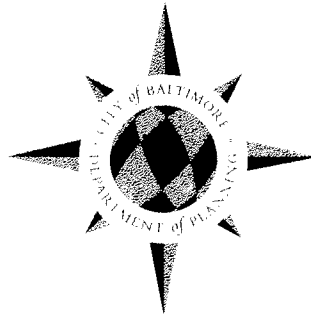


SHEILA DIXON  
Mayor



THOMAS J. STOSUR  
Director

May 4, 2009

Dear Interested Party:

Re: City Council Bill #08-0163/Live Entertainment- Zoning – Conditional Uses:  
For the purpose of allowing live entertainment and dancing, in conjunction with restaurants or taverns, as a conditional use in certain Business Districts; expanding the conditions to be considered before granting a conditional use for restaurants or taverns to provide live entertainment or dancing; requiring the Zoning Board to maintain and periodically provide to the City Council certain information about all pending applications for all conditional uses; and generally relating to the zoning and related requirements for restaurants and taverns providing live entertainment or dancing.

The Department of Planning will host a public information session to gather community input on this revised bill on May 11, 2009, at 5:00 p.m. in the Department of Planning at 417 East Fayette Street, 8th Floor. **Please note that this bill has been substantially modified.** Additional information on this bill is attached, and the amended bill can be viewed online on the Department of Planning's website:

<http://www.baltimorecity.gov/government/planning/>

The Department of Planning will then present information and a recommendation on the revised bill for consideration by the Planning Commission at a meeting on May 14, 2009, at 2:30 p.m. at 417 E. Fayette Street, 8th Floor.

**Please note that the security procedures in the Benton Building require that you bring photo-identification with you.**

If you require special accommodations to attend or participate in the Department of Planning public information session, please provide information about your requirements as soon as possible. The building and hearing room are wheelchair accessible.

If you have any questions, please call Eric W. Tiso of my staff at 410-396-8358 for further information. Alternately, he can be reached by e-mail at [eric.tiso@baltimorecity.gov](mailto:eric.tiso@baltimorecity.gov).

Sincerely,

Thomas J. Stosur,  
Director

TJS/ewt

**Department of Planning – Public Information Session**  
**May 11, 2009, 5 p.m.**  
**417 East Fayette Street, 8<sup>th</sup> Floor**  
**Concerning CCB #08-0163**

**HISTORY:**

City Council Bill #08-0163, introduced by Council President Rawlings-Blake, proposed to expand live entertainment, initially achieving this through removing live entertainment from zoning and governing the use through creating a licensing system. On Monday, May 11<sup>th</sup> at 5:00 p.m., the Department of Planning will host an information session on the REVISED BILL. For comparison purposes the bill, as it was introduced, along with agency commentary can be viewed on the Department's website.

**TIMELINE:**

Joint hearings were held by the Judiciary and Legislative Investigations and the Land Use and Transportation Committees in City Hall on March 4, 2009, and then were continued through four hearings in locations around the City through March and April, returning to City Hall on April 30, 2009.

The new version of the bill, which has been substantially modified from the introductory version, will now return to the Planning Commission for hearing on Thursday, May 14, 2009, at 2:30 p.m. Prior to the Planning Commission hearing, the Department of Planning is hosting a public information session concerning the significant changes to this bill. The purpose of this meeting is to both answer questions from the public on the changes and to receive comments on these changes.

**SUMMARY OF CHANGES:**

Live entertainment is now proposed to be expanded (at restaurants and taverns only) through adding live entertainment as a conditional use in the Zoning Code requiring Board of Municipal and Zoning Appeals (BMZA) approval in the B-1 and B-2 less-intensive business districts. The proposal for a license and fee system has been completely removed from the bill at this time. The bill will now do the following:

- Retain references to live entertainment and definitions in the Zoning Code;
- Adds "Restaurants With Live Entertainment and Dancing" as a conditional use requiring BMZA approval in the B-1 and B-2 Districts;
- Adds "Taverns With Live Entertainment and Dancing" as a conditional use requiring BMZA approval in the B-2 District;
- Adds a requirement that the BMZA maintain a list of pending applications for a conditional use. This list would be provided at least monthly to the President and Members of the City Council; and
- Adds to the BMZA's list of required considerations for conditional use of restaurants and taverns with live entertainment and dancing (see reverse).

**ADDITIONAL CONSIDERATIONS FOR CERTAIN USES:**

The amended section on additional considerations for live entertainment and dancing (page 6 of the reprint) would have a few additions, specifically items 8, 9, 10, and an amended and renumbered 11, as below:

- 6 **{§ 14-309. Live entertainment or dancing.}**  
7 {For a restaurant or tavern operating with live entertainment or dancing as an  
8 accessory use,  
9 the Board must consider imposing conditions, as appropriate, concerning:  
10 (1) days and hours of operation;  
11 (2) use of amplification, noise levels, and need for noise proofing;  
12 (3) limits on the size of the establishment or on the size, location, or  
13 configuration of the  
14 entertainment or dancing venue within the establishment;  
15 (4) number of live entertainers;  
16 (5) number of seats proposed for outdoor table service;  
17 (6) exterior lighting;  
18 (7) whether to limit the accessory use to live entertainment only or dancing  
19 only;  
20 (8) THE PROXIMITY OF RESIDENCES, SCHOOLS, RELIGIOUS  
21 INSTITUTIONS, OR PARKS TO THE  
22 ESTABLISHMENT;  
23 (9) THE MAXIMUM AUTHORIZED OCCUPANT LOAD OF THE  
24 ESTABLISHMENT;  
25 (10) THE VOLUME AND TYPES OF VEHICULAR AND PEDESTRIAN  
26 TRAFFIC IN THE AREA OF  
THE ESTABLISHMENT; and  
(11) [(10)] the establishment and maintenance of:  
(i) a traffic ~~and parking~~ management plan; [and]  
(II) A PARKING MANAGEMENT PLAN;  
(III) [(ii)] an indoor and outdoor security plan; AND  
(IV) A SANITATION PLAN.]