

description of the sensitive areas in former § 3.05(a)(1)(viii)1 through 4 is deleted in light of the definition of "sensitive areas" in § 1.00.

Subsection (a)(2) of this section is new language derived without substantive change from former §§ 3.05(a)(1)(iii) and 7.03(a).

Subsection (a)(3) of this section is new language derived without substantive change from former §§ 3.05(a)(4) and 7.03(a).

Subsection (b) of this section is new language derived without substantive change from former §§ 3.05(b) and 7.03(a).

Subsection (c) of this section is new language derived without substantive change from former § 3.06(b) and (c) and 7.03(a).

Subsection (d) of this section is new language derived without substantive change from § 4.09(a) and former § 7.03(a).

### Zoning in Baltimore City

#### 2.01. Grant of powers; statement of policy; construction of powers.

[(a) For the purpose of promoting the health, security, general welfare, and morals of the community, the Mayor and City Council of Baltimore City are hereby empowered to regulate and restrict the height, number of stories, and size of buildings and other structures, the percentage of lot that may be occupied, off-street parking, the size of yards, courts, and other open spaces, the density of population, and the location and use of buildings, signs, structures, and land for trade, industry, residence, or other purposes.]

[(b)] (A) (1) It [has been and shall continue to be] IS the policy of this State [that the] THAT:

(I) THE orderly development and use of land and structures requires comprehensive regulation through THE implementation of planning and zoning [controls.] CONTROLS; AND

[(2)] (II) [It has been and shall continue to be the policy of this State that planning] PLANNING and zoning controls shall be implemented by local government.

[(3)] (2) To achieve the public purposes of this regulatory scheme, the General Assembly recognizes that local government action will limit free business enterprise and competition by owners and users of property[.

(4) It is the policy of the General Assembly and of this State that competition and enterprise shall be so limited for the attainment of the purposes of the State policy for implementing] THROUGH THE planning and zoning controls [as] set forth in this article and elsewhere in the public local and public general [law] LAWS.