

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND  
Legislative Session 2007, Legislative Day No. 21

Bill No. 88-07

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Mr. John Olszewski, Sr., Councilman

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By the County Council, November 19, 2007

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A BILL  
ENTITLED

AN ACT concerning

Renaissance Opportunity Area

FOR the purpose of repealing legislation establishing and amending the Dundalk-Yorkway Renaissance Opportunity Area in the Seventh Councilmanic District; establishing the Dundalk-Yorkway Renaissance Opportunity Area in the Seventh Councilmanic District; and providing for a certain residential density in a certain portion of the of the Dundalk-Yorkway Renaissance Opportunity Area.

By repealing

Bills 39-05 and 121-06

WHEREAS, the County Council established a Renaissance Redevelopment Pilot Program (Bill 120-04, effective date December 19, 2004); and

WHEREAS, the program authorizes the County Council to designate Renaissance Opportunity Areas that are suitable for redevelopment by means of renaissance pilot projects; and

WHEREAS, the program provides that “[a] renaissance opportunity area is a floating zone that provides for a mix of permissible uses, area regulations, densities, or intensities that may be different from the underlying zoning;” and

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.  
[Brackets] indicate matter stricken from existing law.  
~~Strike-out~~ indicates matter stricken from bill.  
Underlining indicates amendments to bill.

WHEREAS, under case law a floating zone is subject to the same conditions that apply to

safeguard the granting of a special exception, meaning that the use must be compatible with the surrounding neighborhood, it must further the purpose of the proposed reclassification and that precautions should be taken to ensure that there will be no discordance with existing uses; and

WHEREAS, under case law required precautions to ensure that there will be no discordance with existing uses include such restrictions as building location and style, the percentage of area covered by the building, minimum green area, minimum and maximum area of the use, minimum setback from the streets and other uses and approval of a site plan; and

WHEREAS, the current zoning of the property on the shaded area of the map attached hereto, made a part hereof and labeled Exhibit B is DR 10.5; and

WHEREAS, the County Council finds that a reduced residential zoning density for that portion of the Dundalk-Yorkway Renaissance Opportunity Area depicted in the shaded area on the map attached hereto, made a part hereof and labeled Exhibit B would provide all the precautions required for a reclassification under a floating zone by establishing a lower base density than current zoning allows and because other uses and standards would remain substantially unchanged; and

WHEREAS, the program authorizes the County Council to specify “uses allowed by right, by special exception, or accessory uses, area regulations, densities, and intensities” in the legislation designating a renaissance opportunity area; and

WHEREAS, the Dundalk-Yorkway Renaissance Opportunity Area was originally designated in Bill 39-05 and amended in Bill 121-06; and

WHEREAS, the County Council deems it necessary and appropriate to repeal Bills 39-05 and 121-06 and to re-designate a portion of Dundalk in the Seventh Councilmanic District, as depicted on the map attached hereto, made a part hereof and labeled Exhibit A as a Renaissance Opportunity Area, to be known as the Dundalk-Yorkway Renaissance Opportunity Area; and

WHEREAS, the Council County deems it appropriate to specify the “uses allowed by right, by special exception, or accessory uses, area regulations, densities, and intensities” on a portion of

the Dundalk-Yorkway Renaissance Opportunity Area, which area is depicted on the map attached hereto, made a part hereof and labeled Exhibit B, by reducing the permitted residential density within the shaded area of the map attached hereto, made a part hereof and labeled Exhibit B ; and

WHEREAS, the County Council has advertised this bill and the subject property has been posted as required by law; now, therefore

1           SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF BALTIMORE  
2 COUNTY, MARYLAND, that Bills 39-05 and 121-06 are hereby repealed.

3           SECTION 2. AND BE IT FURTHER ENACTED, that the area of Dundalk depicted on the  
4 map attached hereto as Exhibit A, be and it is hereby designated as a Renaissance Opportunity Area,  
5 to be known as the Dundalk-Yorkway Renaissance Opportunity Area.

6           SECTION 3. AND BE IT FURTHER ENACTED, that the uses allowed by right, by special  
7 exception, or accessory uses, area regulations, densities, and intensities of that portion of the  
8 Dundalk-Yorkway Renaissance Opportunity Area depicted in the shaded area on the map attached  
9 hereto as Exhibit B, be and they are hereby designated as those uses allowed by right, by special  
10 exception, or accessory uses, area regulations, densities, and intensities in the DR 5.5 zone.

11           SECTION 4. AND BE IT FURTHER ENACTED, that this Act, having been passed by an  
12 affirmative vote of five members of the County Council, shall take effect December 30, 2007.