

CITY OF BALTIMORE
COUNCIL BILL 23-0436
(First Reader)

Introduced by: Councilmember Porter

Introduced and read first time: October 2, 2023

Assigned to: Economic and Community Development Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Department of Housing and Community Development, Planning Commission, Baltimore Development Corporation, Department of Transportation, Department of Public Works, Commission for Historical and Architectural Preservation

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Urban Renewal – Brooklyn–Curtis Bay –**
3 **Renewal Area Designation and Urban Renewal Plan**

4 FOR the purpose of repealing the existing Brooklyn–Curtis Bay Urban Renewal Plan and
5 replacing it by designating as a “Renewal Area” an area situated in Baltimore City, Maryland
6 known as Brooklyn–Curtis Bay, generally including both sides of Patapsco Avenue between
7 the Harbor Tunnel Throughway and Pennington Avenue, both sides of Pennington Avenue
8 between Patapsco Avenue and Ceddox Street, the west side of Curtis Avenue between
9 Ceddox Street and Patapsco Avenue, both sides South Hanover Street between Jack Street
10 and Chesapeake Avenue, and the south side of Potee Street between Patapsco Avenue and
11 Frankfurst Avenue; establishing the objectives of the Urban Renewal Plan; establishing
12 permitted land uses in the Renewal Area; providing that where there might be conflict
13 between the provisions of the Urban Renewal Plan and the provisions of any Planned Unit
14 Development, the provisions of the Planned Unit Development control; providing review
15 requirements and controls for all plans for new construction; providing that the provisions of
16 the Baltimore City Zoning Code apply to the properties in the Urban Renewal Area;
17 establishing controls for off-street parking facilities; authorizing the conditions for
18 acquisition of properties in the Urban Renewal Area; providing for review by the Department
19 of Housing and Community Development of development or rehabilitation plans in the
20 Urban Renewal Area with respect to their conformance with the provisions of the Urban
21 Renewal Plan; providing for community notification of any permit application for the
22 development or redevelopment of any property within the boundaries of the Urban Renewal
23 Area; creating disposition lots and providing for specific controls on specific lots; providing
24 for the term of the Urban Renewal Plan; providing for community review of all proposed
25 amendments to the Urban Renewal Plan; making provisions of this Ordinance severable;
26 approving appendices and exhibits to the Urban Renewal Plan; waiving certain content and
27 procedural requirements; providing for the application of the Ordinance in conjunction with
28 certain other ordinances; and providing for a special effective date.

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

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1 BY authority of
2 Article 13 - Housing and Urban Renewal
3 Section 2-6
4 Baltimore City Code
5 (Edition 2000)

6 **Recitals**

7 The Urban Renewal Plan for the Brooklyn Business Area was originally approved by the
8 Mayor and City Council of Baltimore by Ordinance 852, dated December 21, 1982, as further
9 amended by Ordinances 84-77, 03-503, and 04-863, at which time the Area was renamed as the
10 Brooklyn–Curtis Bay Business Area, as further amended by Ordinances 06-314 and 11-568, and
11 last amended by Ordinance 22-126, dated April 4, 2022.

12 The repeal and replacement of the Urban Renewal Plan for the Brooklyn–Curtis Bay
13 Business Area is necessary to:

- 14 (1) update the existing language to match the modernized Baltimore City Zoning Code;
- 15 (2) remove antiquated language that no longer reflects actual neighborhood conditions;
16 and
- 17 (3) clarify land use provisions and design guidelines.

18 Under Article 13, § 2-6 of the Baltimore City Code, no change may be made in any approved
19 renewal plan unless the change is approved in the same manner as that required for the approval
20 of a renewal plan.

21 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That
22 Ordinance 852, dated December 21, 1982, as amended by Ordinances 84-77, 03-503, 04-863,
23 06-314, 11-568, and last amended by Ordinance 22-126, dated April 4, 2022, is repealed.

24 **SECTION 2. AND BE IT FURTHER ORDAINED,** that the area known as Brooklyn–Curtis Bay, as
25 more particularly described in Section 3 of this Ordinance, is established.

26 **SECTION 3. AND BE IT FURTHER ORDAINED,** That the Urban Renewal Area for
27 Brooklyn–Curtis Bay is adopted to read as follows:

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URBAN RENEWAL PLAN

BROOKLYN–CURTIS BAY

A. Project Description.

1. *Brooklyn Curtis–Bay Boundary Description.*

The following area described shall be applied as the boundaries of Brooklyn–Curtis Bay.

Beginning for the same at the intersection of the south side of Cambria Street and the east side of an unnamed 30-foot alley; thence binding on the south side of Cambria Street to the west side of 7th Street; thence southerly on the west side of 7th Street; thence crossing 7th Street to the south side of Pontiac Street; thence easterly on the south side of Pontiac Street to the east side of 8th Street; thence northerly on the east side of 8th Street to the south side of a 10-foot alley; thence southeast to the west side of a 10-foot alley; thence southeast to the west side of a 10-foot alley; thence south a distance of 10 feet to the south side of a 20-foot alley; thence east to the west side of 9th Street; thence northerly a distance of 10 feet to the south side of a 10-foot alley; thence east to the west side of a 15-foot alley; thence north a distance of 5 feet to the south side of a 15-foot alley; thence east to the east side of St. Victor Street; thence north to the south side of a 20-foot alley; thence east to the east side of a 15-foot alley east of St. Margaret Street; thence northeast along the rear property line of 3600 West Bay Avenue to the south side of a 15-foot alley; thence east to the west side of West Bay Avenue; thence south to the south side of Cambria Street; thence east to the west side of Fairhaven Avenue; thence east along the south property line of 3607 Fairhaven Avenue to the west side of a 15-foot alley; thence south to the south side of Sassafra Street; thence east to the west side of a 10-foot alley; thence south 60 feet; thence east to the west side of a 15-foot alley; thence south to the north side of Plum Street; thence west to the west side of a 15-foot alley; thence south to the south side of 20-foot alley; thence east a distance of 15 feet to the rear property line of 4112 Pennington Avenue; thence south to the north side of Olmstead Street; thence west 15 feet; thence south along the west side of a 15-foot alley to the south side of Locust Street; thence east to the west property line of 1531 Locust Street; thence south to the north side of a 20-foot alley south of Hazel Street; thence west to the rear property line of 4420-28 Pennington Avenue; thence south to the north side of Elmtree Street; thence west 32 feet; thence south along the rear property line of 4600 Pennington Avenue to the south side of a 20-foot alley; thence east to the west property line of 1524 Cypress Street; thence south to the north side of Cypress Street; thence west 50 feet; thence south to the north side of Church Street; thence west 41 feet; thence south along west side of a 10-foot alley to the south side of Ceddox Street; thence east along the south side of Ceddox Street to the center line of Curtis Avenue; thence north to the south side of Patapsco Avenue; thence west and along the south side of Patapsco Avenue a distance of 30 feet; thence south and along the west side of Curtis Avenue to the north side of Locust Street; thence west a distance of 102 feet; thence south along the west side of a 15-foot alley to the south side of Hazel Street; thence east to the west side of Curtis Avenue; thence south to the north side of Filbert Street; thence west a distance of 102 feet; thence south along the west side of a 15-foot alley to the south side of a 10-foot alley south of Cereal Street; thence east a distance of 97 feet to the west property line of 1644 Ceddox Street; thence south to the north side of Ceddox Street; thence west a

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1 distance of 305 feet to the east side of a 15-foot alley; thence north along east side of
2 alley to the north side of Filbert Street; thence west to the east side of Pennington
3 Avenue; thence north to the south side of Locust Street; thence east a distance of 120
4 feet; thence north and along the east side of a 24-foot alley to the north side of Olmstead
5 Street; thence west to the rear property line of 4115 Pennington Avenue; thence north to
6 the south side of a 20-foot alley; thence east along 20-foot alley to the east side of a 15-
7 foot alley; thence north along 15-foot alley to the north side of Spruce Street; thence west
8 to the east side of Pennington Avenue; thence north to the south side of E. Patapsco
9 Avenue; thence northeast a distance of 315 feet to a point located on the north side of E.
10 Patapsco Avenue and 200 feet east of property known as 1200 E. Patapsco Avenue;
11 thence west along the north side of E. Patapsco Avenue to the east side of 7th Street;
12 thence northeast a distance of 188 feet; thence northwest along the north side of Freeman
13 Street a distance of 201 feet; thence southwest and along the east side of a 22-foot alley
14 to the south side of an 11-foot alley; thence northwest along alley to the west side of a
15 22-foot alley; thence northeast along alley to the north side of Freeman Street; thence
16 northwest a distance of 148 feet; thence southwest and along the east side of a 4-foot
17 alley a distance of 101 feet to the south side of a 4-foot alley; thence northwest to the
18 west side of 6th Street; thence northeast to the north side of a 10-foot alley; thence
19 northwest a distance of 75 feet; thence southwest to the south side of a 4-foot alley;
20 thence west a distance of 50 feet; thence north to the north side of Freeman Street; thence
21 west a distance of 25 feet; thence south to the south side of a 4-foot alley; thence west
22 to the west side of a 3-foot alley; thence north to the north side of Freeman Street; thence
23 west a distance of 100 feet; thence south a distance of 98 feet; thence west to the west
24 side of a 2-foot alley; thence north a distance of 98 feet to the north side of Freeman
25 Street; thence continuing westerly to intersect the west side of Helmstetter Street; thence
26 binding on the west side of Helmstetter Street southerly to intersect the northern property
27 line of Lot 58, Block 7075; thence binding on the northern property line of said Lot 58
28 westerly to intersect the east side of 4th Street; thence binding on the east side of 4th Street
29 northerly to intersect a point on the east side of 4th Street formed by extending the north
30 side of an unnamed 13-foot alley in a straight line across 4th Street; thence crossing 4th
31 Street on said line and continuing on the north side of said unnamed 13-foot alley
32 westerly and crossing 3rd Street to the west side of 3rd Street; thence binding on the west
33 side of 3rd Street southerly to intersect the north side of E. Patapsco Avenue; thence
34 binding on the north side of E. Patapsco Avenue westerly to intersect the east side of 2nd
35 Street; thence binding on the east side of 2nd Street northerly to intersect the north side
36 of Chesapeake Avenue; thence binding on the north side of Chesapeake Avenue
37 southwesterly to intersect the west side of Hanover Street; thence binding on the west
38 side of Hanover Street northerly to intersect the south side of Frankfurst Avenue; thence
39 binding on the south side of Frankfurst Avenue westerly to intersect the southern
40 property line of Lot 20, Block 7027; thence binding on the northern property line of said
41 Lot 20 westerly to intersect the south side of Ritchie Highway; thence binding the south
42 side of Ritchie Highway southerly to intersect the north side of Patapsco Avenue; thence
43 binding on the north side of W. Patapsco Avenue northwesterly, to intersect the west side
44 of Potee Street; thence binding on the west side of Potee Street northerly to intersect the
45 southern right-of-way line of the Baltimore Harbor Tunnel Throughway; thence binding
46 on said right-of-way of said Throughway southwesterly, northwesterly and southwesterly
47 to intersect the southern boundary line of Baltimore City; thence binding on the southern
48 boundary line of Baltimore City easterly to intersect the east side of Riverside Road;
49 thence binding on the east and south sides of Riverside Road northerly and easterly to
50 intersect the east side of Leadenhall Street; thence binding on the east side of Leadenhall

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1 Street northerly, crossing Talbott Street, to intersect the south side of the first 15-foot
2 alley; thence binding on the south side of said 15-foot alley easterly to intersect the east
3 side of the first 10-foot alley; thence binding on the east side of said 10-foot alley
4 northerly to intersect the south side of Washburn Avenue; thence binding on the south
5 side of Washburn Avenue easterly to intersect the western property line of Lot 1/5, Block
6 7027-F; thence binding on said property line southerly and easterly to intersect the west
7 side of an unnamed 14-foot alley; thence binding on the west side of said 14-foot alley
8 southerly to intersect the north side of Bristol Avenue; thence binding on the north side
9 of Bristol Avenue westerly to intersect the east side of Potee Street; thence binding on
10 the east side of Potee Street southerly and southeasterly to a point on the east side of
11 Potee Street formed by extending the southeastern property line of Lot 15, Block 7027-J
12 in a straight line across Potee Street and South Hanover Street; continuing easterly on the
13 centerline of Jack Street to intersect the east side of an unnamed 30 foot alley; thence
14 binding on the east side of said 30 foot alley northerly to the point of beginning.

15 2. *Defined Terms applicable to the Brooklyn –Curtis Bay Urban Renewal Plan only.*

16 The following terms used in this Urban Renewal Plan (“URP”) are defined as
17 follows:

- 18 a. “Brooklyn-Curtis Bay” means the geographic area located in the City with its
19 boundaries further described in Part A, Section 1 {“Brooklyn-Curtis Bay
20 Boundary Description”} of this URP.
- 21 b. “City” means the City of Baltimore, Maryland.
- 22 c. “CHAP” means the Commission for Historical and Architectural Preservation
23 for the City.
- 24 d. “Community organization” means the following entities, or any successor
25 entities:
- 26 i. Action Baybrook;
 - 27 ii. Concerned Citizens for a Better Brooklyn;
 - 28 iii. Curtis Bay Community Association; and
 - 29 iv. Greater Baybrook Alliance.
- 30 e. “Community organization board” means the board of directors, or other chief
31 decision making body, of the community organization.
- 32 f. “Community organization members” mean all individuals, business entities,
33 and non-profit institutions considered by the community organization board to
34 be a member of the community organization.
- 35 g. “Day” or “days” mean a calendar day.

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- 1 h. “Department of Housing and Community Development” or “DHCD” means
2 the Baltimore City Department of Housing and Community Development.
- 3 i. “Department of Planning” means the Baltimore City Department of Planning.
- 4 j. “Developer” means any individual, business entity, or academic institution
5 proposing new development, rehabilitation of an existing structure, or a new
6 use within Brooklyn-Curtis Bay under which the terms of this URP would
7 apply.
- 8 k. “Firearm Sales” mean any sale of firearms, such term to include the sale of
9 any pistol, rifle, shotgun, or any other type of portable gun.
- 10 l. “Landmark Structure” means a specific structure identified as being an
11 individual historically significant structure that is identified as: (i) associated
12 with events that have made a significant contribution to the broad patterns of
13 Baltimore history; (ii) associated with the lives of persons significant in
14 Baltimore's past; (iii) embodying distinctive characteristics of a type, period,
15 or method of construction, or that represent the work of a master, or that
16 possess high artistic values, or that represent a significant and distinguishable
17 entity whose components may lack individual distinction; or (iv) having
18 yielded or may be likely to yield information important in Baltimore history.
- 19 m. “Primary street” means any street directly adjacent to (but may be buffered
20 with landscaping) a structure's exterior front and side walls. For a building
21 located at the end of a block or any other angled block that has more than one
22 side with a street directly adjacent to such structure's exterior front and side
23 wall, each street in such scenario shall be treated as a primary street. No street
24 directly adjacent to the rear wall of a structure shall be treated as a primary
25 street.
- 26 n. “URP Area” means that area described as the Brooklyn-Curtis Bay Boundary
27 Description in Part A, Section 1 {“Brooklyn-Curtis Bay Boundary
28 Description”} of this URP.
- 29 o. “Zoning Code of Baltimore City” or “Zoning Code” means Article 32 of the
30 Baltimore City Code, as enacted and corrected, effective June 5, 2017, by
31 Ordinances 16-581 and 17-015, and as further amended from time to time
32 hereafter.

33 3. *Plan Goals.*

34 The primary goal of this URP is to provide requirements and standards designed to
35 ensure that any new uses and development proposed in Brooklyn-Curtis Bay enhance
36 the viability, stability, attractiveness, and convenience for residents and businesses in
37 Brooklyn-Curtis Bay and of the City as a whole. Additional goals of this URP
38 include:

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- 1 a. Protecting the existing architectural and historic fabric of Brooklyn-Curtis Bay
2 by ensuring that the design of new structures, the rehabilitation of existing
3 structures, and new uses will be consistent with the scale and architectural
4 design of Brooklyn-Curtis Bay;
- 5 b. Establishing a positive and identifiable image for Brooklyn-Curtis Bay;
- 6 c. Encourage a diversity of uses within Brooklyn-Curtis Bay; and
- 7 d. Provide an opportunity for the community organization to provide
8 commentary on certain renewal actions taking place within the project area.

9 **B. Land Use Provisions.**

10 1. *Allowable Uses.*

11 To meet the plan goals listed in Part A.3 of this URP, all land uses must follow the
12 underlying zoning as listed in the Baltimore City Zoning Code unless expressly
13 prohibited in Part B, Section 2 {"Prohibited Uses"}.

14 Note: In this URP, all zoning districts referenced herein use the same descriptive
15 terms that are used for the zoning districts in the Zoning Code.

16 2. *Prohibited Uses.*

17 The following uses listed in Table 1 that would otherwise be permitted in the
18 Baltimore City Zoning Code, either by right or by conditional use approval from the
19 City, are not permitted within the Brooklyn-Curtis Bay URP boundary.

20 If a box is marked with an "X" in Table 1, the use listed in the far-left column is
21 prohibited in the corresponding zoning category within the Brooklyn-Curtis Bay URP.

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Table 1								
	R-6	R-7 R-8	C-1	C-2	C-3	C-4	OR-1	I-1
Animal Clinic								
Bail Bond Establishment			X	X				
Body Art Establishment			X	X				
Day-Care Center: Child or Adult							X	
Fuel Station			X	X				
Health-Care Clinic	X	X	X	X	X	X	X	X
Kennel					X	X		
Lodge or Social Club	X	X	X	X	X	X		X
Medical/Dental Office: 4,000sq. ft. or greater			X	X	X	X	X	X
Motor Vehicle Service and Repair: Minor (Fully Enclosed Structure)				X				
Motor Vehicle Service an Repair: Minor (Outdoor Vehicle Storage)				X				
Residential Care Facility (Any Size)	X	X	X	X			X	
Retail: Big Box Establishment					X	X		
Retail Goods Establishment: Firearm Sales	X	X	X	X	X	X	X	X
Rooming House (Any Size)	X	X	X	X			X	
Taverns: Fire Rated Capacity of 800 or more persons			X	X	X	X		X
Truck Repair			X	X				X
Video Lottery Facility			X	X				

25 3. *Nonconforming Use.*

26 Legally established nonconforming uses will be allowed to continue under the
 27 provisions outlined in the Zoning Code of Baltimore City. A lawfully existing use of
 28 a building or other structure or of land that does not comply with the land use
 29 regulations of this Renewal Plan is allowed to continue.

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1 *Maritime Industrial Zoning District*

2 The intent of the Maritime Industrial Zoning District, the boundaries of which are in
3 close proximity with the Project Area, is to maintain and encourage a working
4 waterfront in the Curtis Bay area. Due consideration must be given by the
5 Department for any plans presented as to new construction, rehabilitation, additions,
6 demolition, or expansion in the Project Area as to the effect of these plans and their
7 implementation on the continuation and expansion of the historic industrial waterfront
8 uses and on the remediation of historical environmental inequity.

9 **C. Review of Developer's Plans.**

10 1. *City Review.*

11 a. The Department of Housing and Community Development and the Department of
12 Planning specifically reserve the right to review and approve the Developer's
13 plans and specifications for new development and rehabilitation (including
14 parking lots) within the URP Area with respect to their conformance with the
15 provisions of the URP and in order to achieve harmonious development of the
16 URP Area. Such review and approval may take into consideration, but shall not be
17 limited to, the suitability of the site plan, architectural treatment, building plans,
18 elevations, materials and colors, construction details, access, parking, loading,
19 landscaping, identification signs, exterior lighting, refuse collection details,
20 streets, sidewalks, and the harmony of the plans with the surroundings.

21 b. If at any time any portion or all of the URP Area is designated as a local historic
22 district by the Commission for Historical and Architectural Preservation
23 ("CHAP"), any application for new construction or rehabilitation on any property
24 located in the designated local historic district may no longer be subject to the
25 design regulations set forth in this URP, but rather, subject to any and all
26 guidelines established by CHAP for development within the local historic district.

27 2. *Design Objectives.*

28 a. Appendix B, attached hereto, provides guidelines intended to enhance, preserve,
29 and protect the unique character of Brooklyn-Curtis Bay by respecting the
30 integrity and architecture of each building and its setting.

31 All existing buildings and properties, and all new development must comply with
32 the Design Standards set forth in Appendix B.

33 These design guidelines encourage rehabilitation and new construction projects to
34 be compatible with the character of the neighborhood and specifically address:

- 35 i. rehabilitation of existing structures;
- 36 ii. residential structures; and
- 37 iii. non-residential structures.

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1 b. These guidelines do not apply to any structure located within an industrial zoned
2 area designated as such by the Zoning Code of Baltimore City. Any use of the
3 term “historic” refers to any structure, material, design, or technique dating prior
4 to 1960. Additionally, the following design objections shall apply to all new
5 construction and renovation in the URP Area:

6 i. Each building unit, whether existing or proposed, must be an integral
7 element of the overall site design and must reflect and complement the
8 character of the surrounding area.

9 ii. Non-residential buildings must be located in a manner that is compatible
10 with the surrounding living areas, and organized in a manner that
11 incorporates both employee and customer physical requirements. Building
12 façades shall be complementary to those adjacent.

13 3. *Parking Design Objectives.*

14 a. Off-street parking areas must be designed with careful regard given to orderly
15 arrangement, landscaping, ease of access, and as an integral part of the total site
16 design.

17 b. All parking areas must be screened from adjacent streets. Screening shall consist
18 of a masonry wall or durable fence, or combination thereof, not less than 4 feet in
19 height. Instead of a wall or fence, a compact evergreen hedge of not less than 4
20 feet in height at the time of original planting may be used. Screening and
21 landscaping shall be maintained at all times in good condition.

22 c. Vehicular access to the parking areas must be direct and not in conflict with
23 vehicular movement which serves the various uses within the site. Ingress and
24 egress points must be well distanced from intersections to avoid congestion and
25 interference with traffic.

26 4. *Landscape Design Objectives.*

27 A coordinated landscape program must be developed covering the URP Area to
28 incorporate the landscape treatment for open space, streets, and parking areas into a
29 coherent and integrated arrangement. Landscaping shall include trees, shrubbery and,
30 planting in combination with related paving and surface treatment.

31 5. *Evaluation Criteria to Meet Design Objectives.*

32 When reviewing applications for new development or renovations to an existing
33 structure, the following criteria must be evaluated by the URP administrator.

34 a. Scale - The term “scale” in the context of this URP refers to a structure’s size in
35 relationship to another structure. For the purposes of determining if the scale of a
36 structure is acceptable or not, the URP administrator must compare the height and
37 width of the subject construction/renovation with the height and width of all other
38 structures along both sides of the primary street on the immediate block of the
39 subject construction/renovation.

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- 1 b. Proportion - The term “proportion” in the context of this URP refers to the visual
2 effect of the relationships of the various structures and spaces that make up an
3 entire block within the URP Area. While scale looks at a structure’s size as
4 compared to other structures, proportion looks at a structure’s size in comparison
5 to the relevant block as a whole. For the purposes of determining if the proportion
6 of a structure is acceptable or not, the URP administrator must review the subject
7 construction/renovation in relation to the entire block in which it is located.
- 8 c. Integration with building - The term “integration with building” in the context of
9 this URP refers to the subject construction or renovation being successfully
10 designed to integrate building systems, materials, and products to create a unified
11 whole that achieves the desired functional purpose. For the purposes of
12 determining if the integration of building is acceptable or not, the URP
13 administrator must review Developer’s plans to determine if the structure’s design
14 integrates building systems, materials, and products as effectively as possible
15 while achieving the desired functional purpose.
- 16 d. Neighborhood context - The term “neighborhood context” in the context of this
17 URP refers to the relation of a structure’s design within the context of the URP
18 Area. For the purposes of determining if the neighborhood context is acceptable
19 or not, the URP administrator must assess the components of the subject
20 construction or renovation taking into consideration the physical, socio-economic,
21 environmental, and institutional points of views of the community organization.

22 6. *Demolition.*

23 All applications for demolition permits must be submitted to the Department of
24 Housing and Community Development. If DHCD finds the proposed demolition is
25 consistent with this URP, the Housing Commissioner must authorize the issuance of
26 the necessary permit. If the Housing Commissioner finds that the proposal is
27 inconsistent with this URP and therefore denies the issuance of the permit, the
28 Housing Commissioner must seek approval from the Board of Estimates to acquire
29 for and on behalf of the Mayor and City Council of Baltimore, the subject property, in
30 whole or in part, by purchase, lease, condemnation, gift, or other legal means for the
31 renovation, rehabilitation, and disposition thereof. In the event that the Board of
32 Estimates does not authorize the acquisition, the Housing Commissioner, must,
33 without delay issue the demolition permit.

34 7. *Community Notification.*

35 Within 2 business days upon receipt of a permit application for significant exterior
36 changes or new construction within the Brooklyn–Curtis Bay URP area, the permit
37 reviewer shall make best efforts to notify the community organization, or a successor
38 organization, of the permit number and description. The community organization
39 may provide comments regarding the permit, but the comments provided do not have
40 any bearing on the permit reviewer’s decision to approve or disapprove a permit.

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1 8. *Developer’s Obligations.*

2 No Developer may enter into, execute, or be a party to any agreement that restricts the
3 sale, lease, use, or occupancy of the property, or any part thereof, upon the basis of
4 race, color, national origin, religion, sex (including pregnancy, sexual orientation,
5 gender identity, or transgender status), age (over 40), disability, genetic information,
6 marital status, political affiliation, or status as a parent. Rather, all such agreements
7 must include a non-discrimination clause and the City of Baltimore must be named as
8 a beneficiary of such covenant and be entitled to enforce it. The Developer must
9 comply with all applicable laws, in effect from time to time, prohibiting
10 discrimination or segregation. The Developer may not devote any property, in part or
11 in whole, to those uses restricted by this URP.

12 9. *Waiver.*

13 The Commissioner of the Department of Housing and Community Development may,
14 at any time, issue a waiver from any provision of the Renewal plan if, after
15 consideration, a waiver is determined by the Commissioner to be in the best interest
16 of the development or redevelopment of the land. Upon receipt of a waiver request
17 the Commissioner shall provide written notice and a copy of the waiver request to the
18 Charles North Community Association, or their successor organization. Before a
19 waiver may be issued by the Commissioner the Charles North Community
20 Association or any successor organizations shall have 3 weeks from the date of the
21 notice to provide comments on the waiver request to the Commissioner. If the
22 Charles North Community Association or any successor organization fails to provide
23 comments on the waiver request within the 3 week term it shall be presumed that the
24 waiver request is satisfactory.

25 **D. Other Provisions Necessary to Meet Requirements of State and Local Laws.**

26 All appropriate provisions of the Zoning Code of Baltimore City apply to all properties in
27 the URP Area. In addition, the Design and Maintenance Guidelines contained in
28 Appendices B and C, apply to all properties in the URP area.

29 **E. URP Term.**

30 The provisions and requirements of this Urban Renewal Plan, as it may be amended from
31 time to time, are in full force and effect until December 31, 2030.

1 **F. Procedures for Amendments to the URP.**

2 Either the Department of Housing and Community Development or the Department of
3 Planning must submit to the community organization, for its review and comments, all
4 proposed amendments to the URP. Amendments to the URP must be submitted to the
5 community organization no later than at the same time the proposed amendments are
6 submitted to the Director of the Department of Planning and the Department of Housing
7 and Community Development. The written comments and recommendations from the
8 community organization must be submitted to the Department of Housing and
9 Community Development no later than 3 weeks after the proposed amendments to the
10 URP have been submitted to the community organization , otherwise, it is presumed the
11 proposed amendments are satisfactory. Prior to passage of any ordinance amending the
12 URP, a public hearing must be held. The community organization must receive, at least
13 ten days prior to such hearing, written notice from the City of the time and place of the
14 hearing.

15 **G. Separability.**

16 If any part in or of this URP is judicially determined to be invalid, the remaining
17 provisions and the application of such provisions shall not be affected thereby, it being
18 hereby declared that the remaining provisions of this URP without the invalid part, would
19 have been adopted and approved.

20 **H. Applicability.**

21 If a Planned Unit Development is approved within the boundaries of the Brooklyn–Curtis
22 Bay URP, the Planned Unit Development shall be the governing land-use document, and
23 the terms of this URP shall no longer be applicable within the area of such Planned Unit
24 Development. If a provision of this URP is in conflict with a provision of the Zoning
25 Code of Baltimore City or any other applicable law regarding building, electrical,
26 plumbing, health, fire or safety standards, the provision that establishes the higher
27 standard for the protection of the public health and safety shall prevail. Nothing in this
28 URP may be construed to supersede the requirements or procedures for public notices and
29 public hearings, otherwise required by applicable law.

30 **I. Compliance.**

31 If there are delays obtaining permits from the City for necessary work, the time period for
32 compliance will be extended from the date of the permit application. No work,
33 alterations or improvements may be undertaken after enactment of this Renewal Plan that
34 do not conform with the requirements herein. All work, alterations, or improvements
35 undertaken under Renewal Plans previously enacted must continue to conform to the
36 Renewal Plan then in effect as may be modified by this Renewal Plan so that conformity
37 must be continuous.

1 **APPENDIX A: Guidelines for Artistic Expression.**

2 To promote arts-based revitalization and artistic expression within Brooklyn–Curtis Bay, the
3 following general guidelines apply to all properties in Brooklyn–Curtis Bay that are not located
4 within an R-8 or OR-1 zoning district. These general guidelines are in place to encourage and
5 accomplish the preservation of structures while encouraging a dynamic artistic expression in new
6 construction and renovation.

7 *General Guidelines for Artistic Expression.*

- 8 a. Alterations made for arts-based projects should be reversible and should not damage
9 original, historic architectural features.
- 10 b. Paint colors and schemes should be reversible and allow for a broad range of colors
11 and schemes as long the paint scheme does not overwhelm the historic character of
12 the immediate surrounding area.
- 13 c. Architectural features that are part of primary facades should not be altered, covered
14 over, or diminished by arts-based projects.
- 15 d. Decorative details and appendages such as gargoyles, on facades should be according
16 to their contribution or alignment with artistic expression objectives. These
17 appendages should be affixed into mortar joints to avoid damage to masonry.
- 18 e. New construction must be compatible with the historic character of Brooklyn–Curtis
19 Bay; nevertheless, design that meets established artistic expression goals which
20 include bold, dynamic, and contemporary architecture, features, and finishes which
21 contribute to the fabric of the arts and entertainment component of Brooklyn–Curtis
22 Bay is encouraged.

23 *Sculpture.*

- 24 a. The use of sculpture throughout Brooklyn–Curtis Bay is encouraged.
- 25 b. Avoid drilling into or removing historic masonry features.
- 26 c. Attach sculpture to buildings through mortar joints.

27 *Murals.*

- 28 a. Side facades of structures are appropriate for murals as long as they do not conceal
29 historically significant architectural details such as cornices, bay windows, or
30 decorative terracotta.
- 31 b. Murals should be painted on previously painted surfaces to avoid the destruction of
32 historic brickwork. Murals should be painted using materials that can be removed
33 without using destructive methods such as sandblasting.

1 **APPENDIX B: Brooklyn–Curtis Bay Design Guidelines — General.**

2 Purpose:

3 These design guidelines are meant to ensure sensible and harmonious design in both
4 rehabilitation and new construction in the URP Area. These guidelines are designed to ensure
5 that all new development in Brooklyn–Curtis Bay contributes to the overall quality, design, and
6 historic character of the URP Area.

7 General Principles:

- 8 1. Rehabilitation should be consistent with the original character of the building and other
9 structures on the street.
- 10 2. Generally, buildings should create a solid block face, reinforcing traditional block
11 patterns and enhancing the urban character of streets and open spaces.
- 12 3. New buildings must be designed to enhance the public realm, with main entrances facing
13 the street.
- 14 4. New buildings must be designed with well composed and articulated faces.
- 15 5. Alleys shall be intimate, well designed spaces for service needs, reinforcing the primary
16 public role of the streets.

17 General Guidelines:

- 18 1. It is recommended that roof top equipment should be shielded from street views with
19 screening that is integral to the building façade and does not appear to be roof top screening.
- 20 2. When practicable, utilities should be painted to blend into the background.
- 21 3. It is recommended that ancillary structures, such as trash enclosures, are to be integrated into
22 the landscape and screened from public view with shrubs, hedges, fences, walls or a
23 combination of those elements. Trash enclosures and screening should blend in with the
24 landscape and surrounding environment. As practicable, trash enclosures should be installed
25 in back yards or rear yards.
- 26 4. It is recommended that mechanical units, such as air conditioning and similar other
27 mechanical equipment, should also be screened from public view using similar methods. It is
28 recommended that air conditioning units should not be placed in front windows unless there
29 is no other placement option.
- 30 5. Mobility impaired ramps: When mobility impaired ramps are necessary, it is recommended
31 that they include the same architectural style as front porches. Two sets of rails should be
32 provided: (a) a grab rail parallel to the ramp to assist the user and (ii) a level handrail to relate
33 the addition to its context.
- 34 6. No vending machines may be installed outside.

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Rehabilitation Guidelines – In General:

Front and side walls.

1. When possible original brick walls shall be retained. When possible, unpainted brick should remain unpainted. When repairing or repointing brick property owners must use those methods outlined in the NPS Preservation Brief. When repointing brick all new mortar must match the historic color, texture, composition, and tooling of the original mortar.
2. Painting formstone is permitted.
3. Vinyl siding, stucco, exposed concrete block, and exposed pressure treated wood are not appropriate materials for facades. Façades that are not readily visible from the street may be covered in stucco or fiber cement board.
4. Unused elements on the front of a building, such as abandoned sign brackets, unused mechanical equipment, and empty electrical conduits, must be removed. If openings on the wall are created by such removal, infill material should match the existing wall material. If the existing wall is composed of more than one materials, painting is a recommended solution.
5. For structures located in either the OR-1 or the R-8 districts, facades should only be painted in areas already painted.

Cornices.

Cornice shape, size, profile and details such as dentils, brackets, modillions, should be retained. Replacement details should match the original design as closely as possible.

Front, side and rear yard fencing.

1. Rear yard fencing facing an alley for privacy or screening is permitted in rear yards to a maximum height as allowed per the Zoning Code of Baltimore City. Any area above 48 inches must incorporate a change in articulation and have a transparency of 30% or greater when facing public spaces. Acceptable materials include high quality wood, vinyl, plastic wood composite (i.e. trex), and masonry compatible with the architectural guidelines contained herein. Stockade fencing is not permitted.
2. It is recommended that paint or stain colors for rear yard fencing should be compatible with the color of the building to which it is attached, as well as with surrounding buildings and fences.
3. Front yard fencing may be: (i) constructed with wood or iron material; and (ii) no higher than 48 inches. Chain link fencing is not allowed in the front yard.

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Additions or garages.

1. Additions and garages visible from any primary street must be designed to be compatible with the architecture of the existing residence through the same or similar incorporation of materials.
2. Garages shall be accessed from the rear alley when possible.

Windows and doors.

1. Retaining original windows, doors, and stained-glass transoms is encouraged.
2. Replacement windows and doors must be sized to fit the original opening.
3. The style of replacement windows and doors should be compatible with the original window and door style where possible or to other houses in the row.

Streets, Pedestrian Walkways and Open Space Objectives

Developers must provide adequate open space in combination with the proper siting of buildings and location of off-street parking areas. Streets, pedestrian walkways and open spaces including street furniture and signs, must be designed as an integral part of the overall design, properly related to adjacent existing and proposed buildings and pursuant to permit.

Building Fronts and Side Abutting Streets

Solid or permanently enclosed or covered storefronts are not permitted, unless treated as an integral part of the building facade using wall materials and window detailing compatible with the upper floors. To ensure interior visibility and safety no more than 10% of windows and doors on the first floors of buildings may be covered. Interior shelving and structures placed less than 3 feet from the interior surface of the window and decals and vinyl coverings are considered covering for purposes of this section.

Rehabilitation Guidelines – Residential Structures:

Building form and placement.

1. All residential buildings are to face the street.
2. Building setbacks shall follow the historic setback pattern on the street or allow adequate space for an individual stoop, steps, and plantings, as well as street trees. Additionally, building setbacks must align with all City and State zoning and housing law and regulations.
3. Mid-block gaps are not permitted within a row of townhouses.

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Roofs.

1. The roofline of buildings should be compatible with other houses in the row and comply with the Baltimore City Zoning Code.
2. Front building walls should be capped with original or new cornices.
3. Roof decks, where permitted, should follow the Baltimore City Design Manual, as it may be amended from time to time.

Fenestration.

1. It is recommended that front entry doors should face the street or public open space. Front entry doors should be distinctive to enhance building façades.
2. A minimum of 30% of the linear horizontal dimension of the façade of each floor shall be windows or openings.
3. Openings: If residential buildings are designed in a traditional style, openings must be vertical in proportion and consistent with adjacent buildings.

Walls.

Front facades of attached houses must be consistent with the materials of the houses on the shared block.

Garages.

1. Garages visible from any primary street must be designed to be compatible with the architecture of the accompanying residence through the use of same or similar incorporation of materials.
2. Garages shall be accessed from the rear alley.

Rehabilitation Guidelines – Non-Residential Structures:

Building Façades.

1. All defective structural and decorative elements of building fronts and sides, including storefronts, windows, doors, and cornices, shall be repaired or replaced in a skilled manner. Original or matching materials should be used wherever possible.
2. All brick walls and natural stone walls shall be kept clean, repaired, and repointed as required. Cleaning of masonry façades by means of sandblasting shall not be permitted. Brick walls that are not painted shall remain unpainted. Painted brick walls shall be painted a color that is compatible with the colors of the neighboring structures.

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- 1 3. No new formstone, stucco, metal or wood siding, or exterior finishes shall be
2 permitted over brick wall surfaces. All such existing siding and finishes that are
3 defective over 10 percent of their area shall be repaired. If an existing covering is
4 more than 50 percent defective, it shall be removed and the walls behind them
5 restored.
- 6 4. Existing metal siding which is undamaged, structurally sound, and permissible under
7 the Baltimore City Building Code may be retained.
- 8 5. All metal siding that remains shall be kept clean, in a state of good repair, and in a
9 color compatible with the colors of the neighboring structures.
- 10 6. All miscellaneous elements on the exterior walls of the structures such as empty
11 electrical boxes, conduits, pipes, unused sign brackets, etc., shall be removed.
- 12 7. Side walls shall be finished in a manner that is harmonious with the front of the
13 building.

14 *Storefronts.*

- 15 1. New storefronts that project beyond the original property line of the commercial
16 properties are not permitted.
- 17 2. Show windows, entrances, signs, lighting, sun protection, security grilles, etc., shall
18 be compatible, harmonious and consistent with the original scale and character of the
19 structures.
- 20 3. It is recommended that enclosures and housing for security grilles and screens shall be
21 as inconspicuous as possible and compatible with other elements of the façade.
22 Decorative artistic and custom security grilles.
- 23 4. All exposed portions, which require painting to preserve, protect, or renovate the
24 surface shall be painted.
- 25 5. Unless a building is vacant or abandoned solid or permanently enclosed or covered
26 storefronts shall not be permitted.

27 *Windows.*

28 All window openings shall have the same heights and width they did at the time that the wall
29 in which the openings are located was originally built. Filling in these openings at the top,
30 bottom, or sides is not permitted. The following additional requirements shall apply:

- 31 1. All windows must be tight-fitting and have sashes of proper size and design. Sashes
32 with rotten wood, broken joints or loose mullions or muntins shall be repaired or
33 replaced with glass or other approved transparent material, and all exposed wood
34 shall be repaired and painted.

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- 1 2. Window openings in upper floors of the front of the building shall not be filled or
2 boarded up on the exterior. Windows in unused area of the upper floors may be
3 backed by a solid surface on the inside of the glass. Window panes shall not be
4 painted.

5 *Roofs.*

- 6 1. Chimneys or any other auxiliary structures on roofs shall be kept clean and in good
7 repair.
- 8 2. Roof mounted structures for the support of signs, billboards, etc., are not permitted.
- 9 3. Any mechanical equipment placed on a roof shall be so located as to be hidden from
10 view from any primary street and to be as inconspicuous as possible from other
11 viewpoints. Otherwise, it is recommended that such equipment shall be screened with
12 suitable elements of a permanent nature and finish. Where such screening is
13 unfeasible, equipment shall be installed in a neat, presentable manner, and shall be
14 painted so as to minimize its visibility.

15 Maintenance Standards

16 1. *Standards for the Maintenance of Occupied Structures*

- 17 a. Businesses and residents must keep their properties free of trash.
- 18 b. Support mechanisms for signs and exterior electrical, plumbing, and mechanical
19 equipment must be kept in good repair.
- 20 c. All windows must be tight fitting and have sash of proper size and design. Sash with
21 rotten wood, broken joints, or loose mullions or muntins must be replaced. All broken
22 and missing windows and glass block must be replaced with glass or approved plastic
23 glazing. All exposed wood must be repaired or painted.
- 24 d. All trash must be placed in covered receptacles behind or at the rear of the property
25 and picked up regularly by commercial trash services.
- 26 e. Properties with flaking paint must be repainted or repaired within 30 days of being
27 cited.
- 28 f. Graffiti must be removed within 30 days of being cited.
- 29 g. All fences and barriers must be maintained on a regular basis. Owners must repair or
30 remove damaged fences within 60 days. Landscape barriers must be trimmed on a
31 regular basis, and dead or damaged shrubbery must be replaced as needed.
- 32 h. Defective structural and decorative elements on building walls that face primary and
33 side streets must be repaired so that they closely resemble the original materials and
34 design of the building. Damaged, sagging, or otherwise deteriorated storefronts, show
35 windows, or entrances must be repaired or replaced.

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- 1 i. Cornices and windows above the first floor must be kept structurally sound and in
2 good condition. Wood that is rotten or weak must be repaired or replaced in a way
3 that matches the original design and construction as closely as possible. All exposed
4 wood must be painted or stained or protected through other acceptable methods.
- 5 j. Rear and interior side walls must be kept neat and repaired.
- 6 k. Rear walls must be painted or stuccoed to cover up existing patched and in-filled
7 areas.
- 8 l. Chimneys, elevator housing, and other roof-top structures must be kept clean and
9 repaired. Roofs must be kept clean and free of trash and debris.
- 10 m. All storage lots and outdoor storage of any equipment and supplies otherwise
11 permitted by this Plan must be maintained in good condition.

12 2. *Standards for the Maintenance of Vacant Structures and Properties*

- 13 a. Grass and weeds must not exceed 8 inches in height. All other landscaping and
14 shrubbery must be maintained on a regular basis.
- 15 b. All windows must be tight fitting and have sash of proper size and design. Sashes
16 with rotten wood, broken joints, or loose mullions or muntins must be replaced. All
17 broken and missing windows and glass block must be replaced with glass or approved
18 plastic glazing. All exposed wood must be repaired or painted.
- 19 c. Broken windows or other forms of vandalism must be repaired within a 5-day period.
- 20 d. Trash must be removed on a weekly basis and must be kept in a secured receptacle
21 behind or at the rear of the property.
- 22 e. Trash must be made available for regular commercial pick-ups.
- 23 f. Buildings must be maintained to give the appearance that they are occupied and may
24 not be boarded.

25 3. *Compliance with Maintenance Standards*

- 26 a. These maintenance standards are enforced by the Department. Complaints about
27 violations of these standards may be made to the Department by any individual or
28 organization. Issues identified and complaints collected by Concerned Citizens for a
29 Better Brooklyn, Inc., the Curtis Bay Community Association, Action Baybrook, Inc.
30 and/or the South Baltimore Business Alliance, Inc., or their successors or other
31 organizations listed in the Community Association Directory, will be coordinated and
32 prioritized by these groups before they are transmitted to the Department for
33 enforcement to the extent feasible.

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- 1 b. Structural repairs must be made within 60 days from the date of a violation notice
2 from the Department.
- 3 c. All maintenance and non-structural repairs must be made within 30 days from the
4 date of a violation notice from the Department.
- 5 d. Vandalized properties must be secured within a 5 business days. Property owners who
6 require additional time to make a repair must notify the Department either in writing
7 or by telephone and provide an extension of the completion date by no more than 30
8 days

9 Compliance.

10 No alteration or improvement work may be undertaken that does not conform with the
11 requirements herein unless the requirements have been waived by the Department of Housing
12 and Community Development.

13 Design Review and Approval.

14 Designs for all building improvement, modifications, repair, rehabilitation or painting
15 concerning the exterior of the existing buildings, their show windows, and for all signs, must be
16 submitted to the Department of Housing and Community Development and the Department of
17 Planning. Approval by the Department of Planning required before proceeding with the work.

18 The Department of Housing and Community Development or the Department of Planning
19 must submit to the community organization board, or its assignee, for its review and comment,
20 the form and content of all plans and proposals to redevelop land, all property rehabilitation
21 plans, and all work and occupancy permits. The community organization may advise the
22 Department of Planning of its recommendation regarding the acceptability and priority of all
23 plans, proposals, and permits. The Commissioner of the Department of Housing and Community
24 Development retains the final authority to approve or disapprove all plans and permits, and to
25 grant or withhold development priorities, disposing of redevelopment land through procedures
26 established by the Department of Housing and Community Development.

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1 **EXHIBIT 1: Project Boundary**

2 Dated: September 22, 2021

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1 **EXHIBIT 2: Land Use Plan**

2 Dated: December 21, 1982

3 Last revised: September 22, 2021

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1 **EXHIBIT 3: Contributing Structures Map**

2 Dated: December 21, 1982

3 Last revised: September 22, 2021

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1 **EXHIBIT 4: Land Disposition**

2 Dated: December 21, 1982

3 Last revised: September 22, 2021

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1 **EXHIBIT 5: Zoning Districts**

2 Dated: December 21, 1982

3 Last revised: September 22, 2021

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URBAN RENEWAL PLAN

Brooklyn–Curtis Bay

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1 **SECTION 4. AND BE IT FURTHER ORDAINED,** That the Urban Renewal Plan for
2 Brooklyn–Curtis Bay, identified as “Urban Renewal Plan, Brooklyn–Curtis Bay”, including
3 Exhibit 1, “Project Boundary”, dated September 22, 2021; Exhibit 2, “Land Use Plan”, dated
4 December 21, 1982, and last revised September 22, 2021; Exhibit 3 Acquisition”, dated
5 December 21, 1982, and last revised September 22, 2021; Exhibit 4 “Land Disposition”, dated
6 December 21, 1982, and last revised September 22, 2021; and Exhibit 5 “Zoning Districts”,
7 dated December 21, 1982, and last revised September 22, 2021, and Appendices A and B, is
8 approved. The Department of Planning shall file a copy of the amended Urban Renewal Plan
9 with the Department of Legislative Reference as a permanent public record, available for public
10 inspection and information.

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

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

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

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