

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 09-0278

Introduced by: The Council President
At the request of: The Administration (Department of Housing and Community Development)
Introduced and read first time: February 9, 2009
Assigned to: Urban Affairs and Aging Committee

Committee Report: Favorable with amendments
Council action: Adopted
Read second time: September 14, 2009

AN ORDINANCE CONCERNING

**Urban Renewal – Reisterstown Plaza Transit Station –
Renewal Area Designation and Renewal Plan**

FOR the purpose of repealing the existing Reisterstown Plaza Urban Renewal Plan and replacing it by designating as a “Renewal Area” an area situated in Baltimore City, Maryland known as Reisterstown Plaza Transit Station, bounded generally by Northern Parkway on the south and east, Reisterstown Road on the north, and the western Baltimore City boundary line on the west; approving a Renewal Plan for Reisterstown Plaza Transit Station; establishing the objectives of the Plan; establishing permitted land uses in the Renewal Area; providing that where there may be a conflict between the provisions of the Renewal Plan and the provisions of any Planned Unit Development, the provisions of the Planned Unit Development control; providing for review of all plans for new construction, exterior rehabilitation, change in use, or demolition of any property; providing that the provisions of the Zoning Code apply to the properties in the Project Area; providing for the term of the Plan; approving an Appendix and certain exhibits to the Plan; waiving certain content and procedural requirements; making the provisions of this Ordinance severable; providing for the application of this Ordinance in conjunction with certain other ordinances; and providing for a special effective date.

By authority of
Article 13 - Housing and Urban Renewal
Section 2-6
Baltimore City Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That Ordinance 81-392, which established the Reisterstown Plaza Transit Station Urban Renewal Area, and last amended by Ordinance 01-254, is repealed.

SECTION 2. AND BE IT FURTHER ORDAINED, That the area known as Reisterstown Plaza Transit Station, as more particularly described in Section 3, is established.

SECTION 3. AND BE IT FURTHER ORDAINED, That the Urban Renewal Plan for Reisterstown Plaza Transit Station is adopted to read as follows:

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.
Underlining indicates matter added to the bill by amendment.
~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from existing law by amendment.

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Urban Renewal Plan
Reisterstown Plaza Transit Station

A. Project Description

1. Boundary Description

Beginning for the same at the intersection formed by the Western Baltimore City Boundary Line and the northwestern right-of-way line of Brookhill Road; thence running in a southerly direction, binding on said Baltimore City Boundary Line, to a point of intersection with the center line of Liberty Heights Avenue; thence running in a southeasterly direction, binding on the center line of said Liberty Heights Avenue, to a point of intersection with the center line of Northern Parkway; thence running in a northerly and northeasterly direction, binding on the center line of said Northern Parkway, crossing Wabash Avenue, the Western Maryland Railway and Reisterstown Road, and continuing to a point of intersection with an extended straight line of the northeastern boundary of Lot 1/18, Block 4426-B;

thence running in a northwesterly direction, binding on the northeastern boundary of said Lot 1/18, to a point of intersection with the northwestern boundary of Lot 1/18; thence running in a southwesterly direction, binding on the northwestern boundary of said Lot 1/18, to a point of intersection with the northeastern boundary of Lot 19/25, Block 4426-B; thence running in a northwesterly direction binding on the northeastern boundary of said Lot 19/25, crossing Mortimer Avenue, to a point of intersection with the northwestern right-of-way line of said Mortimer Avenue; thence running in a southwesterly direction, binding on the northwestern with the line forming the northeastern boundary of Lots 1 and 53/54, Block 4421; thence running in a northwesterly direction, binding on the northeastern boundary of said Lots 1 and 53/54, to a point of intersection with the southeastern boundary of Lot 55, Block 4421;

thence running in a northeasterly direction, binding on the southeastern boundary of said Lot 55, to a point of intersection with the southwestern boundary of Lot 94, Block 4421; thence running in a northwesterly direction, binding on the southwestern boundary of said Lot 94, crossing Emmart Avenue, continuing on the line forming the northeastern boundary of Lots 61/69, 70, 71 and 72, Block 4421, crossing Primrose Avenue and continuing on the line forming the northeastern boundary of Lots 1, 2 and 2A/2B, Block 4421-B, to a point of intersection with the northwestern boundary of said Lot 2A/2B; thence running in a southwesterly direction, binding on the northwestern boundary of said Lot 2A/2B, to a point of intersection with the northeastern boundary of Lot 2C, Block 4421-B; thence running in a northwesterly direction, binding on the northeastern boundary of said Lot 2C, crossing Glen Avenue, to a point of intersection with the northwestern right-of-way line of said Glen Avenue; thence running in a northeasterly direction, binding on the northwestern right-of-way line of said Glen Avenue to a point of intersection with the northeastern boundary of Lots 27/28, Block 4312-A;

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1 thence running in a northwesterly direction, binding on the northeastern boundary
2 of said Lot 27/28 and crossing Menlo Drive, to a point of intersection with the
3 southeastern boundary of Lot 1, Block 4306-B; thence running in a northeasterly
4 direction, binding on the southeastern boundary of said Lot 1, to a point of
5 intersection with the northeastern boundary of Lots 1 and 2/3; thence running in a
6 northwesterly direction, binding on the northeastern boundary of said Lots 1 and
7 2/3, to a point of intersection with the northwestern boundary of Lot 2/3; thence
8 running in a southwesterly direction, binding on the northwestern boundary of Lot
9 2/3, to a point of intersection with the northeastern boundary of Lot 4/5, Block
10 4306-B; thence running in a northwesterly direction, binding on the northeastern
11 boundary of said Lot 4/5, to a point of intersection with the center line of Pinkney
12 Avenue; thence running in a southwesterly direction, binding on the center line of
13 said Pinkney Avenue, to a point of intersection with an extended straight line of
14 the northeastern boundary of Lot 1, Block 4306-A;

15 thence running in a northwesterly direction, binding on the northeastern boundary
16 of said Lot 1, to a point of intersection with the southeastern boundary of Lot 1A,
17 Block 4306-A; thence running in a northeasterly direction, binding on the
18 southeastern boundary of said Lot 1A, to a point of intersection with the
19 northeastern boundary of said Lot 1A; thence running in a northwesterly
20 direction, binding on the northeastern boundary of said Lot 1A, crossing
21 Rosecrest Avenue, and continuing on the northeastern boundary of Lot 1B, Block
22 4306-A, to a point of intersection with the southeastern boundary of Lots 2/3,
23 Block 4306-A; thence running in a northeasterly direction, binding on the
24 southeastern boundary of said Lots 2/3, to a point of intersection with the
25 northeastern boundary of Lots 2/3 and 4; thence running in a northwesterly,
26 westerly and northwesterly direction binding on the northeastern boundary of said
27 Lots 2/3 and 4, crossing Strathmore Avenue, to a point of intersection with the
28 northwestern right-of-way line of said Strathmore Avenue;

29 thence running in a southwesterly direction, binding on the northwestern right-of-
30 way line of said Strathmore Avenue, to a point of intersection with the
31 northeastern boundary of Lot 28A, Block 4299; thence running in a northwesterly
32 direction, binding on the northeastern boundary of said Lot 28A, to a point of
33 inter- section with the southeastern boundary of Lots 32/33, Block 4299; thence
34 running in a northeasterly direction, binding on the southeastern boundary of said
35 Lots 32/33, to a point of inter- section with the northeastern boundary of Lots
36 32/33; thence running in a northwesterly direction, binding on the northeastern
37 boundary of Lots 32/33, to a point of intersection with the north- western
38 boundary of Lots 32/33; thence running in a southwesterly direction, binding on
39 the northwestern boundary of Lots 32/33, to a point of intersection with the
40 northeastern right-of-way line of Reisterstown Road; thence running in a
41 northwesterly direction, binding on the northeastern right-of-way line of said
42 Reisterstown Road, crossing Fordleigh Road, and continuing to a point of inter-
43 section with the southeastern boundary of Lots 33A/33G, Block 4299;

44 thence running in a northeasterly direction, binding on the southeastern boundary
45 of said Lots 33A/33G, to a point of intersection with the northeastern boundary of
46 Lots 33A/33G; thence running in a northwesterly direction, binding on the
47 northeastern boundary of Lots 33A/33G, to a point of intersection with the
48 southeastern boundary of Lots 34B and 34C, Block 4299; thence running in a

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1 southwesterly direction, binding on the southeastern boundary of said Lots 34B
2 and 34C, to a point of intersection with the southwestern boundary of Lot 34B;
3 thence running in a northwesterly direction, binding on the southwestern
4 boundary of Lot 34B, crossing Fords Lane, and continuing to a point of
5 intersection with the southeastern boundary of Lot 11, Block 4293; thence
6 running in a southwesterly direction, binding on the southeastern boundary of said
7 Lot 11, to a point of intersection with the northeastern boundary of Lot 11A,
8 Block 4293; thence running in a northwesterly direction, binding on the
9 northeastern boundary line of said Lot 11A, to a point of intersection with the
10 northwestern boundary of Lot 11, Block 4293; thence running in a northeasterly
11 direction, binding on the northwestern boundary of said Lot 11, to a point of
12 intersection with the northeastern right-of-way line of the first 16' alley; thence
13 running in a northwesterly direction, binding on the northeastern right-of-way line
14 of said 16 foot alley, crossing Bancroft Road and continuing to a point of
15 intersection with the southeastern boundary of Lot 13, Block 4293; thence
16 running in a northeasterly direction, binding on the southeastern boundary line of
17 said Lot 13, to a point of intersection with the line forming the northeastern
18 boundary of Lots 13 and 14/15, Block 4293; thence running in a northwesterly,
19 southwesterly and northwesterly direction, binding on the northeastern boundary
20 line of said Lots 13 and 14/15, to a point of intersection with the southeastern
21 boundary of Lot 17, Block 4293; thence running in a northeasterly direction,
22 binding on the southeastern boundary of said Lot 17, to a point of inter- section
23 with the northeastern boundary of Lot 17; thence running in a northwesterly
24 direction, binding on the northeastern boundary of Lot 17, crossing Clarks Lane,
25 to a point of intersection with the northwestern right-of-way line of said Clarks
26 Lane;

27 thence running in a southwesterly direction, binding on the northwestern right-of-
28 way line of Clarks Lane, to a point of intersection with the northeastern right-of-
29 way line of the first 15' alley; thence running in a northwesterly direction, binding
30 on the northeastern right-of-way line of said 15' alley, crossing Clarinth Road, to
31 a point of intersection with the northwestern right-of-way line of said Clarinth
32 Road; thence running in a southwesterly direction, binding on the northwestern
33 right-of-way line of Clarinth Road, to a point of intersection with the
34 southwestern boundary of Lot 85B, Block 4218-J; thence running in a
35 northwesterly direction, binding on the southwestern boundary of said Lot 85B,
36 crossing the second 15' alley, to a point of intersection with the northwestern right
37 of-way line of said 15' alley;

38 thence running in a southwesterly direction, binding on the northwestern right-of-
39 way line of said 15' alley, to a point of intersection with the northeastern
40 boundary of Lot 70, Block 4218-J; thence running in a northwesterly direction,
41 binding on the northeastern boundary of said Lot 70, crossing Brookhill Road,
42 continuing on the northeast boundary of Lot 48/49, Block 4218-J and crossing the
43 third 15' alley, to a point of intersection with the northwestern right-of-way line of
44 said 15' alley; thence running in a northeasterly direction, binding on the
45 northwestern right-of-way line of said 15' alley, to a point of intersection with the
46 southwestern boundary of Lot 23, Block 4218-J; thence running in a
47 northwesterly direction, binding on the southwestern boundary of said Lot 23, to a
48 point of intersection with the northwestern right-of-way line of the first 20' alley;

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1 thence running in a southwesterly direction, binding on the northwestern
2 boundary of said 20' alley, to a point of intersection with the northeastern
3 boundary of Lot 26, Block 4218-J; thence running in a northwesterly direction,
4 binding on the northeastern boundary of said Lot 26, to a point of intersection
5 with the southeastern right-of-way line of Labyrinth Road; thence running in a
6 northwesterly direction, crossing Labyrinth Road to a point of intersection with
7 the northwestern right-of-way line of Labyrinth Road and the common boundary
8 of Lots 30 and 31, Block 4218-D; thence running in a northwesterly direction and
9 binding on said common boundary line to a point of intersection with the
10 southeastern right-of-way line of the first 15' alley; thence running in a
11 southwesterly direction, binding on the southeastern right-of-way line of said 15'
12 alley, to the point of intersection with the northeastern right-of-way line of
13 Reisterstown Road;

14 thence running in a northwesterly direction, binding on the northeastern right-of-
15 way line of said Reisterstown Road, to a point of intersection with the
16 southeastern boundary line of lot 24, block 4218-d; thence running in a
17 northeasterly direction and binding on said southeastern boundary line of lot 24,
18 to a point of intersection with the centerline of the first 16' alley; thence running
19 in a northerly direction, binding on the centerline of said 16' alley, to the
20 centerline of Fallstaff Road; thence running in a westerly direction, binding on the
21 centerline of said Fallstaff Road, to a point of intersection with an extended
22 straight line of the eastern boundary of lot 90, block 4218-c; thence binding on
23 said extended straight line and the eastern boundary of said lot 90 to a point of
24 intersection with the centerline of the first 16' alley; thence running in a westerly
25 and northwesterly direction, binding on the centerline of said 16' alley, to the
26 point of intersection with the western Baltimore City boundary line; thence
27 running in a southerly direction, binding on said Baltimore City boundary line, to
28 a point of intersection with the northwestern right-of-way line of the first 16'
29 alley; thence running northeasterly, binding on the northwestern right-of-way line
30 of said 16' alley, to a point of intersection with the southwestern right-of-way line
31 of Reisterstown Road; thence running southeasterly, binding on the southwestern
32 right-of-way line of said Reisterstown Road to a point of intersection with an
33 extended straight line of the southeastern right-of-way line of the first 16' alley;
34 thence running in a southwesterly direction, binding on the southeastern right-of-
35 way line of said 16' alley, to a point of intersection with the southwestern
36 boundary of Lot 175/197, Block 4257; thence running in a southeasterly
37 direction, binding on the southwestern boundary of said Lot 175/197, crossing
38 Labyrinth Road, and continuing in a southeasterly direction, binding on the
39 southwestern boundary of Lot 1/13, Block 4257, to a point of intersection with
40 the northwestern right-of-way line of Brookhill Road; thence running in a
41 southwesterly direction, binding on the northwestern right-of-way line of said
42 Brookhill Road to the point of beginning;

43 except for the area bounded by the following: beginning for the same at the point
44 of intersection formed by the southwestern right-of-way line of Villa Place and
45 the southeastern boundary of Lots 89 and 90, Block 4276-C; thence running in a
46 southwesterly direction, binding on the southeastern boundary of said Lots 89 and
47 90, to a point of intersection with the northeastern right-of-way line of Oakleaf
48 Avenue; thence running in a southeasterly direction, binding on the northeastern
49 right-of-way line of said Oakleaf Avenue, crossing Fords Lane and Kenshaw

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1 Avenue to a point of intersection with the northwestern boundary of Lot 112,
2 Block 4281; thence running in a northeasterly direction, binding on the
3 northwestern boundary of said Lot 112, to a point of intersection with the
4 northeastern boundary of Lot 112; thence running in a southeasterly direction,
5 binding on the northeastern boundary of Lot 112, to a point of intersection with
6 the northwestern right-of-way line of the first 10' alley; thence running in a
7 northeasterly direction, binding on the northwestern right-of-way line of said 10'
8 alley, to a point of intersection with the northeastern boundary of Lot 57, Block
9 4281; thence running in a northwesterly direction, binding on the northeastern
10 boundary of said Lot 57, crossing Fordleigh Road, to a point of intersection with
11 the northwestern right-of-way line of said Fordleigh Road; thence running in a
12 northeasterly direction, binding on the northwestern right-of-way line of
13 Fordleigh Road, to a point of intersection with the southwestern boundary of Lots
14 79 and 80, Block 4281; thence running in a northwesterly direction, binding on
15 the southwestern boundary of said Lots 79 and 80, crossing Kenshaw Avenue to a
16 point of intersection with the northwestern right-of-way line of said Kenshaw
17 Avenue; thence running in a southwesterly direction, binding on the northwestern
18 right-of-way line of Kenshaw Avenue, to a point of intersection with the
19 northeastern boundary of Lot 41, Block 4276-A;

20 thence running in a northwesterly direction, binding on the northeastern boundary
21 of said Lot 41, to a point of intersection with the southeastern boundary of Lots
22 8/11, Block 4276-A; thence running in a southwesterly direction, binding on the
23 southeastern boundary of said Lots 8/11, to a point of intersection with the
24 northeastern boundary of Lots 12/14, Block 4276-A; thence running in a
25 northwesterly direction binding on the northeastern boundary of said Lots 12/14,
26 crossing Fords Lane, to a point of intersection with the northwestern right-of-way
27 line of said Fords Lane; thence running in a southwesterly direction binding on
28 the northwestern right-of-way line of Fords Lane, crossing Villa Place, to a point
29 of intersection with the southwestern right-of-way line of said Villa Place; thence
30 running in a northwesterly direction, binding on the southwestern right-of-way
31 line of Villa Place, to the point of beginning.

32 2. Objectives and Reasons for the Various Provisions of this Plan

- 33 a. to promote high quality transit oriented development. See Appendix A:
34 Design Standards for more detailed goals.
- 35 b. to improve the quality and mix of uses along Reisterstown Road.
- 36 c. to improve the aesthetics along Reisterstown Road. See Appendix A: Design
37 Standards for more detailed goals.
- 38 d. to facilitate the development of a modern business park.

39 B. Land Use Plan

40 1. Permitted Land Uses

41 Only the use categories shown on the Land Use Plan Map, Exhibit No. 1, shall be
42 permitted within the Project Area. These are Residential, Office-Residential,

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1 Neighborhood Business, Community Business, Community Commercial, and
2 Industrial. In addition, certain uses, for the most part mixed uses, will be
3 permitted to continue subject to the provisions governing nonconforming and
4 noncomplying uses set forth in Sections B.1.i. and j. below:

5 a. Residential

6 In the areas designated Residential on the Land Use Plan Map, only those uses
7 allowed in the Residential category of the Zoning Code of Baltimore City
8 shall be permitted. The Zoning Map, Exhibit 2, indicates the applicable
9 Zoning Districts.

10 b. Office-Residential

11 In the areas designated Office-Residential on the Land Use Plan Map, only
12 those uses allowed in the Zoning Code of Baltimore City for the respective
13 zoning district (O-R-1 or O-R-2) shall be permitted; except that the following
14 uses shall not be permitted: the public utility uses of antenna towers and
15 microwave relay towers and installations for communications transmission or
16 receiving when free-standing or when they extend higher than 15 feet above
17 the building on which they are mounted; clinics: health care; community
18 correction centers; convents, seminaries and monasteries; fraternity and
19 sorority houses; hospitals; non-profit clubs and lodges; ~~nonprofit homes for
20 the rehabilitation of non-bedridden alcoholic persons and for the care and
21 custody of homeless persons;~~ parole and probation field offices; repeater,
22 transformer, pumping, booster, switching, conditioning, regulating stations,
23 and other such installations; rooming and boarding houses for three or more
24 roomers.

25 c. Neighborhood Business

26 In the area designated Neighborhood Business on the Land Use Plan Map,
27 only those uses allowed in the B-1 category of the Zoning Code of Baltimore
28 City shall be permitted.

29 d. Community Business

30 In the areas designated Community Business on the Land Use Plan Map, only
31 those uses allowed in the B-2 category of the Zoning Code of Baltimore City
32 shall be permitted; except that the following uses shall not be permitted:
33 clinics: health care; clubs and lodges; community correction centers;
34 convents, seminaries, and monasteries; drive-in restaurants; fraternity and
35 sorority houses; hospitals; meeting and banquet halls; newspaper distribution
36 agencies; parole and probation field offices; pawn shops; pool halls and
37 billiard parlors; rooming and boarding houses; undertaking establishments and
38 funeral parlors. The following uses shall not be permitted except as accessory
39 uses to department stores having a floor area of at least 60,000 square feet:
40 ~~automobile accessory stores – including related repair and installation
41 services;~~ automobile service stations; and garages for storage, repair, and
42 servicing of motor vehicles. The following uses shall be conditional by

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1 ordinance: automobile accessory stores – including related repair and
2 installation services.

3 e. Community Business “A”

4 In the areas designated Community Business “A” on the Land Use Plan Map,
5 only those uses allowed in the B-2 category of the Zoning Code of Baltimore
6 City shall be permitted; except that the following uses shall not be permitted:
7 apartment hotels; blood donor centers; bowling establishments; bus and transit
8 turnarounds; check cashing agencies; clinics: health care; clubs and lodges:
9 private nonprofit; department stores; employment agencies; fraternity and
10 sorority houses: off-campus; hotels and motels; liquor stores: package goods;
11 parking, off-street garages, other than accessory, for the parking of 4 or more
12 motor vehicles; post offices; radio and television stations and studios;
13 recording studios; rooming houses; skating rinks; swimming pools; taverns;
14 and undertaking establishments and funeral homes.

15 f. Community Commercial

16 In areas designated Community Commercial on the Land Use Plan Map, only
17 those uses allowed in the B-3 category of the Zoning Code of Baltimore City
18 shall be permitted.

19 g. Community Commercial “A”

20 In areas designated Community Commercial “A” on the Land Use Plan Map,
21 only those uses allowed in the B-3 category of the Zoning Code of Baltimore
22 City shall be permitted; except that the following uses shall not be permitted:
23 after-hours establishments; ambulance service; amusement parks and
24 permanent carnivals; automobile painting shops; cartage and express
25 facilities; feed stores; garages and lots for bus and transit vehicles; garages,
26 other than accessory, for storage, repair, and servicing of motor vehicles not
27 over 1½-ton capacity — including body repair, painting and engine
28 rebuilding; garages, other than accessory, for storage, repair, and servicing of
29 motor vehicles over 1½-ton capacity — not including body repair, painting,
30 and engine rebuilding; heliports; racetracks; restaurants: drive-in; stables for
31 horses; stadiums; taverns — including live entertainment and dancing;
32 theaters: drive-in; welding equipment and supplies: sales and service.

33 h. Industrial

34 In the areas designated Industrial on the Land Use Plan Map, only those uses
35 allowed in the Zoning Code of Baltimore City for the respective zoning
36 district (M-1 or M-2) shall be permitted.

37 i. Industrial “A”

38 (1) In the areas designated Industrial “A” on the Land Use Plan, only those
39 uses allowed in the M-1 category of the Zoning Code of Baltimore City
40 shall be permitted; except that the following uses shall not be permitted:
41 accessory or non-accessory radio and television antennas when free-

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1 standing or when they extend higher than 25 feet above the building on
2 which they are mounted, as well as the following public utility use:
3 antenna towers and microwave relay towers and installations for
4 communications transmission or receiving; atomic reactors; community
5 correction centers; contractor and construction shops; drug abuse
6 rehabilitation and treatment centers; extraction of gravel, sand, or other
7 raw materials; flammable liquids - manufacturing and storage - except as
8 an accessory use as defined in § 1-101 of the Zoning Code of Baltimore
9 City; gases, non-combustible and non-toxic - manufacturing and storage -
10 except as an accessory use as defined in § 1-101 of the Zoning Code of
11 Baltimore City; overhead power transmission lines; rubber products,
12 manufactured or processed from previously prepared materials.

13 (2) Notwithstanding the provisions of subparagraph (1) of this paragraph, at
14 5801 Metro Drive, a television receiving tower not exceeding 85 feet in
15 height, including related telecommunications equipment (satellite dishes)
16 shall be allowed as a conditional use, subject to approval by the Board of
17 Municipal and Zoning Appeals. The tower is an accessory use to an
18 authorized business use in Seton Business Park and is for the exclusive
19 use of United Cable Company (now known as TCI Communications).
20 The tower shall be removed if it is no longer required for the operation of
21 the business or in the event the business vacates the premises.

22 (3) Notwithstanding the provisions of subparagraph (1) of this paragraph, at
23 6020 Marian Drive and 6151 Metro Drive, landscaping contracting offices
24 with accessory outdoor storage of landscape materials, supplies, and
25 equipment shall be allowed as a use under a Planned Unit Development, if
26 approved by separate ordinance.

27 j i. Nonconforming Use

28 A nonconforming use is any lawfully existing use of a building or other
29 structure or of land that does not conform to the applicable use regulations of
30 the district in which it is located, according to the Zoning Code of Baltimore
31 City. Nonconforming uses shall be permitted to continue subject to the
32 provisions of Title 13, titled "Nonconformance".

33 k j. Noncomplying Structure

34 A noncomplying structure, as set forth in Title 13 of the Zoning Code, is any
35 lawfully existing structure that does not comply with the bulk regulations of
36 the zoning district in which it is located. These noncomplying structures shall
37 be permitted to continue subject to the provisions of Title 13.

38 In addition, a noncomplying use - when such term is used - is any lawfully
39 existing use of a building or other structure or of land, which does not comply
40 with the land use regulations of this Plan. These noncomplying uses shall be
41 permitted to continue for an indefinite period of time, except that:

42 (1) Any noncomplying land use that is discontinued for a period exceeding 12
43 months shall not be reestablished.

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1 (2) No change in the permanent physical members of a structure, such as
2 bearing walls, columns, beams, or girders, or no substantial change in the
3 roof or in the exterior walls shall be made in or to a building or structure
4 except those required by law or except to make the building and use
5 thereof conform to the regulations of this Plan.

6 (3) No noncomplying land use shall be changed to any other noncomplying
7 land use.

8 2. Planned Unit Developments

9 Such other uses are permitted in certain portions of the Urban Renewal Area that
10 are now or may later be subject to any Planned Unit Development (“PUD”),
11 created pursuant to the Zoning Code of Baltimore City. To the extent there exists
12 any conflict between the provisions of this Renewal Plan and the standards and
13 controls of any Planned Unit Development legislation approved by the Mayor and
14 City Council (“PUD”), where there are standards and controls contained in the
15 PUD that are not contained in the Renewal Plan, the standards and controls of the
16 PUD, including, without limitation, those affecting use, parking, access, aesthetic
17 and specific lot controls, and bulk regulations, control.

18 C. Techniques Used to Achieve Plan Objectives

19 1. Review of Development

20 The Department of Housing and Community Development has the right to review
21 all plans for new construction, exterior rehabilitation, change in use, or demolition
22 on any property. In reviewing these plans, the Commissioner of the Department
23 of Housing and Community Development shall be concerned with design aspects
24 contained in this Plan.

25 2. Zoning

26 All appropriate provisions of the Zoning Code of Baltimore City shall apply to
27 properties in the area. In order to execute the Urban Renewal Plan, zoning district
28 changes, as designated on Exhibit 2, Zoning District Map, will be required.
29 Action to this effect will be initiated during the execution of the Plan.

30 D. Duration of Provisions and Requirements

31 The Reisterstown Plaza Transit Station Urban Renewal Plan, as it may be amended
32 from time to time, shall be in effect for a period of 40 years following the date of
33 original adoption of this Plan by Ordinance of the Mayor and City Council of
34 Baltimore.

35 E. Separability

36 In the event it be judicially determined that any word, phrase, clause, sentence,
37 paragraph, section or part in or of this Plan, or the application thereof to any person or
38 circumstances is invalid, the remaining provisions and the application of such
39 provisions or circumstances shall not be affected thereby, it being hereby declared

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1 that the remaining provisions of the Plan without the word, phrase, clause, sentence,
2 paragraph, section or part, or the application thereof, so held invalid, would have
3 been adopted and approved.

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Appendix A: Design Standards

A. Design Review

The Department of Planning, on behalf on the Department of Housing, will review all exterior permits within the Urban Renewal Plan Area. All projects, defined as anything that requires a new use and occupancy permit and/or a new building permit, will be considered for potential Site Plan Review Committee (SPRC) review. For any project that is reviewed by SPRC, permits must match plans approved by SPRC. Depending on the scope/scale/visibility of the project, permits will be either reviewed by design staff or by the Department's Urban Design and Architectural Review Panel (UDARP). Permits will be reviewed according to the standards below, as well as for general design principles.

B. Transit Oriented Development

1. Location

These standards apply within the area identified on the map as "Transit Oriented Development Design Standards Area."

2. Goals

- a. Create higher density development in relation to the surrounding community.
- b. Provide a mix of land uses, horizontally and vertically.
- c. Orient building design towards the transit facility and streets.
- d. Incorporate pedestrian oriented design and streetscapes. Provide pedestrian spaces that are visually and materially distinct from automobile spaces.
- e. Provide pedestrian, bicycle, and vehicular links to adjacent neighborhoods.
- f. Facilitate pedestrian and bicycle access to and through sites. Connected street pattern without super-blocks and cul-de-sacs. Limited curb cuts.
- g. Provide public access to a system of quality open space and amenities, including Powder Mill Stream and the existing bio retention pond.
- h. Provide limited and managed automobile parking and promote transportation demand management strategies.
- i. Transform the character of Wabash Avenue from a highway to an urban boulevard.
- j. Further identify a hierarchy of streets, such as urban boulevards, major streets, minor streets, and access roads.
- k. Engage in sustainable development practices.

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1 3. Requirements

2 a. Street Pattern

3 (1) Streets must be established according to the street hierarchy chart below.
4 Sidewalks must be provided according to the chart below.

| | Max. Dist. Curb to Curb | Min. Sidewalk Width |
|--------------------------|---------------------------------------|---------------------|
| 5 Urban Boulevard | 76 feet, includes 12 feet min. median | 12 feet |
| 6 Major Streets | 40 feet | 12 feet |
| 7 Minor Streets | 30 feet | 8 feet |
| 8 Access Roads | 16 feet | 6 feet |

9 (2) All new streets must include parallel parking on both sides of the street, except
10 access roads. Waivers are permitted under certain circumstances; see Section j.

11 (3) The following street hierarchy applies to existing streets. Existing streets do not
12 need to meet the width and parallel parking requirements of new streets, but must
13 meet all other requirements.

- 14 • Wabash Avenue – Urban Boulevard
- 15 • Patterson Avenue – Access Road
- 16 • Metro Drive – Access Road
- 17 • Mt. Hope Drive – Access Road

18 (4) No dead end streets. Waivers are permitted under certain circumstances; see
19 Section j.

20 (5) Blocks must not be larger than 500 feet by 300 feet. Waivers are permitted under
21 certain circumstances; see Section j.

22 b. Density

23 All new development must have a minimum of 3 stories, except accessory uses
24 developed in conjunction with primary site development.

25 c. Site Plan

26 (1) The major building entry must be oriented in the general direction of the transit
27 station to facilitate pedestrian access to the building.

28 (2) The major building entry must be pedestrian friendly and include entrance
29 features, entrance plaza, plantings, and signage.

30 (3) The majority of the building must be built to the property line along urban
31 boulevards and major streets. Waivers are permitted under certain circumstances;
32 see Section j.
33
34

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- 1 (4) Curb cuts are prohibited on urban boulevards.
- 2 (5) Crosswalks must be provided at all intersections.
- 3 d. Uses
- 4 Active uses are required on the first floor along urban boulevards, major streets, and
5 Powder Mill Run Stream. Active uses are uses that are open to the public, at a
6 minimum, between 9:00 a.m. and 4:00 p.m. Waivers are permitted under certain
7 circumstances; see Section j.
- 8 e. Amenities
- 9 (1) Street trees must be provided on both sides of all streets, except access roads.
10 Trees must be no more than 30 feet apart on center.
- 11 (2) Pedestrian scale lighting must be provided on both sides of all streets. Light poles
12 must be no more than 60 feet apart.
- 13 (3) Other pedestrian amenities, such as benches and bike racks, must be provided as
14 appropriate.
- 15 (4) At least 50 feet along each side of Powder Mill Run Stream must be maintained
16 as a public amenity.
- 17 (5) Within the 50-foot public space along Powder Mill Run Stream, at least a 12-foot
18 pedestrian/bicycle path along the west side of the stream with at least 2 access
19 corridors to link to streets must be provided.
- 20 (6) A pedestrian plaza where the stream goes underground at Wabash Avenue must
21 be provided.
- 22 (7) Existing trees in areas designated on the map, along Patterson Avenue and the
23 historic seminary driveway, must be preserved as required by the Department of
24 Planning.
- 25 (8) All public spaces must include pedestrian access, bicycle access, pedestrian scale
26 lighting, and landscaping.
- 27 f. Elevations
- 28 The majority of the first floor must be glazed along urban boulevards, major streets,
29 and Powder Mill Run Stream. Waivers are permitted under certain circumstances;
30 see Section j.
- 31 g. Screening
- 32 (1) No fences are permitted on urban boulevards or major streets. Waivers are
33 permitted under certain circumstances; see Section j.
- 34 (2) No chain link fences are permitted.

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- 1 (3) All fences must be black, except for single family homes.
- 2 (4) Parking, service areas, and mechanical/electrical equipment must be screened or
3 integrated into facility design, at ground or roof top.
- 4 h. Signage
- 5 Signage must meet the following requirements in addition to (not instead of) zoning
6 requirements.
- 7 (1) Rooftop signs, signs on rooftop mechanical enclosures, or advertising billboards
8 are not allowed.
- 9 (2) Pylon or free-standing signs are allowed provided they do not block pedestrian
10 flow, are no higher than 12 feet, and are sited within a landscaped setting or
11 pedestrian plaza.
- 12 (3) Overhanging signs are allowed provided they are no larger than 12 square feet in
13 area, project no more than 4 feet from a building face and are located below 12
14 feet above grade or second floor window sills, where they exist.
- 15 (4) Fabric awnings are allowed and encouraged above first floor windows and
16 entrance doors. Signage may be incorporated with their design.
- 17 (5) Flat signs are allowed provided they do not exceed 2 feet times the width of the
18 use frontage, are located above storefront windows, and are placed below 12 feet
19 above grade or second floor window sills, where they exist.
- 20 i. Parking
- 21 (1) The minimum number of required parking spaces is based on the Zoning Code.
22 The maximum number of parking spaces is 10% more than required by zoning.
23 Waivers are permitted under certain circumstances; see Section j.
- 24 (2) Surface parking lots are not allowed to exceed 100 parking spaces.
- 25 (3) Surface parking lots must be landscaped, including pedestrian walks at the
26 perimeter and between aisles.
- 27 (4) Surface parking lots are not allowed along urban boulevards or major streets.
- 28 (5) Surface parking lots must provide for their own storm water run off treatment for
29 quality and quantity.

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1 j. Waivers

2 (1) The Department of Planning, on behalf of the Department of Housing and
3 Community Development, may waive certain requirements as noted above for
4 one of the following reasons:

5 (i) A regulation directly violates or is in conflict with other federal, state or
6 municipal regulations associated with a specific use that a development
7 project under consideration must meet.

8 (ii) The Director of Planning, with input from SPRC and/or UDARP, determines
9 that for a particular project a particular regulation undermines the goals
10 established above and that the project meets the Goals in other manners.

11 C. Reisterstown Road Commercial Corridor

12 1. Location

13 These standards apply within the area identified on the map as “Reisterstown Road
14 Commercial Corridor Design Standards Area.”

15 2. Goals

16 a. Create a safer and more visually appealing streetscape setting for pedestrians and
17 motorists traveling on Reisterstown Road through reduced clutter, more landscaping,
18 more organized parking, etc.

19 b. Create a more pedestrian friendly environment along Reisterstown Road through
20 ample sidewalks, minimal curb cuts, shade trees, and pedestrian amenities, such as
21 benches and trash cans.

22 c. Encourage economic development through a mix of land uses.

23 d. Create a more consistent development pattern. For example, in areas where 2 or
24 more buildings adjoin each other, similar features and details should be used on all
25 individual businesses. These features include awnings with similar styles and/or
26 colors.

27 3. Requirements

28 a. Pedestrian Oriented Streetscapes:

29 (1) A 6-foot, clear sidewalk must be provided along Reisterstown Road.

30 (2) Footways adjacent to all properties must be maintained in a manner consistent
31 with applicable Baltimore City codes. In addition, as repairs and replacement of
32 footways are required, footways must be repaired or replaced in a manner that is
33 compatible with the materials, design, and finish of adjacent footway surfaces.

34 (3) Driveways that cross footways must be the same material as the footway.

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1 (4) Between the sidewalk and the parking lot or building, a minimum 4-foot
2 landscape strip must be provided. Landscape treatment encompasses the planting
3 of any, all, or a combination of the following: trees, shrubs, ground cover, grass,
4 flowers.

5 (5) Curb cuts shall be a maximum of 30 feet wide.

6 b. Buildings:

7 (1) Building facades must address Reisterstown Road with entrances, glazing, and
8 architectural detail.

9 (2) Building facades along Reisterstown Road must have a minimum of 30%
10 transparent glazing.

11 (3) Areas of solid wall over 10 feet in length and facing a street must be screened
12 with landscaping.

13 (4) Wall materials facing public streets must be masonry faced.

14 c. Parking Lots

15 (1) All parking lots shall be paved with a dust-free surface.

16 (2) All parking lots must be screened along Reisterstown Road, streets, and adjacent
17 property lines. Screening must be done by way of landscaping and/or fences.

18 (i) The use of landscaping as screening must include trees.

19 (ii) The maximum height for fences or shrubs along streets is 42 inches.

20 (iii) Fences along streets must be metal picket.

21 (iv) Fences along property lines may be metal picket or board on board.

22 (v) Chain link fence is prohibited.

23 (3) With the exception of cars for sale, all cars must be parked in clearly designated
24 striped parking spaces.

25 d. Signage:

26 (1) Flat signs

27 (i) All flat signs shall be attached to and placed parallel to the building face and
28 shall not project more than 12 inches from the surface of the building and
29 shall not exceed in area 3 times the width in feet of the facade of the building.
30 Signs on the sides of buildings shall be calculated separately at the same rate,
31 except that no side sign may be larger than the front sign for the same
32 building.

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1 (ii) The top edge of flat signs must be below the second floor window sills or 13
2 feet above grade level, whichever is lower. The bottom edge of the sign must
3 be 10 feet above grade level.

4 (iii) The primary sign for a shop may be painted or be applied directly to the show
5 window where no other sign is being used on the front of the building.
6 Painted signs on building surfaces shall be in accordance with the above limits
7 for flat signs.

8 (2) Free Standing/Pole Signs

9 (i) New freestanding signs are permitted only if they include a planter or
10 landscaping, do not exceed 16 feet in height and 48 square feet in area for
11 each face.

12 (ii) Freestanding signs shall not project in to the public right-of-way.

13 (iii) Only one freestanding sign is permitted per property as described above.

14 (3) Overhanging Signs/Awnings

15 (i) Overhanging signs shall not be allowed on buildings.

16 (ii) Painted or inlaid signs on cloth awnings are permitted.

17 (4) General

18 (i) Existing signs may remain, provided they have proper permits.

19 ~~(ii) Flags and banners shall only be used for grand opening events and shall not be~~
20 ~~posted for more than 30 days. No other temporary signs are permitted.~~

21 (ii) ~~(iii)~~ All signs must be properly maintained. Scaling paint, missing or unlit
22 letters, and broken, faded or cracked signs must be repaired or replaced or the
23 entire sign must be removed. Existing unused signs and hardware shall be
24 removed.

25 (iii) ~~(iv)~~ Non-illuminated secondary flat signs shall be permitted only for
26 businesses located on upper floors.

27 (iv) ~~(v)~~ Flashing, moving, and roof top signs are not permitted.

28 e. General:

29 (1) No materials shall be stored or permitted to remain outside buildings. No waste-
30 materials, refuse or garbage shall be permitted to remain outside buildings except
31 as permitted by the Baltimore City regulations regarding containers for garbage;
32 the areas for such containers shall be properly screened.

33 (2) Sites adjacent to residential zones shall use fencing and landscaping to buffer
34 between the uses.

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1 (3) Exterior ventilation equipment or any mechanical equipment placed outside of a
2 building, including on the roof, shall be effectively screened.

3 **SECTION 4. AND BE IT FURTHER ORDAINED**, That the Urban Renewal Plan for Reisterstown
4 Plaza Transit Station, identified as “Urban Renewal Plan, Reisterstown Plaza Transit Station”,
5 including Exhibit 1, “Land Use Plan”, dated “~~January 26~~ August 10, 2009”, Exhibit 2, “Zoning”,
6 dated “~~January 26~~ August 10, 2009”, Exhibit 3, “Design Standards”, dated “~~January 26~~ August
7 10, 2009”, and Appendix A, is approved, and the Clerk of the City Council is directed to file a
8 copy of the Renewal Plan with the Department of Legislative Reference as a permanent public
9 record and to make the same available for public inspection and information.

10 **SECTION 5. AND BE IT FURTHER ORDAINED**, That if the Urban Renewal Plan approved by
11 this Ordinance in any way fails to meet the statutory requirements for the content of a renewal
12 plan or for the procedures for the preparation, adoption, and approval of a renewal plan, those
13 requirements are waived and the Urban Renewal Plan approved by this Ordinance is exempted
14 from them.

15 **SECTION 6. AND BE IT FURTHER ORDAINED**, That if any provision of this Ordinance or the
16 application of this Ordinance to any person or circumstance is held invalid for any reason, the
17 invalidity does not affect any other provision or any other application of this Ordinance, and for
18 this purpose the provisions of this Ordinance are declared severable.

19 **SECTION 7. AND BE IT FURTHER ORDAINED**, That if a provision of this Ordinance concerns
20 the same subject as a provision of any zoning, building, electrical, plumbing, health, fire, or
21 safety law or regulation, the applicable provisions shall be construed to give effect to each.
22 However, if the provisions are found to be in irreconcilable conflict, the one that establishes the
23 higher standard for the protection of the public health and safety prevails. If a provision of this
24 Ordinance is found to be in conflict with an existing provision of any other law or regulation that
25 establishes a lower standard for the protection of the public health and safety, the provision of
26 this Ordinance prevails and the other conflicting provision is repealed to the extent of the
27 conflict.

28 **SECTION 8. AND BE IT FURTHER ORDAINED**, That this Ordinance takes effect on the date it
29 is enacted.

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Certified as duly passed this _____ day of _____, 20__

President, Baltimore City Council

Certified as duly delivered to Her Honor, the Mayor,
this _____ day of _____, 20__

Chief Clerk

Approved this _____ day of _____, 20__

Mayor, Baltimore City