

**CITY OF BALTIMORE
COUNCIL BILL 09-0278
(First Reader)**

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

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Board of Municipal and Zoning Appeals, Planning Commission, Department of Housing and Community Development, Department of Public Works, Baltimore Development Corporation, Baltimore City Parking Authority Board, Department of Transportation

A BILL ENTITLED

1 AN ORDINANCE concerning

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

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

18 BY authority of
19 Article 13 - Housing and Urban Renewal
20 Section 2-6
21 Baltimore City Code
22 (Edition 2000)

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25 Area, and last amended by Ordinance 01-254, is repealed.

26
27 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the area known as Reisterstown Plaza
28 Transit Station, as more particularly described in Section 3, is established.

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

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

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,

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

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

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

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

40 B. Land Use Plan

41 1. Permitted Land Uses

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1 Only the use categories shown on the Land Use Plan Map, Exhibit No. 1, shall be
2 permitted within the Project Area. These are Residential, Office-Residential,
3 Neighborhood Business, Community Business, Community Commercial, and
4 Industrial. In addition, certain uses, for the most part mixed uses, will be
5 permitted to continue subject to the provisions governing nonconforming and
6 noncomplying uses set forth in Sections B.1.i. and j. below:

7 a. Residential

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

12 b. Office-Residential

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

27 c. Neighborhood Business

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

31 d. Community Business

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

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1 services; automobile service stations; and garages for storage, repair, and
2 servicing of motor vehicles.

3 e. Community Commercial

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

7 f. Community Commercial “A”

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

21 g. Industrial

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

25 h. Industrial “A”

26 (1) In the areas designated Industrial “A” on the Land Use Plan, only those
27 uses allowed in the M-1 category of the Zoning Code of Baltimore City
28 shall be permitted; except that the following uses shall not be permitted:
29 accessory or non-accessory radio and television antennas when free-
30 standing or when they extend higher than 25 feet above the building on
31 which they are mounted, as well as the following public utility use:
32 antenna towers and microwave relay towers and installations for
33 communications transmission or receiving; atomic reactors; community
34 correction centers; contractor and construction shops; drug abuse
35 rehabilitation and treatment centers; extraction of gravel, sand, or other
36 raw materials; flammable liquids - manufacturing and storage - except as
37 an accessory use as defined in § 1-101 of the Zoning Code of Baltimore
38 City; gases, non-combustible and non-toxic - manufacturing and storage -
39 except as an accessory use as defined in § 1-101 of the Zoning Code of
40 Baltimore City; overhead power transmission lines; rubber products,
41 manufactured or processed from previously prepared materials.

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

10 (3) Notwithstanding the provisions of subparagraph (1) of this paragraph, at
11 6020 Marian Drive and 6151 Metro Drive, landscaping contracting offices
12 with accessory outdoor storage of landscape materials, supplies, and
13 equipment shall be allowed as a use under a Planned Unit Development, if
14 approved by separate ordinance.

15 i. Nonconforming Use

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

21 j. Noncomplying Structure

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

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

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

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

37 (3) No noncomplying land use shall be changed to any other noncomplying
38 land use.

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2. Planned Unit Developments

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

C. Techniques Used to Achieve Plan Objectives

1. Review of Development

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

2. Zoning

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

D. Duration of Provisions and Requirements

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

E. Separability

In the event it be judicially determined that any word, phrase, clause, sentence, paragraph, section or part in or of this Plan, or the application thereof to any person or circumstances is invalid, the remaining provisions and the application of such provisions or circumstances shall not be affected thereby, it being hereby declared that the remaining provisions of the Plan without the word, phrase, clause, sentence, paragraph, section or part, or the application thereof, so held invalid, would have 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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3. Requirements

a. Street Pattern

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

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

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

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

- Wabash Avenue – Urban Boulevard
- Patterson Avenue – Access Road
- Metro Drive – Access Road

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

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

b. Density

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

c. Site Plan

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

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

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

- (4) Curb cuts are prohibited on urban boulevards.

- (5) Crosswalks must be provided at all intersections.

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1 d. Uses

2 Active uses are required on the first floor along urban boulevards, major streets, and
3 Powder Mill Run Stream. Active uses are uses that are open to the public, at a
4 minimum, between 9:00 a.m. and 4:00 p.m. Waivers are permitted under certain
5 circumstances; see Section j.

6 e. Amenities

7 (1) Street trees must be provided on both sides of all streets, except access roads.
8 Trees must be no more than 30 feet apart on center.

9 (2) Pedestrian scale lighting must be provided on both sides of all streets. Light poles
10 must be no more than 60 feet apart.

11 (3) Other pedestrian amenities, such as benches and bike racks, must be provided as
12 appropriate.

13 (4) At least 50 feet along each side of Powder Mill Run Stream must be maintained
14 as a public amenity.

15 (5) Within the 50-foot public space along Powder Mill Run Stream, at least a 12-foot
16 pedestrian/bicycle path along the west side of the stream with at least 2 access
17 corridors to link to streets must be provided.

18 (6) A pedestrian plaza where the stream goes underground at Wabash Avenue must
19 be provided.

20 (7) Existing trees in areas designated on the map, along Patterson Avenue and the
21 historic seminary driveway, must be preserved as required by the Department of
22 Planning.

23 (8) All public spaces must include pedestrian access, bicycle access, pedestrian scale
24 lighting, and landscaping.

25 f. Elevations

26 The majority of the first floor must be glazed along urban boulevards, major streets,
27 and Powder Mill Run Stream.

28 g. Screening

29 (1) No fences are permitted on urban boulevards or major streets. Waivers are
30 permitted under certain circumstances; see Section j.

31 (2) No chain link fences are permitted.

32 (3) All fences must be black, except for single family homes.

33 (4) Parking, service areas, and mechanical/electrical equipment must be screened or
34 integrated into facility design, at ground or roof top.

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1 h. Signage

2 Signage must meet the following requirements in addition to (not instead of) zoning
3 requirements.

4 (1) Rooftop signs, signs on rooftop mechanical enclosures, or advertising billboards
5 are not allowed.

6 (2) Pylon or free-standing signs are allowed provided they do not block pedestrian
7 flow, are no higher than 12 feet, and are sited within a landscaped setting or
8 pedestrian plaza.

9 (3) Overhanging signs are allowed provided they are no larger than 12 square feet in
10 area, project no more than 4 feet from a building face and are located below 12
11 feet above grade or second floor window sills, where they exist.

12 (4) Fabric awnings are allowed and encouraged above first floor windows and
13 entrance doors. Signage may be incorporated with their design.

14 (5) Flat signs are allowed provided they do not exceed 2 feet times the width of the
15 use frontage, are located above storefront windows, and are placed below 12 feet
16 above grade or second floor window sills, where they exist.

17 i. Parking

18 (1) The minimum number of required parking spaces is based on the Zoning Code.
19 The maximum number of parking spaces is 10% more than required by zoning.
20 Waivers are permitted under certain circumstances; see Section j.

21 (2) Surface parking lots are not allowed to exceed 100 parking spaces.

22 (3) Surface parking lots must be landscaped, including pedestrian walks at the
23 perimeter and between aisles.

24 (4) Surface parking lots are not allowed along urban boulevards or major streets.

25 (5) Surface parking lots must provide for their own storm water run off treatment for
26 quality and quantity.

27 j. Waivers

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

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

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

4 C. Reisterstown Road Commercial Corridor

5 1. Location

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

8 2. Goals

- 9 a. Create a safer and more visually appealing streetscape setting for pedestrians and
10 motorists traveling on Reisterstown Road through reduced clutter, more landscaping,
11 more organized parking, etc.
- 12 b. Create a more pedestrian friendly environment along Reisterstown Road through
13 ample sidewalks, minimal curb cuts, shade trees, and pedestrian amenities, such as
14 benches and trash cans.
- 15 c. Encourage economic development through a mix of land uses.
- 16 d. Create a more consistent development pattern. For example, in areas where 2 or
17 more buildings adjoin each other, similar features and details should be used on all
18 individual businesses. These features include awnings with similar styles and/or
19 colors.

20 3. Requirements

21 a. Pedestrian Oriented Streetscapes:

- 22 (1) A 6-foot, clear sidewalk must be provided along Reisterstown Road.
- 23 (2) Footways adjacent to all properties must be maintained in a manner consistent
24 with applicable Baltimore City codes. In addition, as repairs and replacement of
25 footways are required, footways must be repaired or replaced in a manner that is
26 compatible with the materials, design, and finish of adjacent footway surfaces.
- 27 (3) Driveways that cross footways must be the same material as the footway.
- 28 (4) Between the sidewalk and the parking lot or building, a minimum 4-foot
29 landscape strip must be provided. Landscape treatment encompasses the planting
30 of any, all, or a combination of the following: trees, shrubs, ground cover, grass,
31 flowers.
- 32 (5) Curb cuts shall be a maximum of 30 feet wide.

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1 b. Buildings:

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

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

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

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

9 c. Parking Lots

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

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

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

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

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

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

17 (v) Chain link fence is prohibited.

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

20 d. Signage:

21 (1) Flat signs

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

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

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

5 (2) Free Standing/Pole Signs

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

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

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

11 (3) Overhanging Signs/Awnings

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

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

14 (4) General

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

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

18 (iii) All signs must be properly maintained. Scaling paint, missing or unlit letters,
19 and broken, faded or cracked signs must be repaired or replaced or the entire
20 sign must be removed. Existing unused signs and hardware shall be removed.

21 (iv) Non-illuminated secondary flat signs shall be permitted only for businesses
22 located on upper floors.

23 (v) Flashing, moving, and roof top signs are not permitted.

24 e. General:

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

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

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

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

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

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

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

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