547.)

TITLE 15
VARIANCES

SUBTITLE 1
OVERVIEW

§ 15-101. Board authority.

Subject to the provisions of this title, the Board may grant variances from requirements of this article.
(City Code, 1976/83, art. 30, §11.0-3e(intro)(prts.).) (Ord. 99-547.)

§ 15-102. Limitations.

The Board's authority to grant a variance applies only to the specific purposes and only on the specific findings set forth in Subtitle 2 of this title.
(City Code, 1976/83, art. 30, §11.0-3e(intro)(prts.), §11.0-5c(intro)(prts.).) (Ord. 99-547.)

SUBTITLE 2
AUTHORIZED VARIANCES; REQUIRED FINDINGS

PART I. AUTHORIZED VARIANCES.

§ 15-201. In general.

Subject to the findings required by Part II of this subtitle, the Board may grant a variance for the purposes set forth in this Part I, but for no other purpose.
(City Code, 1976/83, art. 30, §11.0-3e2(intro cl.).) (Ord. 99-547.)

§ 15-202. Lot area and coverage.

(a) *Lot area.*

The Board may grant a variance to reduce the applicable minimum lot area requirements by no more than:

(1) 25% of the applicable regulation;

(2) for churches, temples, and synagogues in R-6 through R-10 Districts, 50% of the applicable regulation; or

(3) for hotels and inns in a B-3 District, 50% of the applicable regulation if, in addition to all other findings required by this title, the Board finds that:

(i) the reduction will advance the general welfare of the community at large by preserving and promoting historical and architecturally significant structures located on the property; and

(ii) a qualified conservation contribution, as defined in the Internal Revenue Code, affecting the entire exterior of the property has been granted to a qualified historical group, as determined by the Board.

(b) *Lot coverage.*

The Board may grant a variance to authorize a lot coverage that is more than that otherwise allowed by the applicable regulation.
(City Code, 1976/83, art. 30, §11.0-3e2(a), (d), (i).) (Ord. 99-547.)

§ 15-203. Yards.

The Board may grant a variance to authorize a yard or setback that is less than that otherwise required by the applicable regulation.
(City Code, 1976/83, art. 30, §11.0-3e2(c).) (Ord. 99-547.)

§ 15-204. Heights and floor area ratios.

(a) *Heights.*

The Board may grant a variance to authorize a height that is more or less than that otherwise allowed by the applicable regulation.

(b) *Floor area ratio.*

The Board may grant a variance to increase a basic floor area ratio factor by no more than 75% of the applicable regulation.

(City Code, 1976/83, art. 30, §11.0-3e2(e), (f).) (Ord. 99-547.)

§ 15-205. *{Reserved}*

§ 15-206. Gross floor area in B-1 District.

In a B-1 District, the Board may grant a variance to increase by no more than 10% the maximum gross floor area of any use so limited.

(City Code, 1976/83, art. 30, §11.0-3d3(g).) (Ord. 99-547.)

§ 15-207. *{Reserved}*

§ 15-208. Off-street parking — in general.

(a) *Distance from use.*

The Board may grant a variance to increase by no more than 50% the maximum distance between required off-street parking facilities and the use that they serve.

(b) *Number of spaces.*

For uses other than marinas, the Board may grant a variance to reduce by no more than 75% the number of off-street parking spaces otherwise required by the applicable regulation.

(c) *Shared spaces.*

For uses other than marinas, the Board may grant a variance to authorize the same off-street parking spaces to serve as required spaces for 2 or more uses, as long as the 2 or more users do not make substantial use of the spaces at approximately the same hours of the same days of the week.

(City Code, 1976/83, art. 30, §11.0-3d3(h), (j), §11.0-3e2(g).) (Ord. 99-547.)

§ 15-209. Off-street parking — marinas.

(a) *Number of spaces — in general.*

For marinas, the Board may grant a variance to reduce by no more than 50% the number of off-street parking spaces otherwise required by the applicable regulation.

(b) *Number of spaces — accessory marinas.*

For accessory marinas, the Board may grant a variance to reduce by up to 100% the number of off-street parking spaces otherwise required by the applicable regulation, if:

(1) adequate binding assurances are provided to insure that use of the marina slips is restricted to occupants of properties within 300 feet of a marina entrance; and

(2) the parking requirement for the principal use has not been and is not later reduced by variance.

(c) *Shared spaces with marinas*.

For marinas, the Board may grant a variance to authorize other uses to share no more than 50% of the number of off-street parking spaces required for the marina, if:

(1) substituted spaces, which may be off-site, are provided to meet the parking requirements for industrial or office uses not otherwise reduced by variance;

(2) the nearest boundary of the substituted spaces is within 300 feet of the nearest marina entrance being served; and

(3) where leased spaces are to be used to satisfy parking requirements:

(i) the lease is for a term of at least 20 years;

(ii) the lease is approved by the Director of Planning; and

(iii) a new conditional use hearing is held if the lease is not renewed or extended.

(d) *Marina expansion.*

Before the Board may authorize the expansion of a marina, the Board must find, in addition to all other findings required by this title, that the entire marina will meet the current parking standards if the number of cumulative additional boat slips ever exceeds 25% of the number of slips that were constructed or for which permits had been issued on or before May 15, 1991.

(City Code, 1976/83, art. 30, §11.0-3d3(i), §11.0-3e2(j), (k), (l).) (Ord. 99-547.)

§ 15-210. ***{Reserved}***

§ 15-211. Roomers.

The Board may grant a variance to increase the number of roomers to more than that otherwise allowed by the applicable regulation.

(City Code, 1976/83, art. 30, §11.0-3e2(b).) (Ord. 99-547.)

§ 15-212. Front lot line by private ways.

(a) *In general.*

(1) For purposes of establishing front lot lines, the Board may grant a variance to reduce the 30-foot minimum-width requirement for private ways limited exclusively to pedestrian traffic as provided in this section.

(2) The variance may allow a reduction of not more than 5 feet for not more than 20% of the length of the private way between any 2 intersecting public or private ways.

(b) *Application.*

The owners of all property adjoining the private way must join in the application to the Board for the variance.

(c) *Required findings.*

In addition to all other findings required by this title, the Board must find that the variance will promote planned group development of the land that binds on the private way, so that buildings adjoining the private way will be constructed or rehabilitated in a harmonious and architecturally attractive manner, to the end that the general welfare will be promoted by stabilizing and enhancing the economic values of all properties in the area and by providing an incentive for proper maintenance and elimination of obsolescence.

(d) *Referral to Planning.*

Before it grants the variance, the Board forwards the application to the Department of Planning for its report and recommendation in the same manner as provided in § 14-202 {"Referral to Planning"} and § 14-203 {"Planning report and recommendation"}, of this article for conditional uses.

(City Code, 1976/83, art. 30, §13.0-2-52(2nd par.).) (Ord. 99-547.)

§ 15-213. *{Reserved}*

§ 15-214. Unusable lots.

The Board may authorize any other variance from the terms of this article if, in addition to all other findings required by this title, the Board finds as a matter of fact that:

(1) the lot cannot be reasonably used for any of the permitted or conditional uses set forth for the zoning district in which it is located;
(2) the use or bulk regulations applicable to the lot have the effect of depriving the owner of all reasonable use of the lot; and

(3) the variance is necessary to avoid arbitrariness.

(City Code, 1976/83, art. 30, §11.0-3e2(h).) (Ord. 99-547.)

§§ 15-215 to 15-216. *{Reserved}*

PART II. REQUIRED FINDINGS

§ 15-217. In general.

The Board may not grant a variance unless, after public notice and hearing, the Board makes the following findings.

(City Code, 1976/83, art. 30, §11.0-3e(intro)(prts.), §11.0-5c(intro)(prts.).) (Ord. 99-547.)

§ 15-218. Finding of unnecessary hardship or practical difficulty.

The Board must find that, because of the particular physical surroundings, shape, or topographical conditions of the specific structure or land involved, an unnecessary hardship or practical difficulty would result, as distinguished from a mere inconvenience, if the strict letter of the applicable requirement were carried out.

(City Code, 1976/83, art. 30, §11.0-3e(intro)(prts.), §11.0-5c1.) (Ord. 99-547.)

§ 15-219. Other required findings.

The Board must also find that:

(1) the conditions on which the application is based are unique to the property for which the variance is sought and are not generally applicable to other property within the same zoning classification;

(2) the unnecessary hardship or practical difficulty is caused by this article and has not been created by the intentional action or inaction of any person who has a present interest in the property;

(3) the purpose of the variance is not based exclusively on a desire to increase the value or income potential of the property;

(4) the variance will not:

(i) be injurious to the use and enjoyment of other property in the immediate vicinity; or

(ii) substantially diminish and impair property values in the neighborhood;

(5) the variance will not:

(i) impair an adequate supply of light and air to adjacent property;
(ii) overcrowd the land;

(iii) create an undue concentration of population;

(iv) substantially increase the congestion of the streets;

(v) create hazardous traffic conditions;

(vi) adversely affect transportation;

(vii) unduly burden water, sewer, school, park, or other public facilities;

(viii) increase the danger of fire; or

(ix) otherwise endanger the public safety;

(6) the variance is not precluded by and will not adversely affect:

(i) any Urban Renewal Plan; or

(ii) the City's Master Plan;

(7) the variance will not otherwise:

(i) be detrimental to or endanger the public health, security, general welfare, or morals; or

(ii) in any way be contrary to the public interest;

(8) the variance is in harmony with the purpose and intent of this article; and

(9) within the purpose and intent of this article, the variance granted is the minimum necessary to afford relief, to which end the Board may permit a lesser variance than that applied for.

(City Code, 1976/83, art. 30, §11.0-3e(intro)(prts.), §11.0-5c2 to10.) (Ord. 99-547; Ord. 01-165.)

SUBTITLE 3. PROCEDURES

§ 15-301. Applications.

(a) *Who may apply.*

An application for a variance must be filed by the property owner or with the written consent of the property owner.

(b) *Filing with Administrator.*

The application must be filed with the Zoning Administrator in the form that the Zoning Administrator requires.

(c) *Contents.*

The application must:

(1) be accompanied by the plans and information that the Board requires by general rule; and

(2) include a written statement by the applicant, with adequate supporting evidence, showing how the proposed variance will conform to the standards set forth in Subtitle 2 of this title.

(d) *Transmittal to Board.*

The Zoning Administrator must forward the application and all relevant information to the Board. *(City Code, 1976/83, art. 30, §11.0-3e1.) (Ord. 99-547.)*

§ 15-302. Imposition of conditions.

(a) *Board may impose.*

Before the Board grants any variance, it may impose on the establishment, location, construction, maintenance, and operation of the variance, any conditions, restrictions, or limitations that it considers necessary or desirable to:

(1) reduce or minimize any effect of the special exception or variance on other properties in the neighborhood;

(2) secure compliance with the standards and requirements of this title; and

(3) better carry out the intent and proposes of this article.

(b) *Guarantees.*

The Board may require whatever evidence and guarantees that it considers necessary to assure that the conditions, restrictions, and limitations imposed by it will be met and complied with.

(c) *Compliance required.*

Failure to comply with any condition, restriction, or limitation imposed under this section constitutes a violation of this article.

(City Code, 1976/83, art. 30, §11.0-3d2(prts), §11.0-5c(last par.).) (Ord. 99-547.)

TITLE 16
LEGISLATIVE AUTHORIZATIONS AND AMENDMENTS

SUBTITLE 1
DEFINITIONS; SCOPE

§ 16-101. Definitions.

(a) *In general.*

In this title, the following words have the meanings indicated.
(Ord. 99-547.)

(b) *Legislative authorization.*

"Legislative authorization" means any ordinance that approves, authorizes, or amends a prior approval or authorization relating to specific property, including:

(1) a change in the zoning classification of any property;

(2) a conditional use; or

(3) a Planned Unit Development.
(Ord. 99-547.)

(c) *Zoning legislation.*

"Zoning legislation" means:

(1) any legislative authorization; and

(2) any amendment to this article.
(Ord. 99-547.)

§ 16-102. Scope of title.

Except as otherwise specified, this title applies to all proposed zoning legislation.
(Ord. 99-547.)

SUBTITLE 2
SPECIAL REQUIREMENTS FOR LEGISLATIVE AUTHORIZATIONS

§ 16-201. Reapplication for previously denied rezoning.

A bill proposing a change in the zoning classification of any property may not be introduced at any time within 12 months after the City Council has denied that same reclassification of the same property on the merits.
(Ord. 99-547.)

§ 16-202. Introductory statement of intent.

(a) *Statement required.*

On introduction of a bill proposing a legislative authorization, the applicant must submit a written statement that informs the City Council, the agencies to which the proposed ordinance is referred, and the public of the changes sought and intended uses.

(b) *Contents.*

The statement must contain, at a minimum:

(1) a summary of all changes sought for the property;

(2) a description of all intended uses of the property;

(3) the date the property was purchased and the applicable land record reference;

(4) a description of any contract that is contingent on the proposed legislative authorization and the names and addresses of the parties to that contract; and

(5) the identity of all principals for whom the applicant is acting as an agent, including the names of the majority stockholders of any corporation.
(City Code, 1976/83, art. 30, §11.0-6c1.) (Ord. 99-547.)

§ 16-203. Public notice of introduction.

(a) *Posting required.*

The applicant for a legislative authorization must post notice of the requested authorization as specified in this section.

(b) *Notice to applicant.*

When the bill proposing the legislative authorization has been introduced, the Department of Legislative Reference must notify the applicant of the introduction and of the posting requirement.

(c) *Where and when to post.*

The notice must be posted:

(1) in a conspicuous place on the property in question,

(2) for at least 30 days, beginning within 1 week of the notice of introduction.

(d) *Form and contents; fee.*

(1) The Director of Legislative Reference must prepare and supply the sign on which the notice is to be posted.

(2) Subject to the approval of the Board of Estimates, the Director may charge a fee for the sign and its installation.

(City Code, 1976/83, art. 30, §11.0-6c1a.) (Ord. 99-547.)

SUBTITLE 3
REFERRALS AND REQUIRED FINDINGS

§ 16-301. Referral to agencies.

On introduction of a bill proposing any zoning legislation, the City Council must refer the bill to the following for their written reports and recommendations:

(1) the Board;

(2) the Planning Commission;

(3) for a bill involving housing for the elderly, the Department of Housing and Community Development; and

(4) any other agencies that the President of the City Council specifies.

(City Code, 1976/83, art. 30, §11.0-6a, §11.0-6d(3rd, 4th sens.), §12.0-1b(2nd sen.).) (Ord. 99-547.)

§ 16-302. Agency reports and recommendations.

Within 100 days of the introduction of a bill proposing any zoning legislation, the Board and the Planning Commission must submit their written reports and recommendations, together with their findings of fact and the reasons for their recommendations, to the City Council with a copy to the Zoning Administrator.

(City Code, 1976/83, art. 30, §11.0-6b(1st sen.).) (Ord. 99-547.)

§ 16-303. Required considerations — Planned Unit Developments.

For a bill proposing the approval or amended approval of a Planned Unit Development, the Board and Planning Commission must base their recommendations to the Council on the considerations required by Title 9 {"Planned Unit Developments"} of this article.

(Ord. 99-547.)

§ 16-304. Required considerations — conditional uses.

For a bill proposing the approval or amended approval of a conditional use, the Board and Planning Commission must base their recommendations to the Council on the considerations required by Title 14 {"Conditional Uses"} of this article.

(Ord. 99-547.)

§ 16-305. Required considerations — rezonings.

(a) *In general.*

For a bill proposing to change the zoning classification of any property, the Board and Planning Commission must base their recommendations to the Council on the considerations required by this section.

(b) *Change to be in public interest.*

The Board and the Planning Commission may not recommend the adoption of a proposed change in zoning classification unless they find that the adoption of the change is in the public interest and not solely for the interest of the applicant.

(c) *Additional considerations*.

The Board and the Planning Commission must also consider the following matters:

(1) existing uses of property within the general area of the property in question;

(2) the zoning classification of other property within the general area of the property in question;

(3) the suitability of the property in question for the uses permitted under its existing zoning classification; and

(4) the trend of development, if any, in the general area of the property in question, including changes, if any, that have taken place since the property in question was placed in its present zoning classification.

(d) *Recommendation for alternative classification.*

The Board or the Planning Commission may recommend an amendment to change the zoning classification of the property in question to a classification other than the one requested by the applicant.

(City Code, 1976/83, art. 30, §11.0-6b(2nd - 4th sens.).) (Ord. 99-547.)

SUBTITLE 4
COUNCIL ACTION

§ 16-401. Prerequisites for second reading.

(a) *In general.*

The City Council may not place a bill proposing any zoning legislation on its second reading calendar until:

(1) except as specified in subsection (b) of this section, it has received written reports and recommendations from the Board and the Planning Commission; and

(2) the bill has been considered by a committee of the City Council, at a public hearing held in accordance with this subtitle.

(b) *Agency failure to report.*

(1) If the Board or the Planning Commission fails to submit its written report and recommendations within the period specified in § 16-302 {"Agency reports and recommendations"} of this title, the City Council may proceed without that report and recommendations.

(2) However, the applicant may waive this time limit and consent to an extension of the reporting period by giving written notice of the waiver and consent to the President of the City Council, with copies to the Board, the Planning Commission, and the Zoning Administrator.

(City Code, 1976/83, art. 30, §11.0-6c2, §12.0-1b(2nd par.)(last cl.).) (Ord. 99-547.)

§ 16-402. Public notice and hearing.

(a) *Hearing required.*

For a bill proposing any zoning legislation, the committee to which the bill has been referred must conduct a hearing at which:

(1) the parties in interest and the general public will have an opportunity to be heard; and

(2) all agency reports will be read.

(b) *Public notice.*

At least 15 days' notice of the time, place, and subject of the hearing must be given by each of the following methods, as applicable:

(1) for all zoning legislation, by publication in a newspaper of general circulation in the City;

(2) for any legislative authorization, by posting on the property in question; and

(3) for any change in the boundaries of a zoning district:

(i) by posting at a place within the district as the Department of Planning designates; and

(ii) by first class mail to the persons who appear on the tax records of the City as owners of the properties subject to the change.

(c) *Responsibility for notice*.

The notices required by this section must be given by and at the expense of:

(1) in the case of a bill proposing any legislative authorization, the applicant for that authorization; and

(2) in all other cases, the City Council.

(City Code, 1976/83, art. 30, §11.0-6c3(1st sen.).) (Ord. 99-547.)

§ 16-403. Amendments.

(a) *Rehearing required.*

(1) Except as specified in subsection (b) of this section, whenever a bill proposing any zoning legislation is amended after the public hearing, another public hearing must be held on the bill as amended.

(2) The requirements of this subtitle for notice and for reading of agency reports apply to any additional hearing required by this section.

(b) *Exception.*

An additional hearing is not required for:

(1) an amendment made in Committee; or

(2) any amendment that consists only of a change in punctuation, grammar, or spelling and does not in any way alter the substance of the ordinance.

(City Code, 1976/83, art. 30, §11.0-6c3(2nd - 4th sens.).) (Ord. 99-547.)

§ 16-404. Third reading hold-over.

(a) *Conditional uses excluded.*

This section does not apply to a bill proposing a legislative authorization if the sole authorization being sought by that bill is for a conditional use.

(b) *Hold-over required*.

After a bill proposing a legislative authorization receives a favorable vote of the City Council on second reading, the bill may not be finally voted on by the City Council until it has been placed on the third reading calendar as a hold-over item for at least 1 regular meeting of the City Council.
(City Code, 1976/83, art. 30, §11.0-6c4.) (Ord. 99-547.)

§ 16-405. Failure to approve constitutes denial.

A bill proposing a legislative authorization is considered to have failed and the application denied if the City Council fails to act finally on the bill within 12 months from the earlier of:

(1) the date of receiving the last of the required agency reports and recommendations; or

(2) the last day of the reporting period, as set in § 16-302 {"Agency reports and recommendations"} of this title or as extended under § 16-401(b) {"Prerequisites for second reading: Agency failure to report"}.
(City Code, 1976/83, art. 30, §11.0-6c5.) (Ord. 99-547.)

TITLE 17
ENFORCEMENT AND PENALTIES

SUBTITLE 1
ACTION BY ADMINISTRATOR

§ 17-101. Notice of violation.

(a) *In general.*

Whenever the Zoning Administrator learns of a violation of this article and does not resolve it informally and promptly, the Zoning Administrator must issue a written notice to:

(1) the owner of record of the property, as shown on the tax records of Baltimore City; and

(2) any other person against whom the Zoning Administrator intends to proceed for the violation.

(b) *Contents.*

The notice must:

(1) specify the nature of the violation; and

(2) cite the provisions of this article that have been violated.

(c) *How served.*

All notices must be served by:

(1) first class mail; or

(2) personal service by an authorized representative of the City, which service must be certified on the records of the Zoning Administrator.

(City Code, 1976/83, art. 30, §11.0-2e1(1st sen.)(1st cl.), (4th sen.).) (Ord. 99-547.)

§ 17-102. Documentation of violations in certain zones.

The Zoning Administrator may issue a written notice in accordance with § 17-101 {"Notice of violation"} of this subtitle on receipt of 2 or more separate statements that:

(1) describe an unauthorized activity or use in a Residential, Office-Residential, B-1, B-2, or B-3 District;

(2) give the date, time, and location at which the violation occurred; and

(3) are signed by owners or lessees of different properties.

(City Code, 1976/83, art. 30, §11.0-2e2.) (Ord. 99-547.)

§ 17-103. Compliance with notice required.

On receipt of a notice from the Zoning Administrator, the recipient must immediately take appropriate steps to correct the violation.

(City Code, 1976/83, art. 30, §11.0-2e1(1st sen.)(last cl.).) (Ord. 99-547.)

§ 17-104. Proceedings to secure compliance.

If the recipient fails to correct the violation within a reasonable time, the Zoning Administrator may initiate any civil (legal or equitable) or criminal action or proceeding necessary or appropriate to secure compliance with the applicable provisions of this article.

(City Code, 1976/83, art. 30, §11.0-2e1(2nd sen.).) (Ord. 99-547.)

§ 17-105. Abatement certificate.

When compliance is secured, the Zoning Administrator must issue an abatement certificate that certifies compliance.

(City Code, 1976/83, art. 30, §11.0-2e1(3rd sen.).) (Ord. 99-547.)

SUBTITLE 2
ADMINISTRATIVE APPEALS

§ 17-201. Who may appeal.

A decision of the Zoning Administrator, including the issuance a violation notice under Subtitle 1 of this title, may be appealed to the Board by:

(1) any person aggrieved by the decision; or

(2) any officer, department, board, or bureau of the City affected by the decision.

(City Code, 1976/83, art. 30, §11.0-2f(1st, 3rd sens.), §11.0-3j1(1st sen.).) (Ord. 99-547.)

§ 17-202. When and how taken.

(a) *When taken.*

The notice of appeal must be filed as follows:

(1) in the case of a violation notice, within 10 working days of the date the notice was served; and

(2) in the case of any other decision, within 10 working days of the date on which notice of the decision was given.

(b) *How taken.*

The notice of appeal:

(1) must be filed with the Zoning Administrator, in the form that the Board rules require; and

(2) must specify the grounds for the appeal.

(c) *Transmittal of records.*

On receipt of a notice of appeal, the Zoning Administrator must forthwith transmit to the Board all of the papers that constitute the record of the action appealed from.

(City Code, 1976/83, art. 30, §11.0-2f(2nd sen.), §11.0-3j1(2nd, 3rd sens.).) (Ord. 99-547.)

§ 17-203. Stay of proceedings.

(a) *Appeal stays proceedings.*

Except as specified in subsection (b) of this section, an appeal stays all proceedings in furtherance of the action appealed from, if it is timely filed and pursued.

(b) *Exception in case of imminent peril.*

If the Zoning Administrator certifies to the Board that, by reason of facts stated in the certification, a stay would, in his or her opinion, cause imminent peril to life or property, the proceedings are not stayed, unless otherwise ordered by the Board or, on application to a court of competent jurisdiction, with notice to the Zoning Administrator, by the court on good cause shown.

(City Code, 1976/83, art. 30, §11.0-3j2(1st par.).) (Ord. 99-547.)

§ 17-204. Decision of Board.

(a) *Board to issue.*

Without unreasonable delay, the Board must render its decision in writing, setting forth its findings of fact and conclusions of law.

(b) *Board powers.*

(1) In exercising its powers of review, the Board:

(i) may reverse or affirm, wholly or in part, or modify the decision appealed from; and

(ii) may make any order, requirement, decision, or determination as ought to be made.

(2) For these purposes, the Board has all the powers conferred by this article on the Zoning Administrator.

(City Code, 1976/83, art. 30, §11.0-3j2(2nd par.).) (Ord. 99-547.)

SUBTITLE 3
JUDICIAL REVIEW

§ 17-301. Final administrative decision.

All decisions and findings of the Board that are made on appeals, on application for conditional uses or variances, and in all other matters on which the Board is required to act after public notice and hearing, are final administrative decisions, subject to judicial review.
(City Code, 1976/83, art. 30, §11.0-3k.) (Ord. 99-547.)

§ 17-302. Who may appeal.

A final administrative decision of the Board may be appealed to the Circuit Court for Baltimore City by:

(1) any person aggrieved by the decision;

(2) any officer, department, board, or bureau of the City; or

(3) any taxpayer.
(City Code, 1976/83, art. 30, §11.0-3l1(1st cls.).) (Ord. 99-547.)

§ 17-303. When and how taken.

(a) *In general.*

The appeal must be taken within the time and in the manner required by law and the Maryland Rules of Civil Procedure.

(b) *Copy to Board and Administrator; notice to Solicitor.*

(1) Before the appeal is filed with the court, the appellant must file a copy with the Board and the Zoning Administrator.

(2) The Board must promptly notify the City Solicitor of the filing of every appeal.
(City Code, 1976/83, art. 30, §11.0-3l2(1st sen.), §11.0-3l5(1st, 2nd sens.).) (Ord. 99-547.)

§ 17-304. Stay of proceedings.

(a) *No automatic stay.*

An appeal does not stay the proceedings from which the appeal is taken.

(b) *Restraining order.*

On motion and hearing, the court may grant a stay on good cause shown, subject to the conditions of bond or otherwise that the court considers proper.
(City Code, 1976/83, art. 30, §11.0-3l2(2nd sen.).) (Ord. 99-547.)

SUBTITLE 4
ENFORCEMENT BY CIVIL CITATION

§ 17-401. In general.

In addition to any other civil or criminal remedy or enforcement procedure, the following provisions of this article may be enforced by issuance of an environmental citation as authorized by City Code Article 1, Subtitle 40 {"Environmental Control Board"}:

(1) § 2-402 {"Use permit required"}.

(2) § 3-107 {"Prohibited uses — storage, etc., of vehicles"}.

(Ord. 99-547.)

§ 17-402. Process not exclusive.

The issuance of an environmental citation to enforce the provisions listed in § 17-401 {"In general"} of this subtitle does not preclude pursuing any other civil or criminal remedy or enforcement action authorized by law.

(Ord. 99-547.)

SUBTITLE 5
CRIMINAL PENALTIES

PART I. IN GENERAL

§ 17-501. Prohibited conduct.

No person may:

(1) violate any provision of this article or of any notice or order issued under this article;

(2) refuse, neglect, omit, or otherwise fail to comply with any provision of this article or of any notice or order issued under this article; or

(3) resist the enforcement of any provision of this article or of any notice or order issued under this article.

(City Code, 1976/83, art. 30, §11.0-7a(1st cl.).) (Ord. 99-547.)

§ 17-502. Violation a misdemeanor.

Any person who violates, fails to comply with, or resists the enforcement of any provision of this article or of any notice or order issued under this article is guilty of a misdemeanor and, on conviction, is subject to the penalties specified in this subtitle.

(City Code, 1976/83, art. 30, §11.0-7a(1st cl.).) (Ord. 99-547.)

§ 17-503. Each day after notice a separate offense.

Each day that a violation continues after written notice from the Zoning Administrator constitutes a separate offense.

(City Code, 1976/83, art. 30, §11.0-7a(2nd sen.).) (Ord. 99-547.)

§§ 17-504 to 17-505. *{Reserved}*

PART II. PENALTIES ENUMERATED

§ 17-506. Basic penalty: $500.

Except as otherwise specified in this subtitle, the penalty for a violation is a fine of not more than $500 for each offense.

(City Code, 1976/83, art. 30, §11.0-7a(2nd cl.).) (Ord. 99-547.)

§ 17-507. Failure to obtain use permit: $500 and 30 days.

For occupying or using any land or structure in violation of § 2-402 {"Use permit required"} of this article after written notice from the Zoning Administrator, the penalty is a fine of not more than $500 or imprisonment for not more than 30 days or both fine and imprisonment for each offense.

*(City Code, 1976/83, art. 30, §*11.0-7b.*) (Ord. 99-547.)*

§ 17-508. Alcoholic beverage advertising signs: $1,000.

For violating any provision of § 11-207 {"Alcoholic beverage advertising signs") of this article, the penalty is a fine of not more than $1,000 for each offense.
(City Code, 1976/83, art. 30, §11.0-7a(3rd cl.).) (Ord. 99-547.)

§ 17-509. Cigarette advertising signs: $1,000.

For violating any provision of § 11-208 ("Cigarette advertising signs") of this article, the penalty is a fine of not more than $1,000 for each offense.
(City Code, 1976/83, art. 30, §11.0-7a(4th cl.).) (Ord. 99-547.)

TABLE OF ZONING USES

The following is an alphabetical listing of the various types of uses specified in the Zoning Code for each Zoning District.

Uses in the R-1A and R-1B Districts are the same as in the R-1 District. Accordingly, R-1A and R-1B are not separately listed.

The types of uses are abbreviated in this Table as follows:

P = Permitted Use

CB = Conditional Use/Board

CO = Conditional Use/Ordinance

AI = Additional Industrial Use

A = Accessory Use

PLEASE NOTE: This Table is intended solely as a reference guide. It is not a part of the law and does not affect the meaning or scope of the law. *See* Zg § 1-208.

Abattoirs																			P
Abrasives: mfg																		AI	P
Accessory...antennas — *See* Antennas																			
Accessory marinas — *See* Marinas																			
Accessory shops — *See* Shops																			
Accessory uses incidental to Board-authorized cond'l uses	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB
Acids: mfg																		AI	P
Adhesive products: mfg																	P	P	P
Adult-entertainment																CO			
After-hours ests														CB	CB	CB			
Agricultural uses	P	P	P	P														P	P
Aircraft: mfg																			
Alcohol abuse — *See* Health & medical Homes																			

	R1	R2	R3	R4	R5	R6	R7	R8	R9	R10	OR	B1	B2	B3	B4	B5	M1	M2	M3
for ... alcoholics																			
Alcohol distillation																		AI	P
Alcoholic beverages —																			
Beer & ale: brewing																		P	P
Liquor stores: package goods													P	P	P	P			
Malting																	P	P	P
Taverns - incl'g live entertainment and dancing														P	P	P		CB	CB
Taverns - no live entertainment or dancing													P	P	P	P		P	P
Ale — *See* Alcohol beverages																			
Alkalies: mfg																		AI	P

Ambulance service														P		P			
Ammonia: mfg																		AI	P
Amusement arcades —																			
In shopping or commercial recreation ctrs over 20,000 sf													CB	CB	CB				
At least 500' from church or school														CB		P			
Amusement devices used in combination with certain other uses - no more than 5												A	A	A	A	A	A	A	A
Amusement parks & carnivals														CB		CB			
Animal byproducts (not for human consumption): processing																			P
Animal facilities —																			
Animal hospitals													CB	P	CB	P		CB	CB

	R1	R2	R3	R4	R5	R6	R7	R8	R9	R10	OR	B1	B2	B3	B4	B5	M1	M2	M3
Dog and cat kennels: private	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
Facilities for pets, wild animals	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
Pet shops													P	P	P	P			
Antennas —																			
Microwave/ satellite														P	P	P			
Microwave/ satellite: on taverns and certain nonprofit or publicly owned institutions, up to 12' in diameter	A	A	A	A	A	A	A	A	A	A	A	A	A	P	P	P			
Microwave/ satellite, free-standing: up to 6' in diameter and 10' high, etc.	A	A	A	A	A	A	A	A	A	A	A	A	A	P	P	P			

	Microwave/ satellite, free-standing: more than 6' in diameter or more than 10' high, etc.	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	P	P	P			
	Microwave/ satellite, mounted: up to 4'/6' in diameter and projecting up to 6'/8', etc.	A	A	A	A	A	A	A	A	A	A	A	A	A	P	P	P			
	Microwave/ satellite, mounted: more than 4'/6' in diameter or projecting more than 6'/8', etc.	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	P	P	P			
	Radio, TV antennas,	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	P	P

	R1	R2	R3	R4	R5	R6	R7	R8	R9	R10	OR	B1	B2	B3	B4	B5	M1	M2	M3
free-standing - but not micro/sat																			
Radio, TV antennas & towers, free-standing - incl'g micro/sat																	CB	P	P
Radio, TV antennas, mounted: up to 12' above bldg - but not micro/sat	A	A	A	A	A	A	A	A	A	A	A	P	P	P	P	P	P	P	P
Radio, TV antennas, mounted: more than 12' above bldg - but not micro/sat	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB								
Radio, TV antennas & towers, mounted: up to 25' above bldg - but not												P	P	P	P	P	P	P	P

micro/sat																			
Radio, TV antennas, mounted: more than 25' above bldg - but not micro/sat												CB	CB	CB	CB	CB	CB	P	P
Radio, TV antennas & towers, mounted: up to 25' above bldg - incl'g micro/sat																	P	P	P
Radio, TV antennas & towers, mounted: more than 25' above bldg - incl'g micro/ sat																	CB	P	P
See also Public utilities																			
Antique shops													P	P	P	P			

	R1	R2	R3	R4	R5	R6	R7	R8	R9	R10	OR	B1	B2	B3	B4	B5	M1	M2	M3
See also Second-hand ... dealers																			
Apartment hotels									P	P	P		P	P	P	P			
Apparel — *See* Clothing Furs Leather goods Shoe & hat repair Tailor, dressmaking																			
Appliances— *See* Electric appliances Orthopedic ... Radio & TV Sewing machines																			
Aquariums — *See* Educ'l, cultural																			
Archery — *See* Recreat'l facilities																			
Arsenals *See also* Firearms																			CB
Art galleries — *See* Educ'l, cultural																			
Art needlework shops												P	P	P	P	P			
Art & school supplies												P	P	P	P	P			

Artisans' & craft work													CB	P	P	P	P	P	P
Asbestos prdcts: mfg																		AI	P
Asphaltic mix plants																			P
Assisted living — *See* Convalescent ... homes Housing for elderly																			
Athletic fields — *See* Recreational facilities Grandstands																			
Athletic goods — *See* Sporting ... goods																			
Atomic reactors																	CB	CB	CB
Attached dwellings — *See* Dwellings																			
Auction rooms													P	P	P	P	CB	CB	CB
Auditoriums — *See* Halls, auditoriums																			
Automatic teller machines												P	P	P	P	P	P	P	P
Automobiles, parts and services —																			

	R1	R2	R3	R4	R5	R6	R7	R8	R9	R10	OR	B1	B2	B3	B4	B5	M1	M2	M3
See Motor vehicles																			
Awnings, storm windows, & doors: sales and service														P		P			
Bakeries — *See* Food ests																			
Banks and savings & loan ass'ns *See also* Auto teller machines Financial institutions												P	P	P	P	P	P	P	P
Banquet halls — *See* Halls, auditoriums																			
Barber shops												P	P	P	P	P			
Baths, public — *See* Health & medical (physical culture)																			
Batteries: mfg & rebuilding																		P	P
Battery sales, service — *See* Motor vehicles																			
Batting cages — *See* Recreational facilities																			
Beauty shops												P	P	P	P	P			

Bed & breakfast establishments								CB	CB	CB	CB		CB	CB	CB	CB			
Bed & breakfast homes							CB	CB	CB	CB	CB		CB	CB	CB	CB			
Beer — *See* Alcoholic bevs																			
Beverages — *See* Alcoholic bevs Food ests																			
Bicycles: sales, rental, repair													P	P	P	P			
Billiards — *See* Pool halls																			
Bingo halls: charitable													CB	CB	CB	CB			
Bituminous products: processing																			P
Bleacheries																		AI	P
Blood donor centers													P	P	P	P			
Blueprinting & photostating ests *See also* Photocopying Printin g													P	P	P	P		P	P
Boatels — *See* Marinas																			

	R1	R2	R3	R4	R5	R6	R7	R8	R9	R10	OR	B1	B2	B3	B4	B5	M1	M2	M3
Boats: sales, rental, repair *See also* Marinas														P		P			
Boats, less than 65' long: mfg & repairing, w/ sales																			CB
Boats & boat trailers: prkg, strg	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB									
Boiler works																		AI	P
Bone distillation																		AI	P
Bone & ivory products: process'g																		AI	P
Book stores: general												P	P	P	P	P			
Book stores: adult																CO			
Bookbinding														P		P	P	P	P
Bottles: mfg																		P	P
Bottling works																	P	P	P
Bowling ests													P	P	P	P			
Boxes: mfg																	P	P	P
Breweries — *See* Alcoholic bevs																			
Bricks: mfg																		AI	P
Brokerages — *See* Security sales																			

Brooms, brushes: mfg																	P	P	P
Building and lumber material sales ests, w/ shops and yards *See also* Lumber yards Storage														P		P		P	P
Bus facilities — *See* Public utilities																			
Business colleges— *See* Educational & cultural																			
Business machines & supplies — *See* Office supplies Machines																			
Butane or propane – *See* Gases Petroleum distribution Petroleum products																			
Camera & photographic equip: mfg																	P	P	P
Cameras & photographic supply stores *See also* Photographic printing ... Photograp hic film													P	P	P	P			

	R1	R2	R3	R4	R5	R6	R7	R8	R9	R10	OR	B1	B2	B3	B4	B5	M1	M2	M3
Camping equipment — *See* Travel trailers																			
Candy & ice cream — *See* Food ests																			
Canvas products: mfg																	P	P	P
Carbon black or lampblack: mfg																		AI	P
Card shops — *See* Gift ... shops																			
Carnivals — *See* Amusement parks																			
Carpets & rugs —																			
Cleaning														P		P	P	P	P
Manufacturing																	P	P	P
Stores													P	P	P	P			
Carry-out food — *See* Food ests																			
Cartage & express facilities														P		P			
Car washes — *See* Motor vehicles																			
Cat kennels — *See* Animal facilities																			
Catering — *See* Food ests																			

Cellulose: mfg																		AI	P
Cement: mfg *See also* Cinder ... Concrete																		AI	P
Cemeteries, incl'g crematoriums	CB	CB	CB	CB	CB	CB	CB	CB											
Cereals — *See* Food ests																			
Charcoal: mfg																		AI	P
Charcoal products: processing																		AI	P
Charitable insts — *See* Philanthropic																			
Check cashing													P	P	P	P		P	P
Chemical apparatus: mfg																		P	P
Chemicals & allied products: mfg																		AI	P
Child care — *See* Day care facilities Foster homes																			
China & glassware stores													P	P	P	P			

	R1	R2	R3	R4	R5	R6	R7	R8	R9	R10	OR	B1	B2	B3	B4	B5	M1	M2	M3
Chinaware: mfg — *See* Pottery ...																			
Churches, temples, synagogues — *See* Religious insts																			
Cinder and cinder blocks: mfg *See also* Cement Concrete																		P	P
Clay & clay products: mfg																		AI	P
Cleaning — *See* Carpet ... cleaning Dry cleaning Processing, cleaning...																			
Clinics —*See* Health & medical																			
Clocks — *See* Watch ... shops																			
Clothes pressing ests *See also* Dry cleaning												P	P	P	P	P			
Clothing & costume rental shops													P	P	P	P			
Clothing: custom mfg — *See* Production, repair																			
Clothing, finished products: mfg															CB		P	P	P

Clothing shops												P	P	P	P	P			
Clubs & lodges: nonprofit	CB	CB	CB	CB	CB	CB	P	P	P	P	CB							P	P
Clubs & lodges: private													CB	CB	CB	CB			
Clubs & lodges: private nonprofit												CB	P	P	P	P			
See also Recreational facilities																			
Coal distillation *See also* Bituminous products																		AI	P
Coal yards																		P	P
Coatings, protective: mfg & prcsg																		AI	P
Cocktail lounges — *See* Alcoholic beverages Shops, accessory																			
Coffee — *See* Food ests																			
Coin & philatelic stores													P	P	P	P			
Commissaries — *See* Food ests																			

	R1	R2	R3	R4	R5	R6	R7	R8	R9	R10	OR	B1	B2	B3	B4	B5	M1	M2	M3
Communications systems: sales and srvcs, other than retail													P	P	P	P	P	P	P
Communications systems: sales and srvcs, incl'g retail													P	P	P	P			
Communications towers — *See* Public utilities																			
Community centers — *See* Multi-purpose ... centers Recreational facilities																			
Community colleges— *See* Educational & cultural																			
Community Correction Centers *See also* Penal institutions	CO	CO	CO	CO	CO	CO	CO	CO	CO	CO	CO	CO	CO	CO	CO	CO	CO	CO	CO
Computer centers													P	P	P	P	P	P	P
Concert halls — *See* Halls, auditoriums																			
Concrete, concrete products: mfg *See also* Cement Cinder ...																		P	P
Construction — *See* Contractor ... shops/yards Storage																			

Consulates — *See* Foreign consulates																			
Contractor & construction shops														P		P	P	P	P
Contractor & construction shops and yards														P		P		P	P
Convalescent, nursing, & rest homes *See also* Housing for elderly	CO	CO	CO	CO	CO	CO	CO	CO	CO	CO	CO		CO	CO	CO	CO			
Convention halls — *See* Halls, auditoriums																			
Convents — *See* Religious insts																			
Cork products: mfg & prcsg																		P	P
Correctional institutions — *See* Community Correction Ctrs Penal institutions																			
Cosmetics: mfg																	P	P	P
Costume rentals — *See* Clothing																			
Cotton processing																	P	P	P

	R1	R2	R3	R4	R5	R6	R7	R8	R9	R10	OR	B1	B2	B3	B4	B5	M1	M2	M3
See also Textile mill products																			
Court houses — *See* Govt'l services																			
Craft work — *See* Artisans ...																			
Cultural institutions — *See* Educ'l																			
Dairy products — *See* Food ests																			
Dance halls — *See* Halls, auditoriums																			
Dance schools, studio — *See* Educ'l																			
Data processing — *See* Computer centers																			
Day care facilities —																			
Day care homes: family	P	P	P	P	P	P	P	P	P	P		P	P	P	P	P			
Day nurseries & nursery schls	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	P	P	P	P	P	CB	CB	CB
Day nurseries & nursery schls in	P	P	P	P	P	P	P	P	P	P		P	P	P	P	P			

public or private schools, M -F, 6-6																			
School-age child care centers												P	P	P	P	P			
School-age child care centers in public or private schools, M -F, 6-6	P	P	P	P	P	P	P	P	P	P		P	P	P	P	P			
Day care homes — *See* Day care facilities																			
Day nurseries, nursery schools — *See* Day care facilities																			
Delicatessens — *See* Food ests																			
Dentists — *See* Health & medical Offices																			
Denture mfg — *See* Production ...																			

	R1	R2	R3	R4	R5	R6	R7	R8	R9	R10	OR	B1	B2	B3	B4	B5	M1	M2	M3
Department stores													P	P	P	P			
Detached dwellings — *See* Dwellings																			
Detergents: mfg																		AI	P
Diaper supply — *See* Linen ...																			
Die casting																	P	P	P
Dining rooms — *See* Food establishments Shops, accessory																			
Dismantling, autos — *See* Motor vehicles																			
Display rooms — *See* Exhibit rooms Mail order display rooms Model home & garage display																			
Distillation — *See* Alcohol distillation Bone distillation Coal																			

distillation Solvents distillation																			
Doctors — *See* Health & medical Offices																			
Dog kennels — *See* Animal facilities																			
Doors — *See* Awnings, ... doors																			
Dress making shops — *See* Tailor, dressmaking																			
Drug abuse treatment — *See* Health & medical																			
Drug manufacturing — *See* Pharmaceuticals																			
Drug stores and pharmacies												P	P	P	P	P			
Drug stores and pharmacies: drive-in — no alcohol or tobacco													CO	CO					
Dry cleaners & laundries —																			

	R1	R2	R3	R4	R5	R6	R7	R8	R9	R10	OR	B1	B2	B3	B4	B5	M1	M2	M3
Dry cling & laundry receiving stations — prcsg elsewhere												P	P	P	P	P			
Dry clng ests — up to 4 employees, 1 mgr on premises													P	P	P	P	P	P	P
Dry clng ests — more than 4 employees, 1 mgr														P	CB	P	P	P	P
Dry clng ests: drive-in													CO	CO					
Launderettes — up to 2 employees, 1 mgr on premises												P	P	P	P	P			
Launderettes — up to 4 employees, 1 mgr on premises													P	P	P	P			
Launderettes — more														P		P			

than 4 employees, 1 mgr																			
Laundries: hand — up to 2 employees, 1 mgr on premises												P	P	P	P	P		P	P
Laundries — up to 4 employees, 1 mgr on premises													P	P	P	P		P	P
Laundries — more than 4 employees, 1 mgr														P		P		P	P
See also Carpet cleaning																			
Dry storage marinas — *See* Marinas																			
Dwellings —																			
Dwellings											P	P	P	P	P	P			

	R1	R2	R3	R4	R5	R6	R7	R8	R9	R10	OR	B1	B2	B3	B4	B5	M1	M2	M3
Single-family detached	P	P	P	P	P	P	P	P	P	P									
Single-family semi-detached		P		P	P	P	P	P	P	P									
Single-family attached - up to 6 in row or group					P	P	P	P	P	P									
Single-family attached - up to 9 in row or group						P	P	P	P	P									
Single-family attached - up to 12 in row or group								P	P	P									

Multiple-family detached		CB		CB	CB	P	P	P	P	P									
Multiple-family attached - up to 9 in row or group							P	P	P	P									
Multiple-family attached - up to 12 in row or group								P	P	P									
Multiple-family containing 100 or more dwelling units		CO		CO	CO														
See also Apartment hotels Fraternity, sorority Hotels, motels Housing for elderly																			

	R1	R2	R3	R4	R5	R6	R7	R8	R9	R10	OR	B1	B2	B3	B4	B5	M1	M2	M3
Rooming houses																			
Dyeing establishments																	P	P	P
Educational & cultural insts —																			
Aquariums: nonprofit or publicly owned	P	P	P	P	P	P	P	P	P	P	P		P	P	P	P			
Aquariums: public or private													P	P	P	P			
Art galleries: nonprofit or publicly owned	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			
Art galleries: public or private												P	P	P	P	P			
Business schools and studio													CB	P	CB	P			
Commercial schools													CB	P	P	P		P	P
Community colleges, colleges, universities: nonprofit or publicly owned - but	P	P	P	P	P	P	P	P	P	P									

not business colleges or trade schls																			
Community colleges, colleges, universities: nonprofit or publicly owned - but not trade											P								
Community colleges, colleges, universities — incl'g business													P	P	P	P			
Dance and music schools and studio													CB	P	CB	P			
Elementary, secondary schls: nonprofit or publicly owned	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			
Elementary,												P	P	P	P	P			

	R1	R2	R3	R4	R5	R6	R7	R8	R9	R10	OR	B1	B2	B3	B4	B5	M1	M2	M3
secondary schls: public or private																			
Libraries: nonprofit or publicly owned	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			
Libraries: public or private												P	P	P	P	P			
Museums: nonprofit or publicly owned	P	P	P	P	P	P	P	P	P	P	P		P	P	P	P			
Museums: public or private													P	P	P	P			
Planetariums: nonprofit or publicly owned	P	P	P	P	P	P	P	P	P	P	P		P	P	P	P			
Planetariums: public or private													P	P	P	P			
Science centers																P			
Trade schools														P		P		P	P
Trade schools, industrial																	CB		
Trade													CB	P	CB	P			

schools — but not ind'l																			
Elderly, housing for *See also*		CO		CO	CO	CO	CO	CO	CO	CO	CO	CO	CO	CO	CO	CO			
Electrical appliances, incl'g lamp bulbs and fixtures: mfg & asmbly																		P	P
Electrical & household appliance stores													P	P	P	P			
Electrical & household appliance repair stores												P	P	P	P	P			

	R1	R2	R3	R4	R5	R6	R7	R8	R9	R10	OR	B1	B2	B3	B4	B5	M1	M2	M3
See also Plumbing...																			
Electric power lines — *See* Public utilities																			
Electronic components & instruments: mfg & assembly																	P	P	P
Electroplating																	P	P	P
Elementary schools — *See* Educ'l																			
Employment agencies													P	P	P	P	P	P	P
Enamels — *See* Paints, pigments... Porcelain enamel																			
Equipment — *See* Chemical apparatus Machinery Plumbing, heating Store fixtures Welding equipment																			
Excelsior & other packing materials: mfg & storage																		AI	P
Exhibit rooms *See also* Mail order display Model													P	P	P	P			

home and garage																			
Explosives: mfg & strg																			CB
Express facilities — *See* Cartage...																			
Exterminators' shops													P	P	P	P			
Extraction of gravel...— *See* Mining																			
Fabric shops													P	P	P	P			
Fabrication not otherwise listed																		AI	P
Fats: rendering *See also* Oils & fats																		AI	P
Feathers — *See* Hair, feathers, etc.																			
Feed: mfg & prcsg																		AI	P
Feed stores														P		P			
Felt — *See* Hair, feathers, etc.																			
Fences: mfg																	P	P	P
Fermentation — *See* Food ests																			

	R1	R2	R3	R4	R5	R6	R7	R8	R9	R10	OR	B1	B2	B3	B4	B5	M1	M2	M3
Fertilizer: mfg & prcsg																			P
Financial institutions *See also* Auto teller machines Banks, S&Ls													P	P	P	P			
Fire stations — *See* Govt'l services																			
Firearm sales — as part of business otherwise permitted *See also* Arsenals													CB	CB	CB	CB			
Fish: processing— *See* Food ests																			
Fixtures — *See* Electrical appliances Furniture, fixtures Store fixtures																			
Flammable liquids: mfg & strg																	P	P	P
Floor covering other than carpeting: mfg																		AI	P
Floor coverings — *See* Paint, wallpaper, ...																			
Florist shops												P	P	P	P	P			
Flour — *See* Food ests																			

Food establishments & prdcts —																			
Bakeries												P	P	P	P	P			
Bakeries - incl'g sales to restaurants, hotels, etc.														P		P			
Bakery goods: mfg																	P	P	P
Beverages: mfg																	P	P	P
Candy: mfg																	P	P	P
Candy & ice cream stores												P	P	P	P	P			
Carry-out shops													P	P	P	P		P	P
Catering ests													P	P	P	P		P	P
Cereals: mfg																	P	P	P

	R1	R2	R3	R4	R5	R6	R7	R8	R9	R10	OR	B1	B2	B3	B4	B5	M1	M2	M3
Coffee roasting																	P	P	P
Commissaries														P		P		P	P
Extracts, food & flavor: mfg																	P	P	P
Fermented fruits & vegetable products: processing																	P	P	P
Fish: processing																			P
Flour: mfg																	P	P	P
Food products: mfg & prcsg																	P	P	P
Food stores, grocery stores, & delicatessens												P	P	P	P	P			
Frozen food lockers														P		P			

Ice cream: mfg																	P	P	P
Meat markets												P	P	P	P	P			
Meat markets - incl'g sales to restaurants, hotels, etc.														P		P			
Milk & dairy products: prcsg and distribution														P		P	P	P	P
Outdoor table service accessory to restaurant													CB	CB	P	P		P	P
Packing houses																		P	P
Prepared food delivery													CB	CB	CB	CB			

	R1	R2	R3	R4	R5	R6	R7	R8	R9	R10	OR	B1	B2	B3	B4	B5	M1	M2	M3
services - incl'g operations accessory to restaurant																			
Restaurants, lunch rooms - incl'g live ent and dancing														P	P	P		CB	CB
Restaurants, lunch rooms - no live ent or dancing												CB	P	P	P	P		P	P
Restaurants: drive-in - incl'g. pick-up drives w/ window service														CO		CO			
Restaurants: drive-in - no pick- up drives w/ window service													CO	CO		CO			
Spices: mfg & prcsg																	P	P	P
Sugar refineries																		P	P
See also Abattoirs Bone																			

distillation Fats: rendering Halls, etc.: Banquet Salt: mfg Vinegar: mfg																			
Foreign consulates & consular offices										P	P				P	P			
Fortune tellers — *See* Palmists																			
Foster homes —																			
Homes w/ 6 children or less	A	A	A	A	A	A	A	A	A	A	A	P	P	P	P	P			
Homes w/ more than 6 children	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	P	P	P	P	P			
Foundries, ferrous and non-ferrous																		AI	P

	R1	R2	R3	R4	R5	R6	R7	R8	R9	R10	OR	B1	B2	B3	B4	B5	M1	M2	M3
See also Metals ...																			
Framing — *See* Picture framing																			
Fraternity & sorority houses: off-campus								CB	CB	CB	CB		P	P	P	P			
Freight terminals — *See* Marine terminals Motor freight terminals Public utilities (railroad)																			
Fuel and ice sales *See also* Vending... ice														P		P		P	P
Funeral parlors — *See* Undertaking ests ...																			
Fungicides — *See* Pesticides																			
Furniture & fixtures: mfg																	P	P	P
Furniture stores — incl'g upholstery as an accessory use *See also* Woodworking													P	P	P	P			
Furrier shops — incl'g accessory storage and conditioning of furs													P	P	P	P			
Furs and leather: prcsg																		P	P

Galvanizing *See also* Metals																	P	P	P
Games — *See* Amusement arcades Amusement devices Toys & games																			
Garages: parking *See also* Parking facilities Public utilities	A	A	A	A	A	A	A	A	A	A	A								
Garages: repairs, servicing, storage.... —																			
Storage, repair, servicing (generally)																		P	P
For vehicles not over 1½ -ton capacity - not incl'g body repair, painting, or													CB	CB	CB	CB			

	R1	R2	R3	R4	R5	R6	R7	R8	R9	R10	OR	B1	B2	B3	B4	B5	M1	M2	M3
engine rebuilding																			
For vehicles not over 1½ -ton capacity - incl'g body repair, painting, or engine rebuilding														CB		CB			
For vehicles over 1½ - ton capacity - not incl'g body repair, painting, or engine rebuilding														CB		CB			
See also Gasoline service stations Motor vehicles Public																			

Garden supply, tool, seed stores													P	P	P	P			
Gas: mfg & storage - but not incl'g LPG 30,000 gals or more																		AI	P
Gases, combustible or toxic: mfg & storage - but not incl'g LPG 30,000 gals or more																		CB	CB
Gases, LPG (butane, propane): distr & storage, 30,000 gals plus																		CO	CO
Gases, noncombustible & non-toxic: mfg & storage																	P	P	P
Gasoline service stations *See also* Garages Motor vehicles													CB	CB	CB	CB		CB	CB
Gelatin & casein: mfg																		P	P
Gift & card shops												P	P	P	P	P			
Glass: mfg																		P	P
Glass products: mfg from																	P	P	P

	R1	R2	R3	R4	R5	R6	R7	R8	R9	R10	OR	B1	B2	B3	B4	B5	M1	M2	M3
previously prepared materials *See also* Mirrors																			
Glassware — *See* China & glassware																			
Glue and sizing: mfg																		AI	P
Golf courses — *See* Recreational facilities																			
Governmental services —																			
Court houses															P	P			
Fire & police stations	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	P	CB	P	CB	P	P
Post offices											CB	CB	P	P	P	P	CB	P	P
Sewerage pumping stations	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	P	P
Water filtration plants, reservoirs, & pumping stations	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	P	P
See also Educational																			

Highway maintenance Public utilities Recreational facilities																			
Grain elevators & grain storage																		AI	P
Grain milling																		AI	P
Grandstands — *See* Recreational facilities																			
Graphite, graphite products: mfg																		AI	P
Grease & tallow: mfg & prcsg *See also* Oils & fats Paraffin																		AI	P
Greenhouses														P		P	P	P	P
Greenhouses: hobby or personal	A	A	A	A	A	A	A	A	A	A	A								

	R1	R2	R3	R4	R5	R6	R7	R8	R9	R10	OR	B1	B2	B3	B4	B5	M1	M2	M3
Grocery stores — *See* Food ests																			
Guns — *See* Arsenals Firearms																			
Gymnasiums — *See* Health & medical (physical culture)																			
Gypsum, other forms of plaster base: mfg																		AI	P
Hair, feathers, & felt: processing and derivative products																		AI	P
Halls, auditoriums —																			
Auditoriums													CO	CO	P	P	CB	CB	CB
Banquet halls													CO	CO	P	P			
Concert halls													CO	CO	P	P			
Convention halls																P			
Dance halls													CO	CO	CB	CB			
Hiring halls & work														P	P	P		P	P

distribution centers																			
Meeting halls													CO	CO	P	P			
Union halls													CB	P	CB	P	CB	P	P
See also Bingo halls Pool halls																			
Handguns — *See* Arsenals Firearms																			
Hardware stores												P	P	P	P	P			
Hardware, tools: mfg																	P	P	P
Hats — *See* Millinery shops Shoe & hat repair																			
Hazardous material: handling & storage																			CO
Health & medical facilities —																			
Clinics:											CB		P	P	P	P		P	P

	R1	R2	R3	R4	R5	R6	R7	R8	R9	R10	OR	B1	B2	B3	B4	B5	M1	M2	M3
medical & dental																			
Hospitals	CO	CO	CO	CO	CO	CO	CO	P	P	P	CO		CO	P	CO	P			
Institutions for care of aged or children	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB								
Laboratories: medical & dental													P	P	P	P			
Massage therapists' offices											CB		P	P	P	P	P	P	P
Physical culture & health services: gyms, reducing salons, public baths													P	P	P	P			
Substance abuse treatment centers	CO	CO	CO	CO	CO	CO	CO	CO	CO	CO	CO	CO	CO	CO	CO	CO	CO	CO	CO
See also Homes for ... alcoholics... Offices:																			

Physicians...																			
Heating equipment — *See* Plumbing, heating..																			
Heliports														CB	CB	CB		CB	CB
Helistops	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB
Hemp products — *See* Jute,...sisal, oakum																			
Hides: processing *See also* Leather products Leather : tanning																		AI	P
High schools — *See* Educ'l ...																			
Highway maintenance shops & yards														P		P		P	P
Hiring halls — *See* Halls, auditoriums																			
Hobby shops													P	P	P	P			
Home occupations	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A			

	R1	R2	R3	R4	R5	R6	R7	R8	R9	R10	OR	B1	B2	B3	B4	B5	M1	M2	M3
Homeless persons — *See* Homes for...																			
Homes for non-bedridden alcoholics or homeless persons													CO	CO	CO	CO			
Homes for non-bedridden alcoholics or homeless persons: nonprofit							CO	CO	CO	CO	CO		CO	CO	CO	CO			
Hospitals — *See* Health & medical																			
Hotels and motels													P	P	P	P	CB	CB	CB
Household appliances — *See* Electrical & household Machines...																			
Housing for elderly — *See* Elderly, housing for																			
Ice, natural & dry: mfg																	P	P	P
Ice cream — *See* Food ests																			
Ice sales — *See* Fuel and ice sales Vending machines																			
Incinerators: commercial or municipal																			CO

Industrial marinas — *See* Marinas																			
Industrial supplies: distr & sales *See also* Machinery...																	P	P	P
Industrial supplies: sales														P		P			
Ind'l trade schools — *See* Educ'l																			
Ink: mfg																	P	P	P
Inked products: mfg																	P	P	P
Insecticides — *See* Pesticides																		AI	P
Instruments, professional, scientific, & controlling: mfg																	P	P	P
Insulating materials: mfg																		P	P
Insulators, porcelain: mfg																		AI	P
Interior decorating shops - incl'g acc'y upholstering, etc.													P	P	P	P			
Ivory products — *See* Bone & ivory																			
Jewelry: mfg *See also* Production ...																	P	P	P

	R1	R2	R3	R4	R5	R6	R7	R8	R9	R10	OR	B1	B2	B3	B4	B5	M1	M2	M3
Jewelry stores - incl'g watch repairs													P	P	P	P			
Junk or scrap storage and yards																			CB
Jute, hemp, sisal, & oakum products: mfg																		AI	P
Kennels — *See* Animal facilities																			
Laboratories: research & testing *See also* Health & medical														P	P	P	P	P	P
Laboratory apparatus: mfg																	P	P	P
Lacrosse clubs — *See* Recreat'l facilities																			
Lampblack — *See* Carbon black ...																			
Laundries — *See* Dry cleaners ...																			
Leather goods & luggage stores													P	P	P	P			
Leather products: mfg																	P	P	P
Leather: tanning																		AI	P
See also Furs, leather Hides: processing																			

Luggag e																			
Libraries — *See* Educ'l & cultural																			
Linen, towel, diaper, & similar supply ests														P		P	P	P	P
Liquified petroleum gas – *See* Gases Petroleum distribution Petroleum products																			
Liquor stores — *See* Alcoholic bevs																			
Lithographing *See also* Photoengraving Printin g																	P	P	P
Live entertainment — *See* Adult-entertainment After-hours ests Alcoholic bevs (taverns) Food ests (restauran																			

	R1	R2	R3	R4	R5	R6	R7	R8	R9	R10	OR	B1	B2	B3	B4	B5	M1	M2	M3
ts)																			
Locksmith shops													P	P	P	P			
Luggage: mfg *See also* Leather prdcts																	P	P	P
Luggage stores — *See* Leather goods, etc.																			
Lumber sales — *See* Building & lumber																			
Lumber yards *See also* Building & lumber Pulp mfg Sawmil ls...																		P	P
Lunch rooms — *See* Food ests																			
Machine shops																	P	P	P
Machine tools, light: mfg																	P	P	P
Machinery: sales, rental, service														P		P			
Machinery: sales, rental - storage or display restricted															P	P			
Machinery & machines, household, business, office: mfg																	P	P	P

Machinery & machines, industrial, new: sales, rental, srvc																	P	P	P
Machinery & machines, ind'l, used: sales, rental, srvc																		AI	P
Machines, business & office, new & used: sales, rental, srvc													P	P	P	P	P	P	P
See also Metal products...																			
Mail order display rooms													P	P	P	P			
Mail order distribution centers																	P	P	P
Mail order houses														P	P	P			
Malting — *See* Alcoholic bevs																			
Manufacturing uses not specifically listed																		AI	P
Marinas —																			
Accessory	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB		CB	CB	CB	CB	CB			
Dry storage (boatels)																	CB	CB	CB
Industrial																	CB	CB	CB

	R1	R2	R3	R4	R5	R6	R7	R8	R9	R10	OR	B1	B2	B3	B4	B5	M1	M2	M3
(boat repair)																			
Recreational	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB		
Recreat'l boat launch/tie up						CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB			
See also Boats Piers, private																			
Marine terminals: freight																P		P	P
Marine terminals: passenger																CB		CB	CB
Maritime suppliers														P		P	P	P	P
Massage salons													CB	CB	CB	CB			
Massage therapists —																			

See Health & medical																			
Matches: mfg																	P	P	P
Materials recovery — *See* Recyclable materials																			
Mattresses: mfg																	P	P	P
Meat markets — *See* Food ests																			
Medical clinics, inst'ns, etc. — *See* Health & medical																			
Medical equipment: mfg *See also* Orthopedic...																	P	P	P
Meeting halls — *See* Halls, auditoriums																			
Metal products and machinery, heavy: mfg																		AI	P
Metal products and machinery, medium & light: mfg																	P	P	P
Metals, ferrous & non-ferrous: manufactured from raw material																		AI	P
Metals: finishing																	P	P	P

	R1	R2	R3	R4	R5	R6	R7	R8	R9	R10	OR	B1	B2	B3	B4	B5	M1	M2	M3
Metals: pickling																		P	P
Metals: smelting & refining																		AI	P
Metals: stamping & extrusion																		AI	P
See also Galvanizing Machines... Steel fabrication Welding shops																			
Microwave antennas — *See* Antennas																			
Milk, dairy products — *See* Food establishments																			
Millinery shops													P	P	P	P			
Mills — *See* Grain milling Textile mill products																			
Miniature golf — *See* Recreational facilities																			
Mining, gravel, sand, or other raw materials																	CB	CB	CB

Mirrors: mfg																	P	P	P
Mobile homes — *See* Motor vehicles																			
Model home and garage displays														P		P			
Model slot car racing centers														P		P			
Monasteries — *See* Religious insts																			
Monuments: sales with incidental prcsg to order														P		P			
Monument works																		P	P
Motels — *See* Hotels & motels																			
Motor freight terminals																		P	P
Motor vehicles —																			
Auto accessory stores - no repair or installation													P	P	P	P			
Auto accessory													CB	P	CB	P			

	R1	R2	R3	R4	R5	R6	R7	R8	R9	R10	OR	B1	B2	B3	B4	B5	M1	M2	M3
stores - incl'g repair & installation																			
Auto dismantling or scrapping																			CB
Auto glass and mirror shops														P		P			
Auto painting shops														P		P			
Auto seat cover & convertible top ests														P		P			
Automobiles: mfg																		P	P
Automotive parts: mfg																	P	P	P
Automotive testing grounds																			CB
Batteries & tires: sales														P		P		P	P

& srvc *See also* Batteries																			
Car washes														CB		CB		P	P
Mobile home: sales														P		P			
Motorcycles & similar: mfg & assembly																		P	P
Motor vehicles: rental														P	P	P		P	P
Motor vehicles: sales														P		P			
Trucks: mfg & fabrication																		P	P
Trucks & truck trailers: sales and rental																		P	P
See also Garages																			

	R1	R2	R3	R4	R5	R6	R7	R8	R9	R10	OR	B1	B2	B3	B4	B5	M1	M2	M3
Gasoline service stations Parking facilities Tires																			
Moving & storage ests														P		P		P	P
Multi-family dwelling— *See* Dwellings Shops, accessory																			
Multi-purpose neighborhood centers	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	P	P	P	P	P			
Museums — *See* Educ'l & cultural																			
Music —																			
Musical instruments: sale, repair												CB	P	P	P	P			
Musical instruments, incl'g organs & pianos: mfg																	P	P	P

Record, tape, CD, & sheet music stores													P	P	P	P			
See also Educational... Dance schools Halls, etc: Dance																			
Neighborhood centers — *See* Multi-purpose ... centers Recreational facilities																			
Newspaper distribution agencies: home delivery & retail													P	P	P	P			
Newspaper publishing ests																P			
Newsstands												P	P	P	P	P	P	P	P
Novelty products: mfg																	P	P	P
Novelty shops													P	P	P	P			

	R1	R2	R3	R4	R5	R6	R7	R8	R9	R10	OR	B1	B2	B3	B4	B5	M1	M2	M3
Nurseries or nursery schools — *See* Day care facilities																			
Nursing homes — *See* Convalescent...																			
Offal: processing																			P
Office machines — *See* Machines																			
Office supply stores													P	P	P	P			
Offices —																			
Business, govt'l, professional - no sales or bulk storage on premises											P	P	P	P	P	P			
Business, govt'l, professional													P	P	P	P			
Business & professional (other than accessory)																	CB	CB	CB
Physicians, dentists (non-resident) in residential							CB	CB	CB	CB									

structure																			
Off-street parking — *See* Parking facilities Public utilities																			
Oils & fats, animal & vegetable: mfg & prcsg																		AI	P
Optical equipment: mfg *See also* Production...																	P	P	P
Opticians: sales & srvc												CB	P	P	P	P			
Ore: handling & strg																			P
Ore reduction *See also* Stone crushing																		AI	P
Organs — *See* Music																			
Orthopedic, medical appl stores												CB	P	P	P	P			
Orthopedic, medical appls: mfg *See also* Medical equipment																	P	P	P
Package goods stores — *See* Alcoholic beverages																			

	R1	R2	R3	R4	R5	R6	R7	R8	R9	R10	OR	B1	B2	B3	B4	B5	M1	M2	M3
Packing houses — *See* Food ests																			
Packing materials — *See* Excelsior...																			
Paint, wallpaper, tile, & floor covering stores													P	P	P	P			
Painting, automobiles — *See* Motor vehicles																			
Painting, signs — *See* Sign painting																			
Paints, pigments, enamels, japans, lacquers, shellac, whiting, putty, wood filler, turpentine, & varnishes: mfg																		AI	P
Palmists														P		P			
Paper: mfg *See also* Pulp: mfg																		AI	P
Paper products: mfg from previously prepared materials																	P	P	P
Paraffin: mfg & prcsg *See also* Oils & fats Grease & tallow																		AI	P

Parcel collection & delivery stns														P		P		P	P
Parking facilities, off-street, other than accessory ***{exc as otherwise req'd by Title 10, Subtitle 5 for Parkg Lot Dists} —***																			
Garages, for 4 or more automobiles							CO	CO	CO	CO	CO	CO	P	P	P	P		P	P
Garages, for 4 or more motor vehicles													P	P	P	P		P	P
Open areas, for 4 or more automobiles							CO	CO	CO	CO	CO	CO	CO	P	CO	P	CO	P	P
Open areas, for 4 or more motor vehicles														P		P	CO	P	P
Open areas, for 4 or more automobiles — no fee	CO	CO	CO	CO	CO	CO													

	R1	R2	R3	R4	R5	R6	R7	R8	R9	R10	OR	B1	B2	B3	B4	B5	M1	M2	M3
charged																			
Parks & playgrounds — *See* Recreat'l facilities																			
Parole & probation field offices											CO	CO	CO	CO	CO	CO			
Pawnshops													CO	CO	P	P			
Pay distribution ctrs														P	P	P			
Peep show ests																CO			
Penal & correctional institutions *See also* Comm'ty Corrct'n Ctrs																		CO	CO
Perfumes: mfg																	P	P	P
Pesticides & fungicides: mfg & prcsg																		AI	P
Pet shops — *See* Animal facilities																			
Petroleum distribution pumping or valve substations ...- but not incl'g LPG 30,000 gals or more																		CB	P
Petroleum products: mfg & prcsg - but not incl'g LPG 30,000 gals or more																		AI	P
Petroleum, related industries: refining																		AI	P

Pharmaceuticals: mfg																	P	P	P
Pharmacies — *See* Drug stores																			
Philanthropic, charitable inst'ns							CB	CB	CB	CB	CB		P	P	P	P			
Philatelic stores — *See* Coin...stores																			
Photocopying service *See also* Blueprinting & photostating													P	P	P	P		P	P
Photoengraving *See also* Lithographing Printing																		P	P
Photographers													P	P	P	P		P	P
Photographic printing and developing ests														P	P	P			
Photographic printing and developing ests: drive-in													CO	CO					
Photography film: mfg & prcsg																	P	P	P
See also Camera & photographic																			
Photostating — *See* Blueprinting																			

	R1	R2	R3	R4	R5	R6	R7	R8	R9	R10	OR	B1	B2	B3	B4	B5	M1	M2	M3
Physical culture... — *See* Health & medical																			
Physicians — *See* Offices																			
Pianos — *See* Music																			
Picture framing shops - retail on premises													P	P	P	P			
Piers, private *See also* Marinas																	P	P	P
Planetariums — *See* Educ'l, ...																			
Planned unit developments	CO	CO	CO	CO	CO	CO	CO	CO	CO	CO	CO	CO	CO	CO	CO	CO	CO	CO	CO
Plaster base — *See* Gypsum & other...																			
Plastic products: mfg from previously prepared materials																	P	P	P
Plastics: mfg & reclaiming																		AI	P
Plumbing, heating, & electrical equipment: showrooms and shops														P		P		P	P
Police stations — *See* Govt'l srvcs																			
Polish: mfg																	P	P	P
Pool halls & billiard parlors													CB	CB	CB	P			

Porcelain enamel products: mfg																		P	P
Porcelain enamel and glazes: mfg																		P	P
Porcelain insulators — *See* Insulators																			
Post offices — *See* Govt'l services																			
Pottery & chinaware: mfg																		P	P
Poultry & rabbit killing ests												CB	CB	CB	CB	CB			
Power lines — *See* Public utilities																			
Printing ests - up to 10 employees & 1 mgr on premises													P	P	P	P	P	P	P
Printing & publishing - more than 10 employees & 1 mgr														P	P	P	P	P	P
See also Blueprinting... Lithographing Newspaper publishing Photoengraving																			
Processing, cleaning, servicing, testing, or repairs of materials,															P	P			

	R1	R2	R3	R4	R5	R6	R7	R8	R9	R10	OR	B1	B2	B3	B4	B5	M1	M2	M3
goods, or products																			
Processing not otherwise listed																		AI	P
Production & repair - limited to clothing (custom), dentures, jewelry (precious stones), optical lenses, watches															P	P			
Propane or butane – *See* Gases Petroleum distribution Petroleum products																			
Public baths — *See* Health & medical (physical culture)																			
Public utilities —																			
Antenna towers, microwave relay towers, etc., for communications	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	P	P
Bus passenger shelters – incl'g advertising	CO	CO	CO	CO	CO	CO	CO	CO	CO	CO	CO	CO	CO	CO	P	P	CO	CO	CO
Bus & transit														P		P	P	P	P

garages and lots																			
Bus & transit passenger stations and terminals													CB	CB	P	P	P	P	P
Bus & transit turnarounds & passenger shelters– w/o adv'g	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	P	P	P	P	P	P	P
Electric distribution ctrs and substations																	CB	P	P
Electric power generator stns																	CB	CB	CB
Overhead electric transmission lines (above	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB				CB		CB			

	R1	R2	R3	R4	R5	R6	R7	R8	R9	R10	OR	B1	B2	B3	B4	B5	M1	M2	M3
69kV): acq'd pre-1969																			
Overhead power transmission tower lines																	CB	CB	CB
Public utility service centers													CB	P	P	P	P	P	P
Railroad freight terminals, ... switching yards, ...																CB		P	P
Railroad rights-of-way & stns - incl'g yards & shops																P	P	P	P
Railroad rights-of-way & stns - w/o yards & shops	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	P	P	P	P
Repeater, transformer, pumping,	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	P	P	P	CB	P	P

booster, switching, conditioning, regulating stns																			
Telegraph offices													P	P	P	P			
Telephone	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	P	P	P	P	P	P	P	P	P
See also Antennas																			
Governmental services																			
Publishing — *See* Newspaper publ'g																			
Printing &																			

	R1	R2	R3	R4	R5	R6	R7	R8	R9	R10	OR	B1	B2	B3	B4	B5	M1	M2	M3
publ'g																			
Pulp: mfg *See also* Lumber yards Paper mfg Sawmills Wood: distillation																		AI	P
Pyroxylin: mfg & strg																		AI	P
Rabbit-killing — *See* Poultry & ...																			
Racetracks: existing pre-7/1/73														CB		CB			
Racetracks: establ'd post-6/30/73														CO		CO			
Radar installations																	CB	CB	CB
Radio stations											CB		P	P	P	P	CB	CB	CB
Radio & TV antennas — *See* Antennas																			
Radio & TV sales and service												P	P	P	P	P			
Radio & TV stations and studios													P	P	P	P	CB	CB	CB
Radioactive waste handling																			CB

Railroad facilities — *See* Public utilities																			
Real estate sales, temporary, for development where located	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
Record, tape, CD, sheet music — *See* Music																			
Recording studios													P	P	P	P	P	P	P
Recreational facilities: indoor														CB		CB			
Recreational facilities: outdoor														CB		CB	CB	CB	CB
Recreational facilities, as listed—																			
Athletic fields: nonprofit or publicly owned	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Athletic fields: public or private												P	P	P	P	P	P	P	P
Athletic fields: grandstands	A	A	A	A	A	A	A	A	A	A	A								
Golf courses - no	P	P	P	P	P	P	P	P	P	P									

	R1	R2	R3	R4	R5	R6	R7	R8	R9	R10	OR	B1	B2	B3	B4	B5	M1	M2	M3
driving ranges or miniature golf																			
Golf courses: on-site club houses & similar structures	A	A	A	A	A	A	A	A	A	A									
Parks, playgrounds : nonprofit or publicly owned	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			
Parks, playgrounds : public or private												P	P	P	P	P			
Recreation bldgs & comm'ty centers: nonprofit or publicly owned	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			
Recreation bldgs & comm'ty centers: public or private												P	P	P	P	P	CB	CB	CB

Skating rinks													P	P	P	P			
Tennis & lacrosse clubs: nonprofit or publicly owned	P	P	P	P	P	P	P	P	P	P	P		P	P	P	P			
Tennis & lacrosse clubs: public or private													P	P	P	P			
Tennis & lacrosse clubs: on-site club houses & similar	A	A	A	A	A	A	A	A	A	A	A								
See also Amusement arcades Amusement parks Bowling ests Clubs & lodges Fraternity, sorority houses																			

	R1	R2	R3	R4	R5	R6	R7	R8	R9	R10	OR	B1	B2	B3	B4	B5	M1	M2	M3
Halls, etc.: Dance Marinas Model slot cars Pool halls Private piers Stables, horse Swimming pools Tennis courts																			
Recreational marinas — *See* Marinas																			
Recyclable materials recovery facilities - all storage indoors														CO					
Recyclable materials recovery facilities - w/ outdoor storage																		CB	CB
Recycling collection stations												CB	CB	CB	CB	CB	CB	CB	CB
Recycling collection stations - accessory to school, church, recreation facility, public facility	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB								

Reducing salons — *See* Health & medical (physical culture)																			
Refineries — *See* Food ests (sugar) Metals: smelting... Petroleum ...industries																			
Religious institutions —																			
Churches, temples, synagogues	P	P	P	P	P	P	P	P	P	P	P		P	P	P	P			
Convents, seminaries, monasteries	P	P	P	P	P	P	P	P	P	P	P		P	P	P	P			
Repairs — *See* Processing,.. Production, repair																			
Rescue missions																P			
Rest homes — *See* Convalescent...																			

	R1	R2	R3	R4	R5	R6	R7	R8	R9	R10	OR	B1	B2	B3	B4	B5	M1	M2	M3
Restaurants — *See* Food ests																			
Rifles — *See* Firearms																			
Rock crushing *See also* Stone cutting																		CB	CB
Roofing materials: mfg																		AI	P
Rooming houses —																			
Up to 10 units								CB	P	P	P		P	P	P	P			
11 or more units								CB	CB	CB	CB		P	P	P	P			
Rope or twine, fibrous: mfg																	P	P	P
Rubber, caoutchouc, & gutta-percha: mfg & prcsg																		AI	P
Rubber products: mfg from previously prepared materials																	P	P	P
Rugs — *See* Carpets & rugs																			
Rummage shops — *See* Second-hand ... dealers													P	P	P	P		P	P
Salons, reducing — *See* Health & medical (physical culture)																			

Salt: mfg & prcsg																		P	P
Satellite dishes — *See* Antennas																			
Savings & loan associations — *See* Auto teller machines Banks and S&Ls Financial institutions																			
Sawmills, planing mills *See also* Lumber yards																		P	P
School supply stores — *See* Art & school supply stores																			
Schools — *See* Educational ...																			
Schools, nursery — *See* Day care facilities																			
Science centers — *See* Educational & cultural																			
Scrap yards — *See* Junk yards																			
Scrapping, autos — *See* Motor vehicles																			

	R1	R2	R3	R4	R5	R6	R7	R8	R9	R10	OR	B1	B2	B3	B4	B5	M1	M2	M3
Second-hand & rummage shops *See also* Antique shops													P	P	P	P			
Secretarial and telephone answering services													P	P	P	P			
Security sales, brokerages, exchanges													P	P	P	P			
Semi-detached dwellings — *See* Dwellings																			
Serums, toxins, and viruses: mfg & prcsg																	P	P	P
Service & housing centers																		CO	
Servicing — *See* Processing...																			
Sewerage pumping — *See* Govt'l services																			
Sewing machines: sales & srvc - household appliances only													P	P	P	P			
Ship chandlers — *See* Maritime suppliers																			
Shipyards *See also* Boats Marinas																	P	P	P

Shoe & hat repair												P	P	P	P	P			
Shoeshine parlors												P	P	P	P	P			
Shops, accessory to multi-family bldg with 50 or more units								A	A	A	A								
Shotguns — *See* Firearms																			
Sign painting shops														P	P	P			
Signs: mfg, sales, srvc																		P	P
Silverware, plate & sterling: mfg																	P	P	P
Skating rinks — *See* Recreat'l facilities																			
Soaps: mfg *See also* Oils, fats Grease, tallow Paraffin																		AI	P
Sodium compounds: mfg & prcg																		P	P
Solvents: distillation																		AI	P

	R1	R2	R3	R4	R5	R6	R7	R8	R9	R10	OR	B1	B2	B3	B4	B5	M1	M2	M3
Spices — *See* Food ests																			
Sporting & athletic goods stores													P	P	P	P			
Sporting & athletic goods: mfg																	P	P	P
Stables for horses														P		P		CB	P
Stadiums: existing pre-7/1/73														CB		CB			
Stadiums: establ'd post-6/30/73														CO		CO			
Stamp stores — *See* Coin & philatelic																			
Starch: mfg																	P	P	P
Stationery stores													P	P	P	P			
Statuary: production																		P	P
Steel fabricating shops *See also* Metals																		AI	P
Stock yards																			P
Stone cutting *See also* Rock crushing																		P	P
Stone, synthetic: mfg																		P	P
Storage — *See* Boats, boat trailers Excelsior,																			

other packing mtrls Explosives Flammable liquids Furrier shops Garages Gases Grain elevators Hazardous materials Junk ... yards Moving & storage Ore: handling &... Pyroxylin: mfg Tool houses Warehousing																			
Storage, temporary, of building materials, etc., for on-site const	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A

	R1	R2	R3	R4	R5	R6	R7	R8	R9	R10	OR	B1	B2	B3	B4	B5	M1	M2	M3
Storage uses not otherwise listed																		AI	P
Store fixtures: sales														P	P	P			
Street maintenance — *See* Highway maintenance																			
Substance abuse treatment ctrs — *See* Health & medical																			
Sugar refineries — *See* Food ests																			
Swimming pools —																			
Swimming pools (generally)													P	P	P	P			
Accessory	A	A	A	A	A	A	A	A	A	A	A		P	P	P	P			
Nonprofit or publicly owned	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB		P	P	P	P			
Synagogues — *See* Religious insts																			
Tailor or dressmaking shops: custom work or repairs												P	P	P	P	P			
Tallow mfg — *See* Oils & fats Grease & tallow Paraffin																			

Tanneries — *See* Leather: tanning Hides: processing																			
Tar: mfg																			P
Tattoo parlors														CB		CB			
Taverns — *See* Alcoholic bevs																			
Taxidermist shops													P	P	P	P			
Telegraph offices — *See* Public utilities																			
Telephone answering services — *See* Secretarial...services																			
Telephone facilities — *See* Public utilities																			
Television — *See* Antennas Radio & TV																			
Tennis, lacrosse clubs— *See* Recreat'l facilities																			

	R1	R2	R3	R4	R5	R6	R7	R8	R9	R10	OR	B1	B2	B3	B4	B5	M1	M2	M3
Tennis courts	A	A	A	A	A	A	A	A	A	A	A								
Terminals — *See* Marine terminals Motor freight terminals Public utilities																			
Terra cotta: mfg																		P	P
Testing — *See* Laboratories Processing...																			
Textile mill products: mfg & fabrication																	P	P	P
Textile mill products: prcsg & sorting																	CB		
Theaters													CB	CB	CB	CB			
Theaters: drive-in - existing pre-7/1/73														CB		CB			
Theaters: drive-in - establ'd post-6/30/73														CO		CO			
Ticket agencies													P	P	P	P			
Tiles: mfg																		P	P

See also Paint, wallpaper...stores																			
Tires & tire products —																			
Tire mfg - no open storage w/i 200' of R District																		P	P
Tire mfg - incl'g open storage																			P
Tire retreading & recapping - no open storage w/i 200' of R District																		P	P
Tire retreading & recapping - incl'g open storage																			P
Open storage w/i																		CB	CB

	R1	R2	R3	R4	R5	R6	R7	R8	R9	R10	OR	B1	B2	B3	B4	B5	M1	M2	M3
200' of R District																			
Tobacco products: mfg																	P	P	P
Tobacco shops												P	P	P	P	P			
Toiletries: mfg																	P	P	P
Tool, die, pattern-making shops																	P	P	P
Tool houses & similar for storing accessory supplies	A	A	A	A	A	A	A	A	A	A	A								
Tool mfg — *See* Hardware & tools Instruments Laboratory apparatus Machine tools																			
Towers — *See* Antennas Public utilities																			
Toxins — *See* Serums																			
Toy stores													P	P	P	P			
Toys & games: mfg																	P	P	P

Trade centers																P			
Trade schools — *See* Educational ...																			
Trading stamp redemption ctrs													P	P	P	P			
Trailers: mfg																		P	P
Trailers: sales & rental														P		P			
Transit facilities — *See* Public utilities																			
Travel bureaus - up to 2 employees, 1 mgr on premises												P	P	P	P	P			
Travel bureaus — more than 2 employees, 1 mgr on premises													P	P	P	P			
Travel trailers, RVs, & similar camping equipment: prkg or strg	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB	CB			
Trucks — *See* Motor vehicles																			
Twine — *See* Rope																			
Umbrellas: mfg																	P	P	P
Undertaking ests, funeral parlors													P	P	P	P	P	P	P

	R1	R2	R3	R4	R5	R6	R7	R8	R9	R10	OR	B1	B2	B3	B4	B5	M1	M2	M3
Union halls — *See* Halls, auditoriums																			
Universities, colleges — *See* Educ'l													CB	CB	CB	CB			
Upholstering shops *See also* Interior decorating													CB	P	CB	P	P	P	P
Utilities — *See* Public utilities																			
Variety stores												P	P	P	P	P			
Vending machines: for retail sales generally														P		P			
Vending machines: for retail sales of ice, milk													P	P	P	P		P	P
Venetian blinds & window shades: sales and service													P	P	P	P			
Video & electronic games/coin pool tables in City recr'l centers	P	P	P	P	P	P	P	P	P	P									
Video movies: sales and rentals												CB	P	P	P	P			
Vinegar: mfg																		AI	P
Viruses — *See* Serums																			
Wallpaper — *See* Paint, wallpaper..																			

Warehousing and storage														P	P	P	P	P	P
Waste disposal (except garbage) for land fill & land reclamation *See also* Hazardous material Radioactive waste handl'g																		CB	CB
Watch and clock shops *See also* Jewelry stores Produc tion...													P	P	P	P			
Water filtration plants, reservoirs, pumping stations — *See* Govt'l services																			
Wax, wax prdcts: mfg																	P	P	P
Welding equipment and supplies: sales and service														P		P			
Welding shops																		P	P
Wholesale ests														P	P	P	P	P	P
Wig shops													P	P	P	P			
Window blinds, shades,																	P	P	P

	R1	R2	R3	R4	R5	R6	R7	R8	R9	R10	OR	B1	B2	B3	B4	B5	M1	M2	M3
awnings: mfg *See also* Venetian blinds...																			
Windows, storm — *See* Awnings...																			
Wire: mfg																	P	P	P
Wood: distillation *See also* Pulp: mfg																		AI	P
Wood products: mfg																	P	P	P
Wood treating by creosote & other preservatives																		AI	P
Woodworking and furniture-making: custom														P		P			
Wool: prcsg																		P	P
Yeast: mfg																		AI	P