

EXTREME MAKEOVER, BALTIMORE: Revising the Baltimore City Zoning Code

By: Caroline L. Hecker

For the first time in nearly forty years, Baltimore City is undertaking a comprehensive review of its Zoning Code for purposes of updating it to better reflect the modern realities of development in Baltimore. Recognizing the City's evolution away from heavy manufacturing and the trend towards mixed-use development, the new Zoning Code is designed to allow new development options and flexibility that the current Zoning Code lacks.

The Baltimore City Planning Department, in consultation with stakeholders from residential, business, and industrial communities, recently released a draft of the new Zoning Code, called Transform Baltimore, for public review and comment. This draft reflects significant changes from the current Zoning Code, including new zoning districts, use categories, design review requirements, and approval processes.

While the residential zoning districts will remain similar to those under the current Zoning Code, the industrial districts will be completely revamped. New districts such as "Business Industrial", "Office-Industrial Park", "Bio-Science Campus", and "Industrial Mixed-Use" will be created to allow for various forms of mixed-use development, including some residential uses. Owners of industrial properties should consider whether one of these new districts might better suit their current and future needs than their existing zoning designation.

Other major changes to the Zoning Code relate to the provisions governing Planned Unit Developments (PUDs). Most significantly, under Transform Baltimore, new PUDs would expire two years from the date of approval unless building permits for improvements under the PUD have been issued. Although extensions are available, the possibility that an approved development plan could expire two years following the date of approval is likely to have a considerable impact on a project's financing. Transform Baltimore would also modify the approval process for PUDs, adding several additional public hearings including a Planning Commission hearing before the City Council Bill to authorize the PUD is even introduced. Although existing PUDs will not be subject to the new regulations, any amendment to an existing PUD would subject the PUD to Transform Baltimore's new requirements, including the two-year expiration date.

This fall, the Planning Department will begin mapping the City to implement the new zoning districts and will be releasing these maps for public review and comment once they become available. The new zoning districts will permit live/work space, office and industrial parks, transit-oriented development, campus zones, and more opportunities for arts and entertainment. In particular, owners of industrial property in the City should carefully review the new zoning maps, as several new industrial districts are being created to encourage mixed-use development. For more information about how Transform Baltimore might impact a specific property, or to discuss opportunities for rezoning a property into one of the new zoning districts, please contact Stanley Fine (at 410-895-1201 or sfine@rosenbergmartin.com) or Caroline Hecker (at 410-727-6676 or checker@rosenbergmartin.com).

For any of your other real estate needs, please contact an attorney in our real estate group:

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