

Department of Legislative Services
Maryland General Assembly
2023 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 338 (Delegate Boyce, *et al.*)
Environment and Transportation

Baltimore City - Commercial Use - Definition

This bill defines “commercial use,” under Title 10 (Baltimore City Zoning) of the Land Use Article of the Maryland Code, to include multifamily residential development if the development is located within (1) a waterfront commercial zoning district and (2) a 0.5-mile radius of a commuter rail station. **The bill takes effect July 1, 2023.**

Fiscal Summary

State Effect: The bill is not anticipated to directly affect State operations or finances.

Local Effect: The bill is not anticipated to directly affect local government operations or finances.

Small Business Effect: None.

Analysis

Current Law: The term “commercial use” is not used in Title 10 of the Land Use Article. Among other things, the title:

- authorizes the Mayor and City Council of Baltimore City – in order to promote the health, safety, and general welfare of the community – to regulate (1) the height, number of stories, and size of buildings and other structures; (2) the percentage of a lot that may be occupied; (3) off-street parking; (4) the size of yards, courts, and other open spaces; (5) population density; and (6) the location and use of buildings, signs, structures, and land;

- authorizes the Mayor and City Council to (1) divide the city into districts and zones best suited to carry out specified purposes and (2) within the districts and zones, regulate the construction, alteration, repair, or use of buildings, structures, or land; and
- establishes additional authority and requirements applicable to the adoption, modification, and implementation of zoning regulations and boundaries in Baltimore City.

Additional Information

Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: SB 371 (Senator Hayes) - Education, Energy, and the Environment.

Information Source(s): Maryland Department of Planning; Department of Housing and Community Development; Department of Legislative Services

Fiscal Note History: First Reader - February 19, 2023
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