

**CITY OF BALTIMORE  
ORDINANCE \_\_\_\_\_  
Council Bill 05-0160**

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Introduced by: The Council President  
At the request of: The Administration (Department of Housing and Community Development)  
Introduced and read first time: May 9, 2005  
Assigned to: Committee of the Whole  

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Committee Report: Favorable with amendments  
Council action: Adopted  
Read second time: August 15, 2005  

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**AN ORDINANCE CONCERNING**

**Urban Renewal – Inner Harbor West –  
Amendment 9**

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FOR the purpose of amending the Urban Renewal Plan for Inner Harbor West to close certain right-of-way and air-rights, make a minor project boundary change, delete and incorporate certain development areas to create a new development area, make certain land use changes including the incorporation of easements, make certain technical corrections in the text to comply with newly created Exhibits showing current property, rights-of-way, and alignment conditions, include new sign provisions in Exhibit G, and eliminate Exhibit E, Right-of-Way Adjustments, from this Plan; waiving certain content and procedural requirements; making the provisions of this Ordinance severable; providing for the application of this Ordinance in conjunction with certain other ordinances; and providing for a special effective date.

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

**Recitals**

18 The Urban Renewal Plan for Inner Harbor West was originally approved by the Mayor and  
19 City Council of Baltimore by Ordinance 71-1007 and last amended by a Minor Amendment  
20 approved by the Board of Estimates on January 2, 1992.

21 An amendment to the Urban Renewal Plan for Inner Harbor West is necessary to close  
22 certain right-of-way and air-rights, make a minor project boundary change, adjust the area and  
23 standards of certain development parcels for future commercial-residential use, create new  
24 development area, make certain land use changes including the incorporation of easements,  
25 include new sign provisions in Exhibit G, create new Exhibits to the Plan showing current  
26 conditions, and eliminate Exhibit E from the Plan.

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

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

4 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the  
5 following changes in the Urban Renewal Plan for Inner Harbor West are approved:

6 (1) Amend II. A. of the Plan to read as follows:

7 A. Boundaries of the Urban Renewal Area

8 The boundaries of Inner Harbor West (hereinafter referred to as “Renewal Area”  
9 or “Project”) are shown on Exhibit A, entitled “Land Acquisition”, and are  
10 described as follows:

11 Beginning for the same at the point formed by the intersection of the south side of  
12 Lombard Street, as now laid out, and the west side of Charles Street, as now laid  
13 out 49.5 feet wide, and running thence binding on the west side of said Charles  
14 Street, crossing Pratt Street, Camden Street, and Conway Street, the two  
15 following courses and distances; namely, South 03°-38'-40" East 1333.56 feet and  
16 South 04°-02'-40" East 237.62 feet to intersect the north side of Barre Street, as  
17 now laid out 66 feet wide; thence binding on the north side of said Barre Street,  
18 South 87°-06'-50" West 72.81 feet to intersect the west side of Charles Street, as  
19 now laid out 66 feet wide; thence binding on the west side of last said Charles  
20 Street, crossing said Barre Street, South 03°-18'-00" East 395.66 feet to intersect  
21 the north side of Lee Street, as now laid out 82.5 feet wide; thence binding on the  
22 north side of said Lee Street, South 87°-09'-20" West 326.93 feet to intersect the  
23 west side of Hanover Street, as now laid out 66 feet wide; thence binding on the  
24 west side of said Hanover Street, crossing Lee Street, York Street, Hill Street, and  
25 Hughes Street, South 02°-52'-30" East 676.73 feet to intersect the south side of  
26 Hughes Street, as now laid out 20 feet wide; thence binding in part on the  
27 southside of said Hughes Street, in part on the line of the south side of said  
28 Hughes Street if projected westerly and in all, Westerly 487 feet, more or less, to  
29 intersect the southwest side of Montgomery Street, as now laid out; thence  
30 binding on the southwest side of said Montgomery Street, crossing Sharp Street,  
31 Northwesterly 81 feet, more or less, to intersect the northwest side of Sharp  
32 Street, as now laid out; thence binding on the northwest side of said Sharp Street,  
33 crossing Montgomery Street and Hill Street, northeasterly 253 feet, more or less,  
34 to the northwest corner of Hill Street, as now laid out 82.5 feet wide, and Sharp  
35 Street, as now laid out 66 feet wide between Hill Street and Camden Street;  
36 thence binding on the west side of last said Sharp Street, crossing Lee Street,  
37 Northerly 994 feet, more or less, to intersect the south side of Camden Street, as  
38 now laid out 66 feet wide; thence binding on the south side of said Camden  
39 Street, Westerly [653] 1403 feet, more or less, to [intersect the east side of Eutaw  
40 Street, as now laid out; thence binding on the east side of said Eutaw Street,  
41 crossing said Camden Street, Northerly 66 feet, more or less, to intersect the north  
42 side of said Camden Street; thence binding on the north side of said Camden  
43 Street, crossing said Eutaw Street, Westerly 382 feet, more or less, to intersect the  
44 east side of Paca Street, as now laid out; thence binding on the east side of said  
45 Paca Street, crossing Pratt Street and Lombard Street, Northerly 836] THE CENTER

1 LINE OF RUSSELL STREET; THENCE BY A STRAIGHT LINE, NORTHERLY 66 FEET,  
 2 MORE OR LESS, TO INTERSECT THE NORTHWEST SIDE OF WASHINGTON  
 3 BOULEVARD; THENCE BINDING ON THE NORTHWEST SIDE OF SAID WASHINGTON  
 4 BOULEVARD, NORTHEASTERLY 563 FEET, MORE OR LESS, TO INTERSECT THE EAST  
 5 SIDE OF PACA STREET; THENCE BINDING ON THE EAST SIDE OF SAID PACA STREET,  
 6 CROSSING PRATT STREET, NORTHERLY 572 feet, more or less, to intersect the  
 7 north side of Lombard Street, as now laid out; thence binding on the north side of  
 8 said Lombard Street, crossing said Eutaw Street, Easterly 722 feet, more or less,  
 9 to intersect the west side of Howard Street, as now laid out 80 feet wide; thence  
 10 binding on the west side of said Howard Street, as now laid out 80 feet wide;  
 11 thence binding on the west side of Howard Street, Northerly 14 feet, more or less,  
 12 to intersect the north side of said Lombard Street, thence binding on the north side  
 13 of said Lombard Street, crossing said Howard Street, Easterly 380 feet, more or  
 14 less, to intersect the west side of Hopkins Place, as now laid out; thence by a  
 15 straight line, crossing said Lombard Street, Southeasterly 85 feet, more or less, to  
 16 the southwest corner of said Lombard Street and said Hopkins Place and thence  
 17 binding on the south side of said Lombard Street, crossing said Hopkins Place and  
 18 Hanover Street, Easterly 831 feet, more or less, to the place of beginning.

19 (2) Amend III.A. and B. of the Plan to read as follows:

- 20 A. Land and property interests now owned or to be acquired by the City within the  
 21 Renewal Area will be disposed of by sale, lease, conveyance, transfer or other  
 22 means available to the City, in accordance with Exhibits B, "Development  
 23 Areas", and C, "[Proposed] Land Use", and the other provisions of this Renewal  
 24 Plan.
- 25 B. The Areas shown as available for disposition in Exhibit B, "Development Areas"  
 26 C, "[Proposed] Land Use", and FORMER E, "Right of Way Adjustment" are  
 27 schematic and approximate, and the Department shall have the right, in its  
 28 discretion, to fix their precise boundaries and size. The Department shall also  
 29 have the right, in order to facilitate the most advantageous development of the  
 30 Project, to subdivide or combine the Development Areas.

31 (3) Amend IV.A. and B.1. of the Plan to read as follows:

32 A. Land Use Map

33 Exhibit C, entitled "[Proposed] Land Use", shows in schematic form, the  
 34 [proposed] locations of street rights-of-way, and all residential, commercial-  
 35 residential, commercial, and public uses of land for the Project.

36 B. Land Use Provisions

- 37 1. General: In order to achieve the objectives of the Renewal Plan, the uses  
 38 defined in subsections [B2] B.2. and [B3] B.3. below, are the only uses  
 39 permitted on property to be acquired in the Project, as well as on Parcel "F"  
 40 of the property not to be acquired.

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(4) Amend IV.B.2.c.(3) of the Plan to read as follows:

(3) Transient Housing/HOTEL

(5) Amend IV.B.3.e. of the Plan to read as follows:

e. Transient Housing/HOTEL: Facilities for lease as an accommodation to persons not establishing housekeeping.

(6) Amend V.A., B., and C. of the Plan to read as follows:

A. Applicability:

In order to achieve the objectives of the Renewal Plan, the following “Standards and Controls”, defined in sub-sections [B] B. through [O] O. below, shall be applied to the separate Development Areas. These provisions shall be included, where appropriate, in agreements, leases, deeds, and other instruments whereby land or interests in real property in the Project are disposed of by the City to developers and shall be incorporated where appropriate in covenants running with such land or interests in real property.

B. Size of Facilities:

The minimum and maximum sizes of the various types of facilities in each Development Area shall be determined by the Department, provided that the aggregate size of the following types of facilities (as defined in Section [IV B3] IV.B.3.) within the Project Area shall be:

- 1. Office and Retail - not less than 1,000,000 square feet of net building area.
- 2. Housing - not less than 600 nor more than 2,500 dwelling units.
- 3. Parking - not less than 1,900 parking spaces nor more than 7,000 parking spaces.

C. Parking:

Parking shall be provided and maintained within the Project by developers as required by the Department. For purposes of this sub-section, the Mayor and City Council of Baltimore and any body corporate, public or private, public agency, partnership or person, and any of the foregoing entities operating public parking facilities shall be considered a developer.

The Department, in establishing the minimum and maximum sizes of parking facilities in the following Development Areas, shall establish no minimum lower than that shown below, except where offset by an increase in an adjacent block:

1	<u>Development Area</u>	<u>No. of Spaces</u>
2	1a	250
3	2a	100
4	3a and/or 3c	400
5	5a	400
6	[6a	250]
7	[7a	300]
8	7	550
9	10	350

10 In addition, the number of spaces required in Development Areas 11 and 12 shall  
 11 aggregate at least 240 spaces.

12 All parking within any Development Area, except Development Areas 2a, 10,  
 13 10a, 11 and 12, shall be enclosed within structures and roofed, so as to be  
 14 screened from public view, provided that limited open-air surface parking spaces  
 15 be permitted in any Development Area at the discretion of the Department, sub-  
 16 section [O] O. below notwithstanding.

17 (7) Amend V.E.2. and V.F. of the Plan to read as follows:

18 E. Access:

19 2. Vehicular: Vehicular access to each Development Area will be controlled as  
 20 detailed in sub-section [O] O. below.

21 F. Easements:

22 In addition to those easements shown on FORMER Exhibit E, easements for  
 23 utilities, public transit, and private and public access and passage may be  
 24 reserved or granted by the Department in any Development Area for the purpose  
 25 of adequately servicing the Project. Such easements may be disposed of to  
 26 developers. For purposes of this sub-section, the Mayor and City Council of  
 27 Baltimore and any body corporate, public or private, public agency, partnership  
 28 or person, and any of the foregoing entities operating public utilities or public  
 29 transit facilities shall be considered a developer.

30 (8) Amend V.I. of the Plan to read as follows:

31 I. Setbacks:

32 No buildings shall be constructed in setback areas as determined by the  
 33 Department pursuant to sub-section [H] H. above, provided, however, that the  
 34 height and coverage limitations provided in sub-section [O] O. below, shall not  
 35 be exceeded.

1 (9) After the first 2 paragraphs of V.O. in the Plan, amend the header sentence to read as  
2 follows:

3 Development Areas 1B, 2B, 3B, 3D, 4B, 5B, [6B, 7B,] 8B, 9B, 10A

4 and, in V.O., amend Development Areas 6A and 7A to read as follows:

5 Development Area [6A] 7 (WEST OF EUTAW STREET)

6 a. General Use: Commercial - Residential

7 b. Building Requirements:

8 i. Maximum permitted height: 342.0 feet ± above grade

9 ii. Maximum permitted coverage: 80%

10 iii. Setbacks: Paca Street - As required to maintain a 20-ft. sidewalk  
11 (± 4.0 ft.)

12 Pratt Street - None

13 Eutaw Street - None

14 Camden Street: As required to maintain a 17-ft. sidewalk (± 4.0 ft.)

15 c. Parking: Not less than [250] 550 spaces

16 [d. Vehicular Access: None allowed from Pratt or Paca Street north of the  
17 median]

18 Development Area [7A] 7 (EAST OF EUTAW STREET)

19 a. General Use: Commercial - Residential and Public Park

20 b. Building Requirements:

21 i. Maximum permitted height: El. 150.0' ±

22 ii. Maximum permitted coverage: 65%

23 iii. Setbacks: Camden Street - As required to maintain a 17-ft sidewalk  
24 (± 7 ft.)

25 Eutaw Street - None

26 Pratt Street - None

27 Howard Street - As required to maintain a 20-ft. sidewalk  
28 (± 4 ft.)

29 [c. Parking: Not less than 300 spaces.]

30 [d. Vehicular Access: None allowed from Pratt or Camden Streets]

1 (10) Amend IX.A.2. and A.3. of the Plan to read as follows:

2 2. Passage of Ordinance amending the Zoning Ordinance in accordance with  
3 Exhibit D “[Proposed] Zoning”.

4 3. Passage of Ordinance opening and closing streets and alleys in accordance  
5 with FORMER Exhibit E “Right-of-way Adjustments”, EXHIBIT A “LAND  
6 ACQUISITION”, AND EXHIBIT B “DEVELOPMENT AREAS”.

7 (11) Amend Exhibit G, Section D.2. by adding new subsection g. to read as follows:

8 G. FLAGS AND BANNERS MAY BE DISPLAYED ON A TEMPORARY AND PERMANENT  
9 BASIS, SUBJECT TO OBTAINING THE NECESSARY MINOR PRIVILEGE PERMIT, SO  
10 LONG AS THE BANNER MATERIAL IS NOT FADED, TORN, OR FRAYED, AND THE  
11 POLES ARE WELL MAINTAINED. BANNERS SHOULD BE DISPLAYED ONLY FROM  
12 BUILDINGS AT LEAST 2 STORIES HIGH AND MAY NOT BE LESS THAN 10 FEET  
13 ABOVE THE SIDEWALK. ALL BANNER POLES ALONG ONE STREET SHOULD BE  
14 SET AT THE SAME ANGLE FROM THE HORIZONTAL PLANE. BANNERS MAY  
15 PROJECT UP TO ONE-THIRD THE WIDTH OF THE SIDEWALK BUT NOT MORE THAN  
16 5 FEET, WHICHEVER IS GREATER. PROVISION FOR FLAGS AND BANNERS MUST  
17 OTHERWISE CONFORM TO THE PROVISIONS OF THE CITY ORDINANCES.

18 (12) Amend Exhibit G, Section D.3.b. to read as follows:

19 b. The area of a projecting sign shall not exceed [four] SIX square feet.

20 **SECTION 2. AND BE IT FURTHER ORDAINED**, That it is necessary to acquire, by purchase or  
21 condemnation, for urban renewal purposes, the fee simple interest or any lesser interest in and  
22 to the following properties or portions thereof, together with all right, title, interest and estate  
23 that the owner or owners of said property interests may have in all streets, alleys, ways, or  
24 lanes, public or private, both abutting the whole area described and/or contained within the  
25 perimeter of said area, situate in Baltimore City, Maryland, and described as follows:

26 200 Block of South Eutaw Street between West Pratt and Camden Streets (26,613  
27 square feet, more or less)

28 200 Block of South Howard Street between West Pratt and Camden Streets (2,850  
29 square feet, more or less, of air-rights)

30 **SECTION 3. AND BE IT FURTHER ORDAINED**, That the Urban Renewal Plan for Inner  
31 Harbor West, as amended by this Ordinance and identified as “Urban Renewal Plan, Inner  
32 Harbor West, revised to include Amendment 9, dated March 23, 2005”, is approved. The  
33 Department of Planning shall file a copy of the amended Urban Renewal Plan with the  
34 Department of Legislative Reference as a permanent public record, available for public  
35 inspection and information.

36 **SECTION 4. AND BE IT FURTHER ORDAINED**, That Exhibit A, “Land Acquisition”, Exhibit  
37 B, “Development Areas”, Exhibit C, “Land Use”, and Exhibit D, “Zoning Districts”, all dated  
38 March 23, 2005, are amended to reflect the changes in the Renewal Plan. Exhibit E, “Right-of-  
39 Way Adjustments”, dated March 23, 2005, is being eliminated from the group of Exhibits to  
40 this Renewal Plan with the ability to review former Exhibit E as necessary.

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

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

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

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

Certified as duly passed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
 President, Baltimore City Council

Certified as duly delivered to His Honor, the Mayor,

this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
 Chief Clerk

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
 Mayor, Baltimore City