

**CITY OF BALTIMORE
COUNCIL BILL 05-0273
(First Reader)**

Introduced by: The Council President
At the request of: The Administration (Department of Housing and Community Development)
Introduced and read first time: November 7, 2005
Assigned to: Urban Affairs Committee

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

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Urban Renewal – Sharp-Leadenhall –**
3 **Amendment _**

4 FOR the purpose of amending the Urban Renewal Plan for Sharp Leadenhall to revise the
5 boundary description for the project area, authorize the acquisition by purchase or by
6 condemnation of certain properties for urban renewal purposes, revise certain regulations,
7 controls, and restrictions, and revise exhibits and Appendix A to reflect the changes in the
8 Plan; correcting, clarifying, and conforming certain language; correcting certain references;
9 waiving certain content and procedural requirements; making the provisions of this
10 Ordinance severable; providing for the application of this Ordinance in conjunction with
11 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)

17 **Recitals**

18 The Urban Renewal Plan for Sharp-Leadenhall was originally approved by the Mayor and
19 City Council of Baltimore by Ordinance 74-581 and last amended by Ordinance 80-49.

20 An amendment to the Urban Renewal Plan for Sharp-Leadenhall is necessary to revise the
21 boundary description for the project area, authorize the acquisition by purchase or by
22 condemnation of certain properties for urban renewal purposes, revise certain regulations,
23 controls, and restrictions, revise exhibits and Appendix A to reflect the changes in the Plan,
24 correct, clarify, and conform certain language, and correct certain references.

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

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 Sharp-Leadenhall are approved:

6 (1) In the Plan, amend A. to read as follows:

7 A. Project Description

8 1. Boundary Description

9 Beginning for the same at the intersection of the south side of the first 3-foot
10 alley north of West Henrietta Street and the east side of South Sharp Street;
11 thence binding on the east side of Sharp Street southerly to intersect the
12 NORTH SIDE OF STOCKHOLM STREET; THENCE BINDING ON THE NORTH SIDE OF
13 STOCKHOLM STREET EASTERLY TO INTERSECT THE WEST SIDE OF RACE
14 STREET; THENCE NORTHERLY TO INTERSECT THE NORTH SIDE OF WEST
15 OSTEND STREET [north side of West Ostend Street]; thence binding on the
16 north side of West Ostend Street easterly to intersect the east side the first 3-
17 foot alley, east of Goodman Alley; thence binding on the east side of said
18 alley northerly to intersect the north side of the first 2-foot alley; thence
19 binding on the north side of said alley westerly to intersect the east side of
20 Goodman Alley; thence binding on the east side of Goodman Alley northerly
21 to intersect the south side of Ropewalk Lane; thence binding on the south side
22 of Ropewalk Lane easterly 48 feet, more or less, crossing Ropewalk Lane, to
23 intersect the east side of Goodman Alley extended; thence binding on the east
24 side of Goodman Alley northerly to intersect the north side of West West
25 Street; thence binding on the north side of West West Street easterly to
26 intersect the west side of the first 3-foot, 1-inch alley; thence binding on the
27 west side of said alley northerly to intersect the division line between Lot
28 48/52, Ward 23, Section 4, Block 949, and said alley; thence binding on said
29 division line, as extended, easterly to intersect the division line between Lot 4
30 and Lot 48/52, Ward 23, Section 4, Block 949; thence binding on said
31 division line northerly to intersect the division line between Lot 5 and Lot
32 48/52, Ward 23, Section 4, Block 949; thence binding on said division line
33 westerly to intersect the east side of Olive Street; thence binding on the east
34 side of Olive Street northerly to intersect the south side of a 3-foot alley;
35 thence binding on the south side of said alley easterly 26 feet, more or less, to
36 intersect the east side of Olive Street extended; thence binding on the east side
37 of Olive Street northerly to intersect the north side of West Hamburg Street;
38 thence binding on the north side of West Hamburg Street westerly to intersect
39 the division line between Lot 2 extended and Lot 3, Ward 23, Section 1, Block
40 917; thence binding on said division line northerly to intersect the north side
41 of Kronmillers Court; thence binding on the north side of Kronmillers Court
42 westerly to intersect the east side of Olive Street; thence binding on the east
43 side of Olive Street northerly to intersect the south side of West Wheeling
44 Street; thence binding on the south side of West Wheeling Street easterly 98
45 feet, more or less, to intersect the eastern boundary of Lot 29/30 extended,
46 Ward 23, Section 1, Block 917; thence binding on said eastern boundary

1 northerly to intersect the rear property line of Lot 28 and continuing on the
2 rear property line of Lot 27, Ward 23, Section 1, Block 917; thence binding on
3 the rear property lines northeasterly to intersect the northeasterly to intersect
4 the division line between Lot 27 and Lot 26, Ward 23, Section 1, Block 917;
5 thence binding on said division line northerly to intersect the south side of
6 West Henrietta Street; thence binding on the south side of West Henrietta
7 Street easterly to intersect the west side of South Charles Street; thence
8 binding on the west side of South Charles Street northerly to intersect the
9 south side of West Churchill Street; thence binding on the south side of West
10 Churchill Street westerly to intersect the west side of South Hanover Street;
11 thence binding on the west side of South Hanover Street northerly to intersect
12 the division line between Lot 26/29 and Lot 30, Ward 22, Section 9, Block
13 903; thence binding on said division line westerly to intersect the east side of
14 Bevan Street; thence binding on the east side of Bevan Street northerly 47
15 feet, more or less, to a point of intersection formed by extending the rear
16 property lines of Lots 25, 24 and 23, Ward 22, Section 9, Block 903; thence
17 binding on said extension and the said rear property lines westerly to intersect
18 the east side of Leadenhall Street; thence binding on the east side of
19 Leadenhall Street southerly 15 feet, more or less, to a point of intersection
20 formed by extending the south side of the first 5-foot alley south of West
21 Montgomery Street; thence binding on said extension and the south side of
22 said alley westerly to intersect the east side of Peach Street; thence binding on
23 the east side of Peach Street southerly 2 feet, more or less, to a point of
24 intersection formed by extending the northern property line of Lot 22, Ward
25 22, Section 9, Block 902; thence binding on said extension and said northern
26 property line to the point of beginning.

27 The boundaries of the project area are illustrated on Exhibit 3, Property
28 Acquisition Map.

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

- 30 a. To remove substandard [buildings] STRUCTURES and to eliminate BLIGHT
31 [blighting influences].
- 32 b. To provide land for the development of USES CONSISTENT WITH THIS
33 PLAN, INCLUDING new housing, [a replacement school, a replacement
34 playground] PLAYGROUNDS, OTHER COMMUNITY FACILITIES, and [a new
35 recreational and landscaped] PUBLIC open space areas.
- 36 c. To [provide through subsidized housing programs, housing units for low-
37 and moderate-income families or individuals on land to be disposed of for
38 residential purposes] PROMOTE A SOCIALLY AND ECONOMICALLY DIVERSE
39 RESIDENTIAL COMMUNITY THROUGH THE CREATION AND PRESERVATION OF
40 PERMANENT HOUSING THAT ACCOMMODATES A WIDE RANGE OF INCOMES,
41 TENURES, AND HOUSEHOLD TYPES AND SIZES.
- 42 d. To encourage the rehabilitation of basically sound [houses] STRUCTURES
43 where they occur in reasonable concentration.

- e. To establish reasonable standards and controls for REDEVELOPMENT AND new development [which] THAT will result in sound design compatible with existing land uses [and with the proposed highway I-395].
- f. To provide other public [facilities] INFRASTRUCTURE IMPROVEMENTS such as [street] STREETS and utilities [improvements].
- g. To propose district changes to the Zoning [Ordinance] CODE of Baltimore City, which are appropriate to the Land Use Plan and which will protect the project from future blighting influence.

(2) In the Plan, amend B.1. to read as follows:

B. Land Use Plan

1. Permitted Land Uses

Only the uses shown on the Land Use Plan Map, Exhibit 2, [shall be] ARE permitted within the [project area] PROJECT AREA. These uses are: Residential AND SUPPORTING USES, OFFICE-RESIDENTIAL, Industrial, Public, Community Commercial, and Community Business.

a. Residential

(1) The permitted TYPES OF residential uses [shall be] ARE: FLAT OR GARDEN APARTMENT [garden-type walk-up apartments], ROWHOUSE [rowhouses], and MULTISTORY (WALK-UP OR ELEVATOR)[high-rise elevator apartments for the elderly].

[(2) Supporting uses, such as: education and recreational uses, religious facilities of any denomination, sect, or rite; and subject to the approval of the Board of Municipal and Zoning Appeals, convalescent homes, homes for the care of the aged; day nurseries and nursery schools; other public service uses; professional offices for not more than four physicians or dentists in a structure designated and erected for residential use.]

(2) [(3)] Retail commercial facilities customarily accessory to [elevator apartments] MULTISTORY RESIDENTIAL.

(3) [(4)] Landscaping, off-street parking, and off-street loading related to the above [shall be] ARE permitted as accessory uses.

b. Public

The uses [shall be] ARE limited to a firehouse; school and related facilities; playgrounds; playfields and landscaped open space areas; libraries; multi-purpose neighborhood centers; other public facilities; and parking and loading facilities as related to the above uses.

1 c. Industrial

2 The permitted light and heavy industrial uses [shall be] ARE established
3 within the [project area] PROJECT AREA under the M-2-2 [and M-3]
4 INDUSTRIAL ZONING DISTRICT [industrial zoning districts, respectively].

5 d. Community Commercial

6 Community COMMERCIAL [commercial] uses [shall be] ARE limited to
7 those uses permitted under the B-3 category of the Zoning [Ordinance]
8 CODE of Baltimore City.

9 e. Community Business

10 Community Business uses [shall be] ARE limited to those uses permitted
11 under the B-2 category of the Zoning [Ordinance] CODE of Baltimore
12 City. HOWEVER, THE FOLLOWING B-2 PERMITTED USES ARE PROHIBITED IN
13 THIS RENEWAL PLAN:

- 14 ATHLETIC FIELDS
- 15 BUS PASSENGER SHELTERS
- 16 BUS AND TRANSIT TURNAROUNDS
- 17 CLOTHES PRESSING ESTABLISHMENTS
- 18 FRATERNITY AND SORORITY HOUSES: OFF-CAMPUS
- 19 HOTELS AND MOTELS
- 20 LABORATORIES
- 21 LIQUOR STORES
- 22 NEWSPAPER DISTRIBUTION AGENCIES: FOR HOME DELIVERY AND RETAIL
- 23 TRADE
- 24 PET SHOPS
- 25 RADIO ANTENNAE
- 26 ROOMING HOUSES
- 27 TAVERNS
- 28 TAXIDERMIST SHOPS
- 29 TELEPHONE EXCHANGES
- 30 TOBACCO SHOPS

31 IN ADDITION THE FOLLOWING B-2 ACCESSORY AND CONDITIONAL USES
32 ARE PROHIBITED IN THIS RENEWAL PLAN:

- 33 ACCESSORY MICROWAVE ANTENNAS
- 34 AMUSEMENT ARCADES
- 35 ANIMAL FACILITIES
- 36 ANIMAL HOSPITALS THAT ARE ODOR-PROOFED AND SOUND-PROOFED
- 37 AUTOMOBILE ACCESSORY STORES - INCLUDING RELATED REPAIR AND
- 38 INSTALLATION SERVICES
- 39 BUS AND TRANSIT PASSENGER STATIONS AND TERMINALS
- 40 FIREARM SALES, AMMUNITION SALES, OR BOTH

1 GARAGES, OTHER THAN ACCESSORY, FOR STORAGE, REPAIR, AND
2 SERVICING OF MOTOR VEHICLES NOT OVER 1 ½ TONS CAPACITY - BUT
3 NOT INCLUDING BODY REPAIR, PAINTING, OR ENGINE REBUILDING
4 GASOLINE SERVICE STATIONS
5 GOVERNMENTAL SERVICES
6 MASSAGE SALONS
7 POOL HALLS AND BILLIARD PARLORS
8 POULTRY- AND RABBIT-KILLING ESTABLISHMENTS
9 RECYCLING COLLECTION STATIONS

10 F. OFFICE-RESIDENTIAL

11 OFFICE RESIDENTIAL USES ARE LIMITED TO THOSE USES PERMITTED UNDER
12 THE O-R-3 CATEGORY OF THE ZONING CODE OF BALTIMORE CITY.

13 G. [f. Non-Conforming] NONCONFORMING USE

14 A [non-conforming use is any] lawfully existing use of a building or other
15 structure[,] or of land[, which] THAT does not conform to the applicable
16 use regulations of the [district in which it is located according to Article
17 30 of the Baltimore City Code (1976 Edition, as amended), titled
18 “Zoning”] ZONING CODE OF BALTIMORE CITY MAY BE CONTINUED AS A
19 “NONCONFORMING USE” ONLY AS PROVIDED IN TITLE 13 OF THE ZONING
20 CODE. A LAWFULLY EXISTING USE OF A BUILDING OR OTHER STRUCTURE
21 OF LAND THAT DOES NOT COMPLY WITH THE LAND USE REGULATIONS OF
22 THIS RENEWAL PLAN IS ALLOWED TO CONTINUE FOR AN INDEFINITE PERIOD
23 OF TIME. Non-conforming uses [shall be] ARE permitted to continue,
24 subject to ALL OF the provisions of TITLE 13 OF THE ZONING CODE OF
25 BALTIMORE CITY ENTITLED “NONCONFORMANCE”[Chapter 8 of said
26 Article 30 titled “Non-Conformance”].

27 H. [g. Non-Complying] NONCOMPLYING STRUCTURE

28 [A non-complying structure, as set forth in Chapter 8 of Article 30 of the
29 Baltimore City Code (1976 Edition, as amended), titled “Zoning”, is any
30 lawfully existing structure which does not comply with the bulk
31 regulations of the zoning district in which it is located. These non-
32 complying structures shall be permitted to continue, subject to the
33 provisions of said Chapter 8.] A LAWFULLY EXISTING STRUCTURE THAT
34 DOES NOT COMPLY WITH THE BULK REGULATIONS OF THE ZONING CODE OF
35 BALTIMORE CITY MAY BE CONTINUED AS A “NONCOMPLYING STRUCTURE”
36 ONLY AS PROVIDED IN TITLE 13 OF THE ZONING CODE. NONCOMPLYING
37 STRUCTURES ARE REGULATED BY TITLE 13 OF THE ZONING CODE OF
38 BALTIMORE CITY.

39 In addition, a [non-complying] NONCOMPLYING land use – when such term
40 is used IN THIS RENEWAL PLAN [herein] – is any lawfully existing use of a
41 building or other structure, or of land, which does not comply with the
42 land use regulations of this Plan. These [non-complying] NONCOMPLYING
43 uses [shall be] ARE permitted to continue for an indefinite period of time,
44 except that:

1 (1) Any [non-complying] NONCOMPLYING land use [which] THAT is
2 discontinued for a period exceeding 12 months [shall] MAY not be
3 reestablished;

4 (2) No change in the permanent physical members of a structure, such as
5 bearing walls, columns, beams, or girders, or no substantial change in
6 the roof or in the exterior walls shall be made in or to a building or
7 structure except those required by law or except to make the building
8 and use [thereof] OF IT conform to the regulations of this Plan; and

9 (3) No [non-complying] NONCOMPLYING land use [shall] MAY be changed
10 to any other [non-complying] NONCOMPLYING use.

11 (3) In the Plan, amend B.2. to read as follows:

12 2. Regulations, Controls, and Restrictions

13 a. Provisions Applicable to all Land to be Acquired

14 The following regulations, controls, and restrictions will be implemented
15 where applicable by covenants[,], or other provisions in the agreements for
16 land disposition and instruments of conveyance executed pursuant [thereto]
17 TO THEM:

18 (1) General Provisions

19 (a) No [buildings] BUILDING, structure, or parking area [shall] MAY be
20 constructed over an easement within the [project area] PROJECT AREA
21 without the prior consent of the Commissioner of the Department of
22 Housing and Community Development and the Director of Public
23 Works.

24 (b) No materials [shall] MAY be stored or permitted to remain outside
25 buildings. No waste material, refuse, or garage [shall] MAY be
26 permitted to remain outside buildings except as permitted by the
27 Baltimore City regulations regarding containers for garbage; the areas
28 for such containers [shall] MUST be properly screened.

29 (c) Except as otherwise provided in specific lot controls, no signs other
30 than those identifying the structure [upon] ON which they are installed
31 or identifying the use conducted [therein shall be] IN IT ARE permitted.
32 No sign [shall] MAY extend above the roof line or parapet wall of the
33 building to which it is attached; no sign [shall] MAY project more than
34 12 inches from the building to which it is attached. No free standing
35 signs [shall be] ARE permitted. No animated or pulsating signs [shall
36 be] ARE permitted. The total area of exterior signs for each building
37 [shall] MAY not exceed in gross area [one (1)] 1 foot times the street
38 frontage, in feet, of the building; except that signs not exceeding [six
39 (6)] 6 square feet in area erected for the purpose of directing motorists
40 to the entrance or exit points of off-street parking areas [shall be] ARE
41 permitted when attached to a fence, screening wall, or building wall

1 and [shall] ARE not [be] included in the total area calculated for
2 exterior signs.

3 (d) All land not covered by structures, paved parking, loading or related
4 service areas, paved areas for pedestrian circulation, or decorative
5 surface treatment[, shall] MUST be provided with landscaping.
6 Landscape treatment encompasses the planting of any, all, or a
7 combination of the following: trees, shrubs, ground cover, grass,
8 flowers. The amount of landscape treatment should be determined by
9 the nature of the development and should serve to improve the utility
10 of the site, soften and relieve the effects of structure and pavement,
11 and provide a visual harmony. All screening and landscaping [shall]
12 MUST be maintained in good condition.

13 (e) The setback areas abutting street right-of-way, with the exception of
14 driveways, sidewalks and other walk-ways, [shall] MUST be used
15 exclusively for the planting and growing of trees, shrubs, lawn, and
16 other ground covering or material. These areas [shall] MAY not be
17 used for nor considered in computing, the parking and/or loading
18 space requirement.

19 (f) Exterior or ventilation equipment or any mechanical equipment placed
20 outside of the building, including on the roof, [shall] MUST be
21 effectively screened.

22 (g) Off-street parking and effective screening [shall] MUST be provided on
23 all lots for development as established in the Zoning [Ordinance]
24 CODE of Baltimore City, or in such lesser amount as may be
25 authorized by the Board of Municipal and Zoning Appeals, as a
26 Special Exception or Variance.

27 (h) The Redeveloper [shall] MAY not enter into, execute, or be a party to
28 any covenant, agreement, lease, deed, assignment, conveyance, or any
29 other written instrument [which] THAT restricts the sale, lease, use of
30 occupancy of the property, or any part [thereof] OF IT, or any
31 improvements placed [thereon, upon] ON IT ON the basis of national
32 origin, race, religion, sex, or color. [Such] THE agreement or covenant
33 providing for this non-discrimination provision [shall remain]
34 REMAINS in effect without limitation as to time. The Redeveloper
35 [shall] MUST comply with all State and local laws[,] in effect [from
36 time to time prohibiting] THAT PROHIBIT discrimination or segregation.

37 (i) HEIGHTS OF ALL NEW DEVELOPMENT IN NON-RESIDENTIAL ZONED
38 AREAS MAY NOT EXCEED:

- 39 • 75 FEET ALONG OSTEND STREET AND LEADENHALL STREET SOUTH
40 OF WEST STREET; AND WEST AND PEACH STREETS WEST OF
41 LEADENHALL STREET;
- 42 • 60 FEET ALONG WEST STREET WEST OF RACE STREET;

- 45 FEET ALONG RACE STREET, WEST STREET BETWEEN LEADENHALL AND RACE STREET, AND CROSS STREET.

(2) Residential Disposition Lots

(a) Schedule of Standards for Residential Development FOR DISPOSITION LOTS ONLY:

[<u>Walk-Up*</u> <u>Apartments</u>	<u>Row</u> <u>Houses*</u>	<u>High-Rise</u> <u>Elevator</u> <u>Apartments</u>
Maximum Density	35	35	150
Floor Area Ratio	--	--	3.0
Maximum Height (ft.)	35	35	--
Minimum Rear Yard (ft.)	**	**	**
Setback	20	20	20

* The number of attached dwellings shall not exceed 9 in a row.

** A minimum rear yard of 25 feet shall be required except where lesser amounts are authorized by the Board of Municipal and Zoning Appeals.]

	FLAT OR GARDEN	ROWHOUSE (1)	MULTISTORY
MAXIMUM DENSITY	35	35	150
FLOOR AREA RATIO	--	--	--
MAXIMUM HEIGHT (FT)	35	35	50
MINIMUM REAR YARD (FT)	25	25	25
SETBACK (FT)	20	20	20

(1) THE NUMBER OF DETACHED DWELLINGS SHALL NOT EXCEED 9, EXCEPT AS PROVIDED FOR BELOW OR WHERE A LESSER AMOUNT IS AUTHORIZED BY THE BOARD OF MUNICIPAL AND ZONING APPEALS.

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(b) Disposition Lots 9 and 9A

- i. A minimum setback of 30 feet [shall be] IS required [from] FOR STRUCTURES LOCATED ON Henrietta Street. A minimum setback of 20 feet [shall be] IS required [from] FOR STRUCTURES LOCATED ON Hanover Street, or such lesser amount as may be authorized by the Board of Municipal and Zoning Appeals, as a Special Exception or Variance.
- ii. The maximum building height [shall] MAY not exceed 55 feet. The maximum bell tower height [shall] MAY not exceed 40 feet.

(c) Disposition Lot 12

- i. Disposition Lot 12 [shall be] IS limited to off-street parking.
- ii. The developer of Disposition Lot 12 [shall] MUST provide an easement for vehicular access for the adjacent property at 106 Winter Street.
- iii. The developer of Disposition Lot 12 [shall] MUST convey overland surface drainage flows from Creek Street to the Race Street drainage system.

(3) Public Disposition Lots

- (a) Disposition Lot 1 [shall] MUST be developed for a school and ancillary recreational facilities. The maximum floor area ratio [shall] MAY not exceed 0.4.
- (b) Disposition Lot 5 [shall] MUST be developed for parking [in conjunction with] ACCESSORY TO THE adjacent firehouse.
- (c) Disposition Lots 6 and 7 [shall] MUST be developed for recreation. No off-street parking or loading facilities are required.

(4) Industrial Disposition Lots

(a) General Provisions

- i. Adequate off-street loading facilities [shall] MUST be provided on all lots for development.
- ii. All loading and maneuvering of service vehicles and all other related service activities necessary to the operation of the development [shall] MUST be accommodated entirely within the lot lines.
- iii. No noxious trade or activity [shall] MAY be carried on within the [project area] PROJECT AREA, nor shall anything be done [therein which] IN IT THAT may be or become an annoyance or a nuisance

1 to the [project area] PROJECT AREA by reason of unsightliness or
2 the excessive emissions or odors, dust, fumes, smoke, noise, glare,
3 or heat.

4 (b) Disposition Lot 8

- 5 i. A front yard setback [shall] MAY not be less than [ten (10)] 10 feet
6 in depth. The street corner side [shall] MAY not be less than [ten
7 (10)] 10 feet in width.
- 8 ii. All loading and maneuvering of service vehicles and all other
9 related service activities necessary to the operation of the
10 development [shall] MUST be accommodated entirely within the lot
11 lines.
- 12 iii. The developer of Disposition Lot 8 [shall] MUST provide an
13 easement for vehicular access for the property located at 1201 S.
14 Sharp Street.
- 15 iv. The developer of Disposition Lot 8 must maintain surface drainage
16 flows in the Peach Street easement from the property at 1201 S.
17 Sharp Street and convey the flows to the City's drainage system in
18 Ostend Street.

19 (c) Disposition Lot 10

- 20 i. A front yard setback [shall] MUST BE not [be] less than [ten (10)]
21 10 feet in depth. The street corner side [shall] MUST BE not [be]
22 less than [ten (10)] 10 feet in width.
- 23 ii. The maximum floor area ratio [shall] MAY not exceed 5.0.
- 24 iii. Everything not within a fully enclosed building [shall] MUST be
25 screened.
- 26 iv. Required screening [shall] MUST consist of a fireproof opaque wall
27 of uniform color, fence, or a combined opaque wall with fencing
28 not less than [six (6)] 6 feet in height, resistant to damage from the
29 elements and maintained in good condition.
- 30 v. No burning [shall] MAY be carried on within the lot except in
31 suitable containers at appropriate locations and times and with the
32 written permission of the Baltimore City Fire Department.

33 b. Provisions Applicable to all Land Not to be Acquired

34 (1) General Provisions

35 The provisions of Section B.1. (Permitted Uses) above [shall] apply to all
36 properties not to be acquired within the [project area] PROJECT AREA. The
37 provisions of Section B.2.a. [shall] apply as appropriate to properties not

1 currently proposed to be acquired by this Plan if the owners [thereof] OF
2 THEM acquire adjacent project land made available by the Department of
3 Housing and Community Development under the provisions of this Plan.

4 (2) New Construction, Exterior Rehabilitation, and Change in Use

5 All plans for new construction (including parking lots), exterior
6 rehabilitation, and change in use on any property not to be acquired under
7 the provisions of this [plan] PLAN [shall] MUST be submitted to the
8 Department of Housing and Community Development for review. Only
9 upon finding that the proposed plans are consistent with the objectives of
10 the Urban Renewal Plan, shall the Commissioner of the Department of
11 Housing and Community Development authorize the processing of the
12 plans for issuance of a building permit. The provisions of this section are
13 in addition to and not in lieu of all other applicable laws and ordinances
14 relating to new construction.

15
16 (3) Demolition

17 All applications for demolition permits [shall] MUST be submitted to the
18 Department of Housing and Community Development for review and
19 approval. Upon finding that the proposed demolition is consistent with
20 the objectives of the Urban Renewal Plan, the Commissioner of the
21 Department of Housing and Community Development shall authorize the
22 issuance of the necessary permit. If the Commissioner finds that the
23 proposal is inconsistent with the objectives of the Urban Renewal Plan
24 and therefore denies the issuance of the permit, [he] THE COMMISSIONER
25 [shall] MUST, within 90 days of such denial, seek approval of the Board of
26 Estimates to acquire for and on behalf of the Mayor and City Council of
27 Baltimore the property, in whole or in part, on which [said] THE
28 demolition was to have occurred, by purchase, lease, condemnation, gift
29 or other legal means for the renovation, rehabilitation, and disposition
30 [thereof] OF IT. In the event that the Board of Estimates does not authorize
31 the acquisition, the Commissioner[, shall] MUST, without delay, issue the
32 demolition permit.

33 (4) In the Plan, amend C. to read as follows:

34 C. Techniques Used to Achieve Plan Objectives

35 1. Purposes for Which Properties will be Acquired

- 36 a. Properties designated for acquisition on the Property Acquisition Map.
37 Exhibit 3, will be acquired either for clearance and redevelopment, for
38 rehabilitation, or for public facilities. Those properties [which] THAT are
39 [being] acquired for residential rehabilitation and [which] THAT have not
40 been designated [collectively] with a disposition lot number[,] are listed in
41 Appendix A, "Properties for Acquisition and Disposition for Residential
42 Rehabilitation".

1 b. Conditions Under Which Properties Not Designated for Acquisition May
2 Be Acquired

3 (1) Non-Salvable and Non-compliance with Provisions

4 [It may be necessary to] THE COMMISSIONER OF THE DEPARTMENT OF
5 HOUSING AND COMMUNITY DEVELOPMENT MAY acquire, by purchase
6 or by condemnation for Urban Renewal purposes, the fee simple
7 interest or any lesser interest in and to [such of] the remaining
8 properties or portions [thereof] OF THEM in the Sharp-Leadenhall
9 Project not specifically designated for acquisition on the Property
10 Acquisition Map, Exhibit 3, as may be deemed necessary and proper
11 by the Commissioner [of the Department of Housing and Community
12 Development] to effect the proper implementation of the Project.
13 [This] THE PROPERTIES may include:

14 (a) Any property in the [project area] PROJECT AREA containing a
15 non-salvable structure, i.e., a structure [which] THAT in the opinion
16 of the Commissioner of the Department of Housing and
17 Community Development cannot be economically rehabilitated.

18 (b) Any property the owner of which is unable or unwilling to comply
19 or conform to the codes and ordinances of Baltimore City within
20 12 months from the date of written notice of the required
21 improvements, the COMMISSIONER OF THE Department of Housing
22 and Community Development, after due consideration that the
23 property owner has failed to achieve substantial conformity with
24 the codes and ordinances of Baltimore City, may acquire [such]
25 THE property pursuant to the Eminent Domain Law of [this] THE
26 State OF MARYLAND as if the property [has] HAD [originally] been
27 planned for acquisition UNDER THIS PLAN [after 90 days written
28 notice to the owner. The Department of Housing and Community
29 Development reserves the right to acquire any such non-complying
30 property for a period of two (2) years from the date of said written
31 90 days notice by the Department of Housing and Community
32 Development].

33 (2) Acquisition for Rehabilitation

34 In [such of] the remaining properties not designated for acquisition on
35 the Property Acquisition Map, and in addition to those properties
36 enumerated on Section C.1.b. (1) above, it may be necessary to acquire
37 by purchase or condemnation the fee simple interest[,] or any lesser
38 interest, in order to carry out rehabilitation by the Department of
39 Housing and Community Development. These properties [are being]
40 MAY BE acquired [because] IN ORDER TO:

41 (a) [It is necessary to] make residential structures available for low- or
42 moderate-income families; or

1 (b) [Rehabilitation on a structure-by-structure basis is infeasible, and
2 assemblage of] ASSEMBLE a group OR GROUPS of properties [is
3 required] to carry out objectives set forth in this [plan] PLAN WHEN
4 REHABILITATION ON A STRUCTURE-BY-STRUCTURE BASIS IS
5 INFEASIBLE; or

6 (c) [Rehabilitation of individual, scattered properties is necessary in
7 order to] remove blighting influences from otherwise sound
8 residential blocks THROUGH THE REHABILITATION OF INDIVIDUAL,
9 SCATTERED PROPERTIES.

10 c. Actions to be Followed by the Department of Housing and Community
11 Development upon Acquisition of Properties

12 (1) Demolish the structure or structures [thereon] ON THEM and dispose of
13 the land for redevelopment for uses in accordance with this Plan; or

14 (2) Sell or lease the property subject to rehabilitation in conformance with
15 the codes and ordinances of Baltimore City; or

16 (3) Rehabilitate the property in conformance with the codes and
17 ordinances of Baltimore City and dispose of property in accordance
18 with applicable regulations. If sale cannot be consummated by the
19 time rehabilitation is accomplished, property may be rented pending
20 continuing sale efforts.

21 2. Rehabilitation

22 Property rehabilitation [shall] MUST comply with the codes and ordinances of
23 the City of Baltimore. Cleaning of masonry facades by means of sandblasting
24 [shall] IS not [be] permitted.

25 3. Relocation

26 [a.] The Department of Housing and Community Development [assures]
27 SHALL ASSURE that [before] individuals or families [are] displaced
28 from their dwelling units due to the requirements of the Plan[,] WILL
29 BE OFFERED standard housing within the displacees' financial means
30 [shall be provided]. Residents living within the Project Area, if
31 displaced through the requirements of this Plan, shall be given a
32 priority by the Department of Housing and Community Development
33 to any housing within the Project Area over which the Department has
34 direct control.

35 [b. The Department of Housing and Community Development assures that
36 before firms or individual businesses are displaced from their present
37 location of operation due to the requirements of this Plan, standard
38 commercial structures within the displacees' financial means, in or near
39 the Project Area, shall be identified, Businesses displaced because of the
40 requirements of this Plan shall be given favorable consideration, but not
41 necessarily priority, by the Department of Housing and Community

1 Development in the review of commercial and industrial redevelopment
2 proposals.]

3 4. Review of Development

4 a. Department of Housing and Community Development Review

5 (1) Land to be Acquired and Disposed [of]

6 The Department of Housing and Community Development specifically
7 reserves the right to review and approve the Redeveloper’s plans and
8 specifications for development or rehabilitation with respect to their
9 conformance with the provisions of the [renewal plan] RENEWAL PLAN
10 and in order to achieve harmonious development of the [project area]
11 PROJECT AREA. The Department also reserves the right to refuse to
12 approve any [such] drawings, plans, or specifications that are not
13 suitable or desirable, in its opinion, for aesthetic or functional reasons;
14 and in so passing upon such drawings, plans, and specifications, it
15 shall have the right to take into consideration, but shall not be limited
16 to, the suitability of the site plan, architectural treatment, building
17 plans, elevations, materials and color, construction details, access,
18 parking, loading, landscaping, identifications signs, exterior lighting,
19 refuse collection details, streets, sidewalks, and the harmony of the
20 plans with the surroundings.

21 (2) Land Not to be Acquired

22 Under the provisions of Section B.2.b. of this Plan, the Department of
23 Housing and Community Development has the right to review all
24 plans for new construction (including parking lots), exterior
25 rehabilitation, or change in the use on any property not to be acquired.
26 In reviewing these plans, the Commissioner of the Department of
27 Housing and Community Development shall be concerned with the
28 objectives and design aspects contained in this Plan.

29 b. Community Review

30 The Department of Housing and Community Development may submit to
31 the Sharp-Leadenhall Project Area Committee, or its successor, for [its]
32 PUBLIC review and comment[,] the form and content of [all] proposals to
33 redevelop land to be disposed of and the Preliminary and proposed Final
34 Construction Plans for each disposition lot designated in this Plan. The
35 [Commissioner of the] Department of Housing and Community
36 Development may also[, at his discretion, submit to said Council, or its
37 successor,] PRESENT for [its] PUBLIC review and comment, the plans for
38 development or rehabilitation on any property not [to be] BEING acquired.
39 The Sharp-Leadenhall Project Area Committee, or its successor, shall
40 advise the Department of Housing and Community Development of its
41 recommendations regarding the acceptability and/or priority of all plans
42 and proposals. ANY COMMENTS REGARDING THE PLANS MUST BE [The]
43 written AND [comments] [shall be] transmitted to the Department of

1 Housing and Community Development no later than [3] 4 weeks after the
2 proposal and/or plans have been [submitted] PRESENTED FOR
3 CONSIDERATION [to the Sharp-Leadenhall Project Area Committee or its
4 successors; otherwise, it is presumed that the proposals and/or plans are
5 acceptable.] The Commissioner of the Department of Housing and
6 Community Development retains final authority to approve or disapprove
7 all plans and to grant or withhold development [priorities,] RIGHTS AND
8 SHALL [disposing] DISPOSE of [redevelopment land] DISPOSITION LOTS
9 through procedures established by the Department of Housing and
10 Community Development.

11 5. Land Disposition

- 12 a. Land and property interests acquired by the Mayor and City Council
13 within the area will be disposed of by sale, lease, conveyance, [or]
14 transfer, or other means available to the City, in accordance with the
15 provisions of this Plan.
- 16 b. The parcels shown on the Land Disposition Map, Exhibit 4, as available
17 for disposition, are schematic and approximate. The Department of
18 Housing and Community Development [shall have] HAS the right, [in] AT
19 its discretion, to fix their precise boundaries and size. For purposes of
20 disposition, the parcels[,] or lots, as shown on the Land Disposition Map,
21 may be subdivided or combined.

22 6. Zoning

23 All appropriate provisions of the Zoning [Ordinance] CODE of Baltimore City
24 [shall] apply to properties in the Project Area. In order to execute the Urban
25 Renewal Plan, Zoning District changes as designated on the Zoning Districts
26 Map, Exhibit 5, will be required. These changes will require amendments to
27 the Zoning [Ordinance] CODE. Action to this effect will be initiated during
28 the execution of the Plan.

29 7. INCLUSIONARY HOUSING REQUIREMENT

30 APPLICABILITY

31 THIS SECTION APPLIES TO ANY RESIDENTIAL DEVELOPMENT OF 10 DWELLING
32 UNITS OR MORE SUBMITTED FOR SITE PLAN OR BUILDING PERMIT APPROVAL
33 AND LOCATED WITHIN THE PROJECT BOUNDARIES DEFINED IN SECTION A.
34 ANY DEVELOPMENT MEETING THIS DEFINITION SHALL BE KNOWN AS A
35 PARTICIPATING PROJECT.

36 RESIDENTIAL DEVELOPMENTS SUBJECT TO THIS REQUIREMENT INCLUDE
37 HOUSING CREATED BY NEW CONSTRUCTION, BY SUBSTANTIAL REHABILITATION
38 OF ANY STRUCTURE FOR RESIDENTIAL USE, AND BY CONVERSION OF A NEW
39 STRUCTURE FROM ITS ORIGINAL OR MOST RECENT USE TO RESIDENTIAL USE.

40 DEVELOPMENT PROJECTS INCLUDE CONTIGUOUS PARCELS DEVELOPED BY THE
41 SAME DEVELOPER AND PHASED PROJECTS THAT IN THE AGGREGATE INCLUDE

1 THE DEVELOPMENT OF 10 OR MORE RESIDENTIAL UNITS. IF SUBSEQUENT
2 DEVELOPMENT PLANS OR BUILDING PERMITS BRING THE TOTAL DEVELOPMENT
3 OF CONTIGUOUS PARCELS OR PARCELS DIVIDED BY ALLEYS TO A COMBINED
4 TOTAL OF 10 OR MORE UNITS WITHIN 2 YEARS, ANY AFFORDABLE UNITS NOT
5 PRODUCED IN THE FIRST PHASE OF THE DEVELOPMENT SHALL BE ADDED TO A
6 SUBSEQUENT PHASE.

7 A. 10 PERCENT OF ALL UNITS CONSTRUCTED (ROUNDED TO THE NEAREST
8 TENTH) IN ANY PARTICIPATING PROJECT SHALL BE PRICED TO BE
9 AFFORDABLE TO HOUSEHOLDS WITH INCOMES AT 120 PERCENT OF THE
10 AREA MEDIAN INCOME IN THE YEAR IN WHICH UNITS ARE FIRST OFFERED
11 TO THE PUBLIC AS DEFINED BY THE U.S. DEPARTMENT OF HOUSING AND
12 URBAN DEVELOPMENT ADJUSTED FOR HOUSEHOLD SIZE.

13 THE UNITS MUST INCLUDE A RANGE IN THE TENURE OF UNITS AND NUMBER
14 OF BEDROOMS WITHIN EACH TENURE COMPARABLE TO THE REST OF THE
15 DEVELOPMENT. SUCH AFFORDABILITY SHALL BE MAINTAINED FOR A
16 PERIOD OF 99 YEARS THROUGH A COVENANT RUNNING WITH THE LAND
17 THAT SHALL SURVIVE SUBSEQUENT RE-SALE OR OTHER CHANGE IN
18 OWNERSHIP OR OCCUPANCY.

19 B. DESIGN AND CONSTRUCTION

20 THE EXTERIOR DESIGN AND FINISH OF AFFORDABLE UNITS CONSTRUCTED
21 PURSUANT TO THIS SECTION SHALL BE GENERALLY COMPARABLE TO
22 OTHER UNITS IN THE PARTICIPATING PROJECT.

23 AFFORDABLE UNITS SHALL BE CONSTRUCTED PRIOR TO OR CONCURRENTLY
24 WITH THE CONSTRUCTION OF OTHER UNITS IN THE PARTICIPATING
25 PROJECT.

26 THE DEVELOPER SHALL SUBMIT SITE PLANS AND SCHEDULES OF PRICING
27 AND COMPLETION DATES THAT RESPOND TO THE REQUIREMENTS OF THIS
28 SECTION TO THE HOUSING COMMISSIONER ON OR ABOUT THE TIME OF SITE
29 PLAN SUBMISSION. NO SITE PLAN APPROVAL SHALL BE GRANTED NOR ANY
30 BUILDING PERMITS ISSUED UNTIL THE PLANS AND SCHEDULES ARE
31 APPROVED BY THE COMMISSIONER.

32 C. WHERE DEEMED APPROPRIATE BY THE DIRECTOR OF THE DEPARTMENT OF
33 PLANNING, FOR DEVELOPMENTS THAT REQUIRE MULTIPLE PHASES, THE
34 ABOVE REQUIREMENTS MAY BE APPLIED TO EACH PHASE SEPARATELY
35 RATHER THAN FOR THE ENTIRE UNIT COUNT.

36 D. SEVERABILITY

37 SHOULD THE MAYOR AND CITY COUNCIL OF BALTIMORE ENACT
38 LEGISLATION CONTAINING INCLUSIONARY HOUSING REQUIREMENTS ON A
39 CITY-WIDE BASIS, THOSE REGULATIONS SHALL APPLY AND SUPERSEDE THE
40 REQUIREMENTS OF THIS URBAN RENEWAL PLAN.

1 (5) In the Plan, amend D. to read as follows:

2 D. Duration of Provisions and Requirements

3 The Sharp-Leadenhall Urban Renewal Plan, as it may be amended from time to
4 time, shall remain in full force and effect for a period of [forty (40)] 40 years from
5 the date of original adoption of this Renewal Plan by ordinance of the Mayor and
6 City Council of Baltimore.

7 (6) In the Plan, amend E. to read as follows:

8 E. Procedures for Changes in Approved Plan

9 The Department of Housing and Community Development shall submit to the
10 Sharp-Leadenhall Project Area Committee, or its successor, for its review and
11 comments all proposed amendments to the Urban Renewal Plan no later than at
12 the time the proposed amendments are submitted to the Director of the
13 Department of Planning by the Department of Housing and Community
14 Development. The written comments and recommendations for this review shall
15 be transmitted to the Department of Housing and Community Development no
16 later than [three (3)] 3 weeks after they have been submitted to the Sharp-
17 Leadenhall Project Area Committee, or its successor; otherwise, it is presumed
18 the proposed changes are satisfactory. Prior to passage of any ordinance
19 amending the Urban Renewal Plan, a public hearing shall be held, and the Sharp-
20 Leadenhall Project Area Committee, or its successor, shall receive at least [ten
21 (10)] 10 days prior to [such] THE hearing, written notice of the time and place of
22 [such] THE hearing. With respect to any land in the Project Area previously
23 disposed of by the Department of Housing and Community Development for use
24 in accordance with the Urban Renewal Plan, the then owner of [such] THE land
25 whose interests therein are materially affected by [such] THE Plan changes shall
26 receive, at least [ten (10)] 10 days prior to [such] THE hearing, written notice of
27 the time and place of [such] THE hearing and information as to where a copy of
28 the proposed amendments may be inspected.

29 (7) In the Plan, amend Appendix A to read as follows:

30 Properties for Acquisition and Disposition for Residential Rehabilitation

31 In addition to those groups of properties to be acquired and disposed of for rehabilitation
32 (designated with disposition lot numbers on Exhibit 4), the following properties are also being
33 acquired and disposed of for rehabilitation. Certain properties listed below may be used, in
34 whole or in part, as rear or side yard space for adjacent rehabilitated housing.

35 901 Bevan Street
36 905 BEVAN STREET
37 906 Bevan Street
38 907 Bevan Street
39 908 Bevan Street
40 909 Bevan Street
41 910 Bevan Street
42 911 Bevan Street

- 1 913 Bevan Street
- 2 914 BEVAN STREET
- 3 915 Bevan Street
- 4 916 Bevan Street
- 5 917 Bevan Street
- 6 918 Bevan Street
- 7 920 Bevan Street
- 8 921 BEVAN STREET
- 9 922 Bevan Street
- 10 925 BEVAN STREET
- 11 927 BEVAN STREET
- 12 931 Bevan Street
- 13 933 Bevan Street
- 14 935 Bevan Street
- 15 937 BEVAN STREET
- 16 939 BEVAN STREET

- 17 1128 CLARKSON STREET
- 18 1130 CLARKSON STREET
- 19 1132 CLARKSON STREET
- 20 1134 CLARKSON STREET

- 21 1002 CREEK STREET
- 22 1007 Creek Street
- 23 1009 Creek Street

- 24 100 through 104 W. Cross Street
- 25 116 W. CROSS STREET
- 26 123 W. Cross Street
- 27 129 W. Cross Street
- 28 138 W. Cross Street
- 29 146 W. Cross Street

- 30 123 W. Hamburg Street
- 31 127 W. Hamburg Street

- 32 827 S. Hanover Street
- 33 829 S. Hanover Street
- 34 900 S. Hanover Street
- 35 910 S. Hanover Street
- 36 934 S. HANOVER STREET
- 37 936 S. HANOVER STREET
- 38 1020 S. HANOVER STREET
- 39 1022 S. Hanover Street
- 40 1035 S. Hanover Street
- 41 1037 S. Hanover Street
- 42 1111 S. Hanover Street

- 43 103 through 113 W. Henrietta Street
- 44 137 W. Henrietta Street

- 1 114 KUHLMAN COURT
- 2 116 KUHLMAN COURT

- 3 900 through 908 Leadenhall Street
- 4 1001 LEADENHALL STREET
- 5 1003 through 1011 Leadenhall Street
- 6 1124 Leadenhall Street
- 7 1126 Leadenhall Street

- 8 836 Peach Street
- 9 838 Peach Street

- 10 1107 [through 1119] Race Street
- 11 1109 RACE STREET
- 12 1111 RACE STREET
- 13 1113 THROUGH 1119 RACE STREET
- 14 1121 Race Street
- 15 1123 Race Street

- 16 807 S. Sharp Street
- 17 809 S. Sharp Street
- 18 815 S. Sharp Street
- 19 833 S. Sharp Street
- 20 835 S. Sharp Street

- 21 29 W. West Street
- 22 36 W. WEST STREET
- 23 38 W. WEST STREET
- 24 48 W. West Street
- 25 127 W. West Street
- 26 133 W. West Street
- 27 135 W. West Street

28 (8) Exhibit 2, “Land Use Plan”, Exhibit 3, “Property Acquisition”, Exhibit 4, “Land
29 Disposition”, and Exhibit 5, “Zoning Districts”, are amended to reflect the changes in
30 the Renewal Plan.

31 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the Urban Renewal Plan for Sharp-
32 Leadenhall, as amended by this Ordinance and identified as “Urban Renewal Plan, Sharp-
33 Leadenhall, revised to include Amendment __, dated October 31, 2005”, is approved. The
34 Department of Planning shall file a copy of the amended Urban Renewal Plan with the
35 Department of Legislative Reference as a permanent public record, available for public
36 inspection and information.

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

1 **SECTION 4. AND BE IT FURTHER ORDAINED,** That if any provision of this Ordinance or the
2 application of this Ordinance to any person or circumstance is held invalid for any reason, the
3 invalidity does not affect any other provision or any other application of this Ordinance, and for
4 this purpose the provisions of this Ordinance are declared severable.

5 **SECTION 5. AND BE IT FURTHER ORDAINED,** That if a provision of this Ordinance concerns
6 the same subject as a provision of any zoning, building, electrical, plumbing, health, fire, or
7 safety law or regulation, the applicable provisions shall be construed to give effect to each.
8 However, if the provisions are found to be in irreconcilable conflict, the one that establishes the
9 higher standard for the protection of the public health and safety prevails. If a provision of this
10 Ordinance is found to be in conflict with an existing provision of any other law or regulation that
11 establishes a lower standard for the protection of the public health and safety, the provision of
12 this Ordinance prevails and the other conflicting provision is repealed to the extent of the
13 conflict.

14 **SECTION 6. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the date it
15 is enacted.