



CITY OF BALTIMORE  
MAYOR BRANDON M. SCOTT

<b>TO</b>	The Honorable President and Members of the Baltimore City Council
<b>FROM</b>	Caron Watkins Interim Director, Office of Equity & Civil Rights Interim Chief Equity Officer
<b>ANALYST</b>	Zachary Wellman Equity Policy Analyst, Office of Equity & Civil Rights
<b>DATE</b>	October 29, 2024
<b>SUBJECT</b>	OECR Report on Baltimore City Council Bill 24-0591 Rezoning - 121 Riverside Road

**OECR POSITION: Unfavorable**

**SUMMARY OF LEGISLATION**

The Office of Equity & Civil Rights (OECR) has reviewed and is herein reporting on City Council Bill 24-0591 – *Rezoning - 121 Riverside Road*. This is a rezoning ordinance.

The bill seeks to accomplish the following:

- Rezone the property at 121 Riverside Road.
- Change the zoning district of the property from R-6 to IMU-1.
- Provide for the signing of the accompanying plat by the Mayor and City Council President
- Provide for the transmission of the signed plat by the Department of Finance to the Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of Housing and Community Development, the Supervisor of Assessments for Baltimore City, and the Zoning Administrator.
- Provide for an effective date of the ordinance (the day it is enacted).

The bill accomplishes this by amending Article 32 – Zoning, Zoning District Maps, Sheet 96 of the Baltimore City Code.

**EQUITY ANALYSIS**

Council Bill 24-0591 intends to change the zoning district of 121 Riverside Road from R-6 residential use-only zoning to IMU-1 mixed residential/light industrial use zoning.

The property located at 121 Riverside Road previously constituted a factory adjacent to a residential neighborhood of rowhomes in Brooklyn. According to the owner, the property was zoned as M-2-1, a district that permits general manufacturing and industrial uses; however, this

changed in 2017 when the TransForm Baltimore Zoning Code was adopted, down-zoning the factory to R-6 and rendering it useless. Operations on the property ceased in 2020 when the original owner sold the property; the factory has remained vacant since.

According to the Department of Planning's Staff Report, the owner conducted public outreach and garnered support from over 100 individuals for the demolition of the vacant property and the zoning changes requested in the bill. This, however, is at odds with local community organizations' position on the zoning changes in which the Action Baybrook and Concerned Citizens of a Better Brooklyn are both opposed.

According to the Law Department, rezoning requests are considered either on the basis that the zoning changes are consistent with the "character of the neighborhood," or that the current zoning was a mistake. Being that the property is located in an exclusively residential/undeveloped neighborhood, it is unlikely that the rezoning request is on the basis that it would be consistent with the "character of the neighborhood." Therefore, it is likely that, because of the former industrial zoning of the property, the owner is requesting the rezoning on the grounds that the current zoning is a mistake as it is inconsistent with the use of the building on the property. This reason for rezoning, however, is at odds with the owner's plans to demolish the vacant building to redevelop the property. If this is the case, the demolition and redevelopment can be done within the current zoning by developing a structure that adheres to the current R-6 zoning and is more in line with the TransForm Baltimore Plan.

While the demolition and redevelopment of vacant properties is in line with the City's vacancy reduction strategy and, in general, eliminating vacancies in the City is an equitable endeavor, not all redevelopment is equally equitable. An important component of the equitability of vacancy elimination is blight reduction for the affected community. In the context of Bill 24-0591, rezoning 121 Riverside Road to enable industrial use may not actually reduce blight in the neighboring community. This is because an active industrial facility zoned IMU-1 can be used for light industrial use, alternative energy, or motor-vehicle service/repair, which could introduce negative environmental health consequences to residents of Brooklyn that other residents of R-6 zoning districts are not subject to. Additionally, the current zoning intends for the property to be developed into R-6 zoning housing. A zoning change to IMU-1 would negatively impact the equity of nearby residents by removing the opportunity for more housing to be developed in the neighborhood, for which the City's zoning plan intended.

While IMU-1 zoning districts are not incompatible with residential housing development, it is also not incompatible with uses that would be detrimental to the neighborhood's health, well-being, and equitable community development. The OECR is concerned that, because the owner of the property did not disclose their intention behind the rezoning request, the zoning change may open the door for potential inequitable consequences for nearby residents.

## CONCLUSION

The Office of Equity & Civil Rights has discerned potential inequity in the bill's impact by changing the property located at 121 Riverside Road to Industrial Mixed-Used zoning in a residential neighborhood. The OECR is concerned that the rezoning may negatively impact the equity of Brooklyn residents due to the owner of the property not disclosing their proposed use in their Statement of Intent. As such, the OECR respectfully requests an **unfavorable** committee report on City Council Bill 24-0591.

Respectfully Submitted,



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Caron Watkins

Interim Director, Office of Equity & Civil Rights