

ENROLLED

**CITY OF BALTIMORE
ORDINANCE _____
Council Bill 05-0226**

Introduced by: The Council President
At the request of: The Administration (Department of Housing and Urban Renewal)
Introduced and read first time: July 11, 2005
Assigned to: Urban Affairs Committee

Committee Report: Favorable with amendments
Council action: Adopted
Read second time: March 20, 2006

AN ORDINANCE CONCERNING

**Urban Renewal – Mount Vernon –
Renewal Area Designation and Urban Renewal Plan**

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2
3 FOR the purpose of designating as a “Renewal Area” an area situated in Baltimore City,
4 Maryland known as Mount Vernon, bounded generally by Centre Street on the south,
5 Howard Street on the west, I-83 on the north, and Guilford Avenue on the east; approving a
6 Renewal Plan for Mount Vernon; establishing permitted land uses; providing for review of
7 all plans for new construction, exterior rehabilitation, or change in use of properties in Mount
8 Vernon; establishing procedures for the issuance and denial of demolition permits;
9 establishing certain property rehabilitation and development standards; ~~authorizing the~~
10 ~~acquisition of certain property by purchase or condemnation for urban renewal purposes;~~
11 ~~establishing certain requirements for land acquired; creating disposition lots with appropriate~~
12 ~~standards and controls;~~ approving certain regulations, controls, and restrictions applicable to
13 all land and property within Mt. Vernon; establishing procedures for amending the Plan;
14 approving certain exhibits and appendices to the Plan; providing certain definitions;
15 providing for the term of the Plan; repealing the Mount Vernon Area and the Mount Vernon
16 Area Urban Renewal Plan and repealing the Mid-Town Belvedere Area and the Mid-Town
17 Belvedere Area Urban Renewal Plan; waiving such requirements, if any, as to content or
18 procedure for the preparation, adoption, and approval of Renewal Plans as set forth in Article
19 13 of the Baltimore City Code that the Renewal Plan for Mount Vernon may not meet;
20 providing for the severability of the various parts and applications of this Ordinance; and
21 providing that where the provisions of this Ordinance may conflict with any other ordinance,
22 code, or regulation, the provision that establishes the higher standard shall prevail.

23 By authority of
24 Article 13 - Housing and Urban Renewal
25 Section 2-6
26 Baltimore City Code
27 (Edition 2000)

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.
Underlined italics indicate matter added to the bill
by amendment after printing for third reading.

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- 1 • use the historic architecture of the neighborhood as a theme to attract growth
2 and development;
- 3 • ensure an active, pedestrian-friendly environment that encourages pedestrian
4 activity;
- 5 • encourage urban accessibility by providing sufficient parking while
6 encouraging the shared use of parking spaces and promoting transit;
- 7 • develop mechanisms that ensure the improved maintenance of structures and
8 properties within the district; and
- 9 • assure that the residential and business associations participate in the
10 conceptual process for future development in their area.

11 In this document:

- 12 • the Mt. Vernon Urban Renewal Plan will be referred to as the “Plan”, or the
13 “Urban Renewal Plan”;
- 14 • the Mayor and City Council of Baltimore will be referred to as the “City”;
- 15 • the Baltimore City Department of Housing and Community Development will
16 be referred to as “DHCD”;
- 17 • the Commissioner of the Baltimore City Department of Housing and
18 Community Development will be referred to as the “Commissioner”;
- 19 • the “Baltimore City Commission for Historical and Architectural
20 Preservation” will be referred to as “CHAP”;
- 21 • the “Baltimore City Department of Planning Commission” will be referred to
22 as the “Planning Commission”;
- 23 • the staff of the CHAP and the Planning Commission will be referred to as the
24 “Planning Department Staff”; and
- 25 • the “residential and business associations” will be referred to as the
26 “Associations”.

27 3. Plan Objectives

28 The objectives of this Urban Renewal Plan are:

- 29 • To remove blight and promote the development of underutilized parcels.
- 30 • To set standards to ensure that the design of new structures and the
31 rehabilitation of existing structures will be consistent with the scale and
32 architectural design of the neighborhood’s collection of historic buildings.

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- 1 • To establish a process that incorporates a design review panel to review the
2 designs for new development and the renovation of existing structures so that
3 the new and rehabilitated buildings enhance the character of the neighborhood
4 and are compatible with the surrounding architecture. The design review
5 process must be as clear and straightforward as possible and must include
6 participation from all segments of the community.
- 7 • To create a demolition review process that encourages the retention of
8 significant existing structures (1) by allowing time for the exploration of
9 options other than demolition and (2) by linking the final approval of the
10 demolition permit to the quality of the new building that is proposed to be
11 built in its place. As part of the process, CHAP will review and recommend
12 to the Commissioner the approval or denial of demolition permits to ensure
13 that the demolition is in conformance with the goals and objectives of this
14 Plan.
- 15 • To discourage the demolition of significant existing structures by prohibiting
16 the construction of a larger and/or taller building on the site of the demolished
17 building.
- 18 • To develop use controls and design, parking and landscape standards that help
19 maintain a pedestrian scale throughout the neighborhood; and
- 20 • To develop standards that help increase the quality of public spaces.

21 B. Land Use and Off-street Parking Provisions

22 Only the use categories shown in the Land Use Plan/Zoning Exhibits 1 and 4 are
23 permitted within the project area. These are Neighborhood Business, Community
24 Business, Community Commercial, Central Business, Central Commercial, Office-
25 Residential, Residential, and Industrial districts that are located within the area of this
26 Plan. In addition, certain existing uses will be permitted to continue, subject to the
27 provisions governing nonconforming uses in this Plan.

28 note: In this document all land use categories use the same descriptive terms and
29 that are used for the land use categories in the Zoning Code of Baltimore City.

30 1. Community Business (B-2): accommodates the needs of a larger consumer 31 population than a Neighborhood Business District

- 32 a: In the area designated “Community Business” on the Land Use Plan, the uses
33 allowed are those listed in the Zoning Code of Baltimore City for the B-2
34 district. permitted uses are limited to those authorized by the Baltimore City
35 Zoning Code as permitted uses in a B-2 District. However, the following uses
36 that are permitted uses in the City’s B-2 Zoning Districts are conditional uses
37 that require Board of Municipal and Zoning Appeals approval in this Plan:

38 Clinics: medical and dental

39 Clubs and lodges: private nonprofit

40 Physical culture and health services: gymnasiums, reducing salons, public
41 baths

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1 Radio and television antennas that are free-standing or that extend more
2 than 25 feet above the building on which they are mounted but not
3 including microwave antennas (satellite dishes)
4 Rooming houses, up to 10 units
5 Skating rinks
6 Taverns, but not including live entertainment or dancing, with a fire-rated
7 capacity of 250 or fewer people

8 Additionally, the following uses that are permitted uses in the City's B-2
9 Zoning districts are prohibited uses in this Plan:

10 Check-cashing agencies
11 Fraternity and sorority houses: off-campus
12 Liquor stores: package goods
13 Rooming houses with 11 or more units
14 Taverns, but not including live entertainment or dancing, with a fire rated
15 capacity over 250 people

- 16 b. In the area designated "Community Business" on the Land Use Plan,
17 accessory uses are limited to those authorized by the Baltimore City Zoning
18 Code as accessory uses in a B-2 District. However, the following uses that
19 are accessory uses in the City's B-2 Zoning Districts are conditional uses that
20 require Board of Municipal and Zoning Appeals approval in this Plan:

21 Animal facilities as follows:
22 = dog and cat kennels: private, operated and maintained in
23 conformance with the Health Code of Baltimore City
24 = facilities that house pets and wild animals, as permitted under the
25 Health Code of Baltimore City
26 Radio and television antennas that are free-standing or that extend more
27 than 25 feet above the building on which they are mounted, but not
28 including microwave antennas (satellite dishes)

- 29 e. In the area designated "Community Business" on the Land Use Plan,
30 conditional uses are limited to those authorized by the Baltimore City Zoning
31 Code as conditional uses in a B-2 District. However, the following uses that
32 are conditional uses in the City's B-2 Zoning Districts are prohibited uses in
33 this Plan:

34 Amusement arcades in shopping or commercial recreation centers over
35 20,000 square feet
36 Automobile accessory stores, including related repair and installation
37 services
38 Community correction centers
39 Drug stores and pharmacies: drive-in, but not including the sale of
40 alcoholic beverages or tobacco products
41 Dry cleaning establishments: drive-in
42 Firearm sales, ammunition sales or both, when in a business establishment
43 that is permitted in a Business District and located at least 100 yards
44 from the boundary line of a park, religious institution, educational
45 institution, public building, or other place of public assembly

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1 Garages, other than accessory, for storage, repair, and servicing of motor
2 vehicles, not over 1½ tons capacity, but not including body repair,
3 painting or engine rebuilding
4 Gasoline service stations
5 Heliports
6 Massage salons
7 Parole and probation field offices
8 Pawnshops
9 Photographic printing and developing establishments: drive-in
10 Poultry- and rabbit-killing establishments
11 Restaurants: drive-in, including pick-up drives with window service
12 Restaurants: drive-in, no pick-up drives with window service
13 Travel trailers, recreational vehicles, and similar camping equipment:
14 parking or storage

- 15 2. Community Commercial (B-3): accommodates more intensive, sometimes
16 highway-oriented, commercial uses

- 17 a. In the area designated “Community Commercial” on the Land Use Plan, the
18 uses allowed are those listed in the Zoning Code of Baltimore City for the B-3
19 district. permitted uses are limited to those authorized by the Baltimore City
20 Zoning Code as permitted uses in a B-3 District. However, the following uses
21 that are permitted uses in the City’s B-3 Zoning Districts are conditional uses
22 that require Board of Municipal and Zoning Appeals approval in this Plan:

23 Animal hospitals
24 Auto-painting shops
25 ~~Building and lumber material sales establishments without shops and~~
26 ~~yards~~
27 ~~Carpets and rug cleaning establishments~~
28 ~~Clinics: medical and dental~~
29 ~~Clubs and lodges: private nonprofit~~
30 ~~Contractor and construction shops without yards~~
31 Hospitals
32 ~~Meat markets, including sale of meats and meat products to restaurants,~~
33 ~~hotels, clubs and similar establishments~~
34 Palmists
35 Physical culture and health services: gymnasiums, reducing salons, public
36 baths
37 Radio and television antennas that are free-standing or that extend more
38 than 25 feet above the building on which they are mounted, but not
39 including microwave antennas (satellite dishes)
40 Recycling collection stations
41 Repeater, transformer, pumping, booster, switching, conditioning, and
42 regulating stations, and similar installations
43 Restaurants and lunch rooms, including live entertainment and dancing
44 Rooming houses, with a maximum of 10 units
45 Skating rinks
46 Taverns, but not including live entertainment or dancing, with a fire rated
47 capacity of 250 or fewer people

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1 Taverns, but not including live entertainment or dancing, with a fire-rated
2 capacity over 250 people
3 Trailers: sales and rental
4 Warehousing and wholesale establishments and storage

5 Additionally, the following uses that are permitted uses in the City's B-3
6 zoning districts are prohibited uses in this Plan:

7 Check-cashing agencies
8 Fraternity and sorority houses: off-campus
9 Highway maintenance shops and yards
10 Liquor stores: package goods
11 Milk and dairy products: processing and distribution
12 Mobile home: sales
13 Model home and garage displays
14 Moving and storage establishments
15 Motels
16 Rooming houses with 11 or more units
17 Stables for horses

18 b. In the area designated "Community Commercial" on the Land Use Plan;
19 conditional uses are limited to those authorized by the Baltimore City Zoning
20 Code as conditional uses in a B-3 District. However, the following uses that
21 are conditional uses in the City's B-3 Zoning Districts are prohibited uses in
22 this Plan:

23 After-hours establishments
24 Amusement arcades
25 Amusement parks and permanent carnivals
26 Automobile accessory stores, including related repair and installation
27 services
28 Community correction centers
29 Drug stores and pharmacies: drive-in but not including the sale of
30 alcoholic beverages or tobacco products
31 Dry cleaning establishments: drive-in
32 Firearm sales, ammunition sales, or both when in a business establishment
33 that is permitted in a Business District and located at least 100 yards
34 from the boundary line of a park, religious institution, educational
35 institution, public building, or other place of public assembly
36 Garages, other than accessory, for storage, repair, and servicing of motor
37 vehicles not over 1½-tons capacity including body repair, painting and
38 engine building
39 Garages, other than accessory, for storage, repair, and servicing of motor
40 vehicles over 1½-tons capacity, not including body repair, painting
41 and engine rebuilding
42 Gasoline service stations
43 Heliports
44 Massage salons
45 Parole and probation field offices
46 Pawnshops
47 Photographic printing and developing establishments: drive-in

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~~Poultry and rabbit-killing establishments
Restaurants: drive-in but not including pick-up drives with window
service
Travel trailers, recreational vehicles, and similar camping equipment:
parking or storage~~

3. Central Business (B-4): provides for the great variety of retail stores, offices and related activities that are characteristic of the major business streets in the downtown area and serve the entire metropolitan region

a. In the area designated “Central Business” on the Land Use Plan, the uses allowed are those listed in the Zoning Code of Baltimore City for the B-4 district. permitted uses are limited to those authorized by the Baltimore City Zoning Code as permitted uses in a B-4 District. However, the following uses that are permitted uses in the City’s B-4 Zoning Districts are conditional uses that require Board of Municipal and Zoning Appeals approval in this Plan:

~~Auto-painting shops
Clinics: medical and dental
Clubs and lodges: private nonprofit
Meeting and banquet halls
Motor vehicles: rental
Physical culture and health services: gymnasiums, reducing salons, public
baths
Radio and television antennas that are free-standing or that extend more
than 25 feet above the building on which they are mounted but not
including microwave antennas (satellite dishes)
Recycling collection stations
Repeater, transformer, pumping, booster, switching, conditioning, and
regulating stations, and similar installations
Restaurants and lunch rooms — including live entertainment and dancing
Rooming houses — with a maximum of 10 units
Skating rinks
Taverns but not including live entertainment or dancing, with a fire rated
capacity of 250 or fewer people
Taverns but not including live entertainment or dancing, with a fire rated
capacity over 250 people
Trailers: sales and rental
Warehousing and wholesale establishments and storage~~

~~Additionally, the following uses that are permitted uses in the City’s B-4
Zoning Districts are prohibited uses in this Plan:~~

~~Check-cashing agencies
Fraternity and sorority houses: off-campus
Liquor stores: package goods
Motels
Rooming houses with 11 or more units~~

b. In the area designated “Central Business” on the Land Use Plan, conditional uses are limited to those authorized by the Baltimore City Zoning Code as

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1 conditional uses in a B-4 District. However, the following uses that are
2 conditional uses in the City's B-4 Zoning Districts are prohibited uses in this
3 Plan:

4 After-hour establishments
5 Automobile accessory stores including related repair and installation
6 services
7 Community correction centers
8 Drug stores and pharmacies: drive-in but not including the sale of
9 alcoholic beverages or tobacco products
10 Dry cleaning establishments: drive-in
11 Firearm sales, ammunition sales, or both when in a business establishment
12 that is permitted in a Business District and located at least 100 yards
13 from the boundary line of a park, religious institution, educational
14 institution, public building, or other place of public assembly.
15 Gasoline service stations
16 Heliports
17 Massage salons
18 Parole and probation field offices
19 Pawnshops
20 Photographic printing and developing establishments: drive-in
21 Poultry- and rabbit-killing establishments
22 Restaurants: drive-in but not including pick-up drives with window
23 service
24 Travel trailers, recreational vehicles and similar camping equipment:
25 parking or storage

- 26 4. Central Commercial (B-5): provides for those uses and activities that are
27 generally associated with and support downtown uses. This district permits
28 business, service and intensive, sometimes commercial, highway-oriented uses as
29 well as all of the uses permitted in the downtown Central Business district.

- 30 a: In the area designated "Central Commercial" on the Land Use Plan, the uses
31 allowed are those listed in the Zoning Code of Baltimore City for the B-5
32 district. permitted uses are limited to those authorized by the Baltimore City
33 Zoning Code as permitted uses in a B-5 District. However, the following uses
34 that are permitted uses in the City's B-5 Zoning Districts are conditional uses
35 that require Board of Municipal and Zoning Appeals approval in this Plan:

36 Amusement arcades located at least 500 feet from the boundary line of a
37 church or school
38 Animal hospitals
39 Auto-painting shops
40 Building and lumber material sales establishments without shops and
41 yards
42 Carpets and rug cleaning establishments
43 Clinics: medical and dental
44 Clubs and lodges: private nonprofit
45 Contractor and construction shops without yards
46 Hospitals

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1 ~~Meat markets including sale of meats and meat products to restaurants,~~
2 ~~hotels, clubs, and similar establishments~~
3 ~~Meeting and banquet halls~~
4 ~~Motor vehicles: rental~~
5 ~~Palmists~~
6 ~~Physical culture and health services: gymnasiums, reducing salons, public~~
7 ~~baths~~
8 ~~Pool halls and billiard parlors~~
9 ~~Radio and television antennas that are free-standing or that extend more~~
10 ~~than 25 feet above the building on which they are mounted but not~~
11 ~~including microwave antennas (satellite dishes)~~
12 ~~Rescue missions~~
13 ~~Recycling collection stations~~
14 ~~Repeater, transformer, pumping, booster, switching, conditioning, and~~
15 ~~regulating stations, and similar installations~~
16 ~~Restaurants and lunch rooms — including live entertainment and dancing~~
17 ~~Rooming houses with a maximum of 10 units~~
18 ~~Skating rinks~~
19 ~~Taverns but not including live entertainment or dancing, with a fire rated~~
20 ~~capacity of 250 or fewer people~~
21 ~~Taverns but not including live entertainment or dancing, with a fire rated~~
22 ~~capacity over 250 people~~
23 ~~Trailers: sales and rental~~
24 ~~Warehousing and wholesale establishments and storage~~

25 ~~Additionally, the following uses that are permitted uses in the City's B-5~~
26 ~~Zoning Districts are prohibited uses in this Plan:~~

27 ~~Check-cashing agencies~~
28 ~~Fraternity and sorority houses: off-campus~~
29 ~~Highway maintenance shops and yards~~
30 ~~Liquor stores: package goods~~
31 ~~Marine terminals: freight~~
32 ~~Marine terminals: passenger~~
33 ~~Milk and dairy products: processing and distribution~~
34 ~~Mobile home: sales~~
35 ~~Model home and garage displays~~
36 ~~Moving and storage establishments~~
37 ~~Motels~~
38 ~~Rooming houses with more than 10 units~~
39 ~~Stables for horses~~

40 ~~b. In the area designated "Central Commercial" on the Land Use Plan,~~
41 ~~conditional uses are limited to those authorized by the Baltimore City Zoning~~
42 ~~Code as conditional uses in a B-5 District. However, the following uses that~~
43 ~~are conditional uses in the City's B-5 Zoning Districts are prohibited uses in~~
44 ~~this Plan:~~

45 ~~Adult-entertainment businesses located at least 300 feet from any other~~
46 ~~adult-entertainment business~~

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1 ~~Book or video stores: adult located at least 300 feet from any other book~~
2 ~~or video store: adult, any adult-entertainment business~~
3 ~~After-hours establishments~~
4 ~~Amusement arcades~~
5 ~~Amusement parks and permanent carnivals~~
6 ~~Automobile accessory stores— including related repair and installation~~
7 ~~services~~
8 ~~Community correction centers~~
9 ~~Dance halls~~
10 ~~Drug stores and pharmacies: drive-in but not including the sale of~~
11 ~~alcoholic beverages or tobacco products~~
12 ~~Dry cleaning establishments: drive-in~~
13 ~~Firearm sales, ammunition sales or both when in a business establishment~~
14 ~~that is permitted in a Business District and located at least 100 yards~~
15 ~~from the boundary line of a park, religious institution, educational~~
16 ~~institution, public building, or other place of public assembly~~
17 ~~Garages, other than accessory, for storage, repair, and servicing of motor~~
18 ~~vehicles not over 1½-tons capacity including body repair, painting,~~
19 ~~and engine building~~
20 ~~Garages, other than accessory, for storage, repair, and servicing of motor~~
21 ~~vehicles over 1½-tons capacity not including body repair, painting and~~
22 ~~engine rebuilding~~
23 ~~Gasoline service stations~~
24 ~~Heliports~~
25 ~~Massage salons~~
26 ~~Parole and probation field offices~~
27 ~~Pawnshops~~
28 ~~Peep show establishments located at least 300 feet from any other peep~~
29 ~~show establishment, any adult-entertainment business, and any book~~
30 ~~or video store: adult~~
31 ~~Photographic printing and developing establishments: drive-in~~
32 ~~Poultry and rabbit-killing establishments~~
33 ~~Racetracks~~
34 ~~Restaurants: drive-in but not including pick-up drives with window~~
35 ~~service~~
36 ~~Stadiums~~
37 ~~Theaters: drive-in~~
38 ~~Travel trailers, recreational vehicles, and similar camping equipment:~~
39 ~~parking or storage~~

- 40 5. Office-Residential (O-R-): encourages a mixture of residential and office uses in
41 blocks of existing row house buildings (the larger the number after the hyphen,
42 the higher the density that is allowed in that district)
- 43 a. In the area designated “Office-Residential” on the Land Use Plan, the uses
44 allowed are those listed in the Zoning Code of Baltimore City for the O-R
45 districts. permitted uses are limited to those authorized by the Baltimore City
46 Zoning Code as permitted uses in O-R Districts. However, the following uses
47 that are permitted uses in the City’s O-R Zoning Districts are conditional uses
48 that require Board of Municipal and Zoning Appeals approval in this Plan:

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1 Recreational facilities, as listed:

- 2 Athletic fields: nonprofit or publicly owned
- 3 Parks, playgrounds: nonprofit or publicly owned
- 4 Recreation buildings and community centers: nonprofit or publicly
- 5 owned
- 6 Tennis and lacrosse clubs: public or private
- 7 Rooming houses with a maximum of 10 units

8 b. In the area designated “Office-Residential” on the Land Use Plan, permitted
9 uses are limited to those authorized by the Baltimore City Zoning Code as
10 permitted uses in a O-R Districts. However, the following uses that are
11 permitted uses in the City’s O-R Zoning Districts are conditional uses that
12 require City Council approval in this Plan:

13 Rooming houses with a maximum of 10 units

14 c. In the area designated “Office-Residential” on the Land Use Plan, accessory
15 uses are limited to those authorized by the Baltimore City Zoning Code as
16 accessory uses in an O-R District. However, the following uses that are
17 accessory uses in the City’s O-R Zoning Districts are conditional uses that
18 require Board of Municipal and Zoning Appeals approval in this Plan:

19 Animal facilities as follows:

- 20 = dog and cat kennels: private, operated and maintained in
- 21 conformance with the Health Code of Baltimore City
- 22 = facilities that house pets and wild animals, as permitted under the
- 23 Health Code of Baltimore City

24 d. In the area designated “Office-Residential” on the Land Use Plan, conditional
25 uses are limited to those authorized by the Baltimore City Zoning Code as
26 conditional uses in an O-R District. However, the following uses that are
27 conditional uses in the City’s O-R Zoning Districts are prohibited uses in this
28 Plan:

- 29 Community correction centers
- 30 Fraternity and sorority houses: off-campus
- 31 Heliports
- 32 Parole and probation field offices
- 33 Rooming houses, with 11 or more units
- 34 Travel trailers, recreational vehicles, and similar camping equipment:
- 35 parking or storage

36 e b. The following off-street parking requirements must be provided in all of the
37 Office-Residential Land Use districts in this Plan:

- 38 1 off-street parking space for every 2 dwelling units
- 39 1 off-street space for every 2 efficiency units in multiple-family dwellings
- 40 and apartment hotels
- 41 1 off-street parking space for every 4 rooming units

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1 6. Residential (R-): allows for a broad range of housing types (the larger the number
2 after the hyphen, the higher the density that is allowed in that district)- residential
3 districts also allow for community facilities and open land uses that serve
4 residents and are customarily located in residential neighborhoods

5 a. In the area designated Residential on the Land Use Plan, the uses allowed are
6 those listed in the Zoning Code of Baltimore City for the particular
7 Residential districts. permitted uses are limited to those authorized by the
8 Baltimore City Zoning Code as permitted uses for that particular Residential
9 District. However, the following uses that are permitted in some of the City's
10 Residential Zoning Districts are conditional uses that require Board of
11 Municipal and Zoning Appeals approval in all of the residential districts in
12 this Plan:

13 ~~Clubs and lodges: nonprofit~~

14 ~~Hospitals~~

15 ~~Recreational Facilities as listed:~~

16 ~~Athletic fields: nonprofit or publicly owned~~

17 ~~Golf courses but no driving ranges or miniature golf~~

18 ~~Parks, playgrounds: nonprofit or publicly owned~~

19 ~~Recreation buildings and community centers: nonprofit or publicly~~
20 ~~owned~~

21 ~~Tennis and lacrosse clubs: public or private~~

22 ~~Rooming houses with a maximum of 10 rooming units~~

23 b. ~~In the area designated "Residential" on the Land Use Plan, permitted uses are~~
24 ~~limited to those authorized by the Baltimore City Zoning Code as permitted~~
25 ~~uses for that particular Residential District. However, the following uses that~~
26 ~~are accessory uses in some of the City's Residential Zoning Districts are~~
27 ~~conditional uses that require Board of Municipal and Zoning Appeals~~
28 ~~approval in all of the residential districts in this Plan:~~

29 ~~Animal facilities as follows:~~

30 ~~= dog and cat kennels: private, operated and maintained in~~
31 ~~conformance with the Health Code of Baltimore City~~

32 ~~= facilities that house pets and wild animals, as permitted under the~~
33 ~~Health Code of Baltimore City~~

34 c. ~~In the area designated "Residential" on the Land Use Plan, conditional uses~~
35 ~~are limited to those authorized by the Baltimore City Zoning Code as~~
36 ~~conditional uses for that particular Residential District. However, the~~
37 ~~following uses that are conditional in some of the City's Residential Zoning~~
38 ~~Districts are prohibited uses in all of the residential districts in this Plan:~~

39 ~~Boats and boat trailers: parking or storage~~

40 ~~Cemeteries, including accessory crematoriums and mausoleums~~

41 ~~Community corrections centers~~

42 ~~Fraternity and sorority houses: off-campus~~

43 ~~Heliports~~

44 ~~Rooming houses with a maximum of 10 units would require a conditional~~
45 ~~use, by ordinance, and those with 11 or more units are prohibited~~

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1 ~~Travel trailers, recreational vehicles, and similar camping equipment:~~
2 ~~parking or storage~~

- 3 7. Industrial (M-): allows storage, manufacturing, and industrial uses (the larger the
4 number after the dash, the higher the intensity that is allowed in that district); M-1
5 and M-2 districts allow industrial uses that are not as “heavy” as those allowed in
6 the City’s M-3 Zone and those industrial uses that are compatible with adjoining
7 business or residential districts.

- 8 a. In the area designated Industrial on the Land Use Plan, the uses allowed are
9 those listed in the Zoning Code of Baltimore City for the particular Industrial
10 districts, permitted uses are limited to those authorized by the Baltimore City
11 Zoning Code as permitted uses for that particular Industrial District.
12 ~~However, the following uses that are permitted in some of the City’s~~
13 ~~Industrial Zoning Districts are conditional uses that require Board of~~
14 ~~Municipal and Zoning Appeals approval in all of the industrial districts in this~~
15 ~~Plan:~~

16 ~~Beverages: manufacturing~~
17 ~~Bottling works~~
18 ~~Clothing and other finished products: manufacturing~~
19 ~~Contractor and construction shops~~
20 ~~Cosmetics: manufacturing~~
21 ~~Die-casting~~
22 ~~Fences: manufacturing~~
23 ~~Fermented fruits and vegetable products: processing~~
24 ~~Food products: manufacturing and processing~~
25 ~~Ink: manufacturing~~
26 ~~Inked products: manufacturing~~
27 ~~Leather products: manufacturing~~
28 ~~Luggage: manufacturing~~
29 ~~Machine tools, light: manufacturing~~
30 ~~Machinery and machines, household, business, and office: manufacturing~~
31 ~~Mail-order distribution centers~~
32 ~~Metal products and machinery, medium and light: manufacturing~~
33 ~~Milk and dairy products: processing and distribution~~
34 ~~Paper products: manufacturing from previously prepared materials~~
35 ~~Plastic products: manufacturing from previously prepared materials~~
36 ~~Perfumes: manufacturing~~
37 ~~Pharmaceuticals: manufacturing~~
38 ~~Photography film: manufacturing and processing~~
39 ~~Radio and television antennas that are free-standing or that extend more~~
40 ~~than 25 feet above the building on which they are mounted but not~~
41 ~~including microwave antennas (satellite dishes)~~
42 ~~Recording studios~~
43 ~~Silverware, plate and sterling: manufacturing~~
44 ~~Spices: manufacturing and processing~~
45 ~~Tobacco products: manufacturing~~
46 ~~Toiletries: manufacturing~~
47 ~~Tool, die, or pattern-making shops~~
48 ~~Warehousing and storage~~

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1 Additionally, the following uses that are permitted uses in some of the City's
2 Industrial Zoning Districts are prohibited uses in this Plan:

3 Adhesive products: manufacturing
4 Automotive parts: manufacturing
5 Carpets: manufacturing
6 Cotton processing
7 Dyeing establishments
8 Electroplating
9 Flammable liquids: manufacturing and storage
10 Galvanizing
11 Gases, noncombustible and non-toxic: manufacturing and storage
12 Glass products: manufacturing from previously-prepared materials
13 Hardware and tools: manufacturing
14 Ice, natural and dry: manufacturing
15 Malting
16 Matches: manufacturing
17 Mattresses: manufacturing
18 Metal finishing
19 Mirrors: manufacturing
20 Polish: manufacturing
21 Public transportation uses, as follows: Garages and lots for bus and transit
22 vehicles
23 Public-utility service centers
24 Rubber products: manufacturing or processing from previously-prepared
25 materials
26 Serums, toxins, and viruses: manufacturing and processing
27 Starch: manufacturing
28 Textile mill products: manufacturing and fabrication
29 Wax and wax products: manufacturing
30 Wire: manufacturing

31 b. In the area designated "Industrial" on the Land Use Plan, accessory uses are
32 limited to those authorized by the Baltimore City Zoning Code as accessory
33 uses for that particular Industrial District. However, the following uses that
34 are accessory uses in some of the City's Industrial Zoning Districts are
35 conditional uses that require Board of Municipal and Zoning Appeals
36 approval in all of the industrial districts in this Plan:

37 Animal facilities as follows:

- 38 = dog and cat kennels: private, operated and maintained in
- 39 conformance with the Health Code of Baltimore City
- 40 = facilities that house pets and wild animals, as permitted under the
- 41 Health Code of Baltimore City

42 c. In the area designated "Industrial" on the Land Use Plan, conditional uses are
43 limited to those authorized by the Baltimore City Zoning Code as conditional
44 uses for that particular Industrial District. However, the following uses that
45 are conditional in some of the City's Industrial Zoning Districts are prohibited
46 uses in all of the industrial districts in this Plan:

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~~Atomic reactors
Community correction centers
Heliports
Marinas: dry storage (boatels)
Marinas: industrial (boat repair facilities)
Marinas: recreational
Mining, gravel, sand or other raw materials
Recycling collection stations
Textile mill products: processing and sorting~~

8. Nonconforming Use

A nonconforming use as defined in the Baltimore City Zoning Code is any lawfully existing use of a structure or land that is not permitted in the use regulations of the district in which the structure or land is located. A nonconforming use can continue to operate within an urban renewal area that prohibits it, but cannot move within the lot or structure or expand without authorization from the Board of Municipal and Zoning Appeals. If a nonconforming use has moved from a lot or structure for longer than 12 months, it can only be replaced by a permitted use. If a nonconforming use has been inactive and not in continuous operation for 12 months, that use may not be reestablished and can only be replaced by a permitted use. For more detailed information about nonconforming use regulations see Title 13 of the Zoning Code of Baltimore City.

9. Noncomplying Structure

A noncomplying structure as defined in the Baltimore City Zoning Code is any lawfully existing structure that does not comply with the bulk regulations of the district in which the structure is located. A noncomplying structure will be permitted to continue after the ordinance is passed. It may be maintained or repaired. If a noncomplying structure is destroyed or damaged by fire, it may be repaired or reconstructed with the same square footage as before if a building permit for the work is obtained and the work is started and diligently pursued within 12 months of the destruction or damage. For more detailed information about noncomplying structure regulations see Title 13 of the Zoning Code of Baltimore City.

C. Types of Renewal Actions that will be Used to Achieve the Plan Objectives

1. Demolition Review for Structures within CHAP City Historic Districts

The regulations for the approval or denial of the application for the demolition of a building within a CHAP Historic District are found in the Baltimore City Commission for Historical and Architectural Preservation's document "Demolition Application Procedure". These are the rules and regulations used by CHAP in making their decisions whether to approve or disapprove the issuance of a demolition permit for a building located within one of their City Historic districts. The document is available from Planning Department staff.

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1 2. Removing Development Rewards for Partially or Totally Demolishing Landmarks
2 or Contributing Structures

3 If new development is constructed on a site that includes a Landmark, Notable, or
4 Contributing Structure that has been demolished after the date of the adoption of
5 this urban renewal ordinance, the FAR and height for that part of the new
6 development that is within the boundaries of the original lot of the building is
7 reduced from the FAR and height that is allowed in the Zoning Code of Baltimore
8 City for that part of the new development site to the actual FAR and height of the
9 building.

10 3. Design Review Process

11 All renovation, alteration/addition to existing contributing structures and all new
12 construction located within the boundaries of this Plan are subject to the
13 ~~Development Design Review Panel and CHAP Review for projects within the~~
14 boundaries of the CHAP local historic district, and subject to Planning
15 Department Review for projects outside of the CHAP boundaries but within the
16 boundaries of this Plan.

17 a. ~~The Development Design Review Panel shall be composed of 9 members:~~

18 ~~(1) It shall be chaired by the 11th City Council District Council Member.~~

19 ~~(2) It shall have 1 representative from:~~

20 ~~A. Mount Vernon Cultural District;~~

21 ~~B. Historic Charles Street Association;~~

22 ~~C. University of Baltimore; and~~

23 ~~D. Charles Street Development Corporation.~~

24 ~~(3) It shall have 2 representatives from:~~

25 ~~A. Mount Vernon Belvedere Association; and~~

26 ~~B. Mid-Town Community Benefits District.~~

27 b. ~~Representatives shall be selected by the Boards of the respective~~
28 ~~organizations.~~

29 4. Acquisition of Properties

30 a. ~~Properties designated for acquisition are shown in Exhibit 2, Property~~
31 ~~Acquisition. They may be acquired for any of the following purposes:~~

32 ~~(1) To allow the Department of Housing and Community Development to~~
33 ~~purchase properties so that they can be offered for redevelopment that~~
34 ~~meets the objectives of this Plan;~~

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1 (2) ~~To purchase a group of properties to create a consolidated development~~
2 ~~parcel so that it can be offered for redevelopment that meets the objectives~~
3 ~~of the Plan;~~

4 (3) ~~To facilitate rehabilitation of especially blighted properties; and/or~~

5 (4) ~~To be used for public facilities.~~

6 b. ~~Structures on the properties that are acquired may be demolished for~~
7 ~~redevelopment in accordance with the demolition review procedures outlined~~
8 ~~in this Plan or retained to be rehabilitated.~~

9 c. ~~Two sites (Cathedral St, St. Paul St) have been identified as potential sites for~~
10 ~~shared parking structures, with opportunities for housing above. If necessary,~~
11 ~~these parcels could be acquired for the Parking Authority of Baltimore City.~~

12 5. Disposition of Properties

13 a. ~~Properties designated for disposition are shown in Exhibit 3, Property~~
14 ~~Disposition. After DHCD has acquired a property, the agency is required to~~
15 ~~take one of the following steps within 12 months:~~

16 (1) ~~Offer the land for redevelopment of projects that meet the objectives of~~
17 ~~this Plan;~~

18 (2) ~~Sell or lease the property;~~

19 (3) ~~Rehabilitate the structure for sale; or~~

20 (4) ~~Land bank the property for development to occur within 24 months.~~

21 b. ~~Prior to the disposition of any property, DHCD must notify the Associations~~
22 ~~whose boundaries include the property and provide as much nonproprietary~~
23 ~~information as possible regarding the disposition and its impact on the Urban~~
24 ~~Renewal Plan. The notified Associations will then be given the opportunity to~~
25 ~~make recommendations to DHCD concerning the appropriate disposition and~~
26 ~~restrictions to be placed on the property.~~

27 4 6. Other Remedies for Noncompliance

28 ~~In addition to, and not in place of, the remedy of acquisition by purchase or~~
29 ~~condemnation of noncomplying properties; The DHCD may correct code~~
30 ~~violations and place a lien against the property in accordance with the provisions~~
31 ~~of the Building, Fire, and Related Codes of Baltimore City.~~

32 D. General Development and Redevelopment Controls

33 1. Design Guidelines

34 Design guidelines only apply to new construction on properties located in the
35 CHAP Local Historic District, and for properties located within the boundaries of

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1 this Urban Renewal Plan, but outside of the CHAP Local Historic District, new
2 construction must be approved by the Department of Planning. New construction
3 that has been approved by CHAP prior to the enactment of the Design Guidelines
4 and/or the Urban Renewal Plan into law will be “grandfathered” in and shall not
5 be subject to new approval.

6 The guidelines are located in Appendix B. (See separate document.)

7 2. Height limits

8 The height limits are intended to protect view corridors of historic landmarks such
9 as the Washington Monument and the Belvedere Hotel, and to increase density
10 along the Charles corridor and near transit areas.

11 ~~Four zones have been established to regulate height for new construction within~~
12 ~~the boundaries of the Plan. (See Height Limits map in Exhibit 5 and in Design~~
13 ~~Guidelines)~~

- 14 ~~-Monument Zone: 70’ height limit (governed by Maryland law)~~
- 15 ~~-Historic Zone: 70’ height limit, with opportunity for 30’ “density height~~
16 ~~bonus”~~
- 17 ~~-Midtown Zone: 100’-150’ height restriction with opportunity for 20’-30’~~
18 ~~“density height bonus”~~
- 19 ~~-Mixed-Used Transit Zone: Height governed by zoning~~

20 (a) Density Height Bonus criteria:

21 ~~“Density Height Bonus” means an increase in the allowable height of a~~
22 ~~project as depicted on the appropriate zone of the Height Limits map~~
23 ~~(see Exhibit 5). Opportunities for bonuses are available only in the~~
24 ~~Midtown Zone.~~

25 (b) Eligibility criteria are:

26 ~~-Active participation of the developer of the project in a pre-petition~~
27 ~~conference planning process.~~

28 ~~Note: A pre-petition conference planning process is proposed to~~
29 ~~maximize opportunity for design that is reflective of the~~
30 ~~character of Mount Vernon. The proposed process is~~
31 ~~similar to that currently used for Planned Unit~~
32 ~~Developments and would be in addition to the required~~
33 ~~review by the Commission for Historical and Architectural~~
34 ~~Preservation.~~

35 ~~-Construction permit issued prior to December 31, 2015~~

36 ~~-Project rating of 40 points or more as determined by the following~~
37 ~~criteria:~~

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- (i) For projects with a residential component, a commitment that 10% or more units are sold or rented to households at a rent or sales price affordable to 0 to 80% of adjusted mean income and a certain percentage of units are sold or rented to households at market rate (35 points);
- (ii) Projects that incorporate LEED certified design for an energy efficient “green building” (30 points);
- (iii) Projects that provide all on-site parking underground or off-site through an agreement with a parking district (20 points);
- (iv) Projects that provide significantly less parking on site than required through contributions to a Parking District that provides shared off-site parking or through providing routine shuttle connections to local public transit stops (10 points); and
- (v) Projects that establish or significantly enhance Park or Open Space in the Plan area (10 points);

In addition to the proposed height bonuses, CHAP and the Planning Commission may grant a variance, up to an additional 50’, allowing projects to exceed the height allowed by the bonus, for projects that (a) are located outside of the Monument Zone, (b) add to the character and historic fabric of Mount Vernon through significant architecture and urban design, (c) achieve a Platinum LEED rating, and (d) is mixed income and provide at least 10% of its units at 0-80% adjusted mean income. The 2 Commissions must unanimously agree for such a variance to be granted.

Rooftop mechanicals, HVAC equipments, etc will be subject to applicable height limits:

Height limits within the Mount Vernon Urban Renewal Area are to be guided solely by the “Baltimore City’s Mount Vernon Historic District Design Guidelines for New Construction”, a CHAP document. The height limits as determined by the above mentioned CHAP Design Guidelines are final. A copy of the CHAP Design Guidelines is located in Appendix B, a separate attached document.

Four zones have been established to regulate height for new construction within the boundaries of the Plan. These zones are as shown on the Height Limits Map of attached Appendix B, “Baltimore City’s Mount Vernon Historic District: Design Guidelines for New Construction” (CHAP 2005).

- Monument Zone: 70' height limit (governed by Maryland law).
- Historic Zone: 70' height limit, with opportunity for 20' “density height bonus”.
- Midtown Zone: 80'-120' height restriction with opportunity for 20'-30' “density height bonus”.

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1 -Mixed-Used Transit Zone: Height governed by zoning.

2 (a) Density Height Bonus criteria:

3 “Density Height Bonus” means an increase in the allowable height of a
4 project as depicted on the appropriate zone of the Height Limits Map
5 (Appendix B).

6 (b) Eligibility criteria are:

7 -Active participation of the developer of the project in a pre-petition
8 conference planning process.

9 Note: A pre-petition conference planning process is proposed to
10 maximize opportunity for design that is reflective of the character
11 of Mount Vernon. The proposed process is similar to that
12 currently used for Planned Unit Developments and would be in
13 addition to the required review by the Commission for Historical
14 and Architectural Preservation.

15 -Construction permit issued before December 31, 2015.

16 -Project rating of 40 points or more, as determined by the following
17 criteria:

18 (i) For projects with a residential component, a commitment that 10%
19 or more units are sold or rented to households at a rent or sales
20 price affordable at 0-80% of area median income and a certain
21 percentage of units are sold or rented to households at market rate
22 (35 points).

23 (ii) Projects that incorporate LEED certified design for an energy
24 efficient “green building” (30 points).

25 (iii) Projects that provide all on-site parking underground or off-site
26 through an agreement with a parking district (20 points).

27 (iv) Projects that provide significantly less parking on site than
28 required through contributions to a parking district that provides
29 shared off-site parking or through providing routine shuttle
30 connections to local public transit stops (10 points).

31 (v) Projects that establish or significantly enhance Park or Open
32 Space in the Plan area (10 points).

33 Rooftop mechanicals, HVAC equipments, etc., will be subject to
34 applicable height limits.

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3. Parking provisions

For all new construction within the boundaries of the Plan, 1 space maximum per unit of on-site parking is permitted, unless parking is provided underground. That provision can be increased to 2 spaces maximum ~~through a variance procedure through the Planning Commission~~ if the applicant satisfies the following criteria:

- Active participation of the developer of the project in a pre-petition conference planning process*
- Construction permit issued prior to December 31, 2015
- Project rating of 40 points or more as determined by the following criteria:

(i) For projects with a residential component, a commitment that 10% or more units are sold or rented to households at a rent or sales price affordable at 0-80% of area median income and a certain percentage of units are sold or rented to households at market rate (35 points);

(ii) Projects that incorporate LEED certified design for an energy efficient “green building” (30 points);

(iii) Projects that provide all on-site parking underground or off-site through an agreement with a parking district (20 points);

(iv) Projects that provide significantly less parking on site than required through contributions to a parking district that provides shared off-site parking or through providing routine shuttle connections to local public transit stops (10 points); and

(v) Projects that establish or significantly enhance Park or Open Space in the Plan area (10 points).

*A pre-petition conference planning process is proposed to maximize opportunity for design that is reflective of the character of Mt. Vernon. The proposed process is similar to that currently used for planned unit developments and would be in addition to the required review by the Commission for Historical and Architectural Preservation.

4. Maintenance Standards

Maintenance standards apply to all of the properties located in the area of the Plan.

The maintenance standards for this Plan are located in Appendix E of this document.

5. Creation and preservation of affordable, permanent housing.

This section applies to any residential development of 10 dwelling units or more submitted for site plan or building permit approval, located in a zoning district where residential density increased pursuant to the creation of this urban renewal plan, and located within the Project boundaries defined in Section A.1.

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1 Residential developments subject to this requirement include housing created by
2 new construction, by substantial rehabilitation of any structure for residential use,
3 and by conversion of a new structure from its original or most recent use to
4 residential use.

5 Residential developments subject to this requirement include contiguous parcels
6 developed by the same developer and phased projects that in the aggregate
7 include the development of 10 or more residential units. If subsequent
8 development plans or building permits bring the total development of contiguous
9 parcels or parcels divided by alleys to a combined total of 10 or more units within
10 2 years, any affordable units not produced in the first phase of the development
11 shall be added to a subsequent phase.

12 Any residential development meeting this definition shall be known as a
13 participating project.

14 a. Affordable housing provisions.

15 (1) 10 percent of all units constructed (rounded to the nearest tenth) in any
16 participating project shall be priced to be affordable to households
17 with incomes between 80 percent and 120 percent of the area median
18 income in the year in which units are first offered to the public, as
19 defined by the U.S. Department of Housing and Urban Development,
20 adjusted for household size.

21 (2) The units must include a range in the tenure of units and number of
22 bedrooms within each tenure comparable to the rest of the
23 development.

24 (3) Such affordability shall be maintained for a period of 99 years through
25 a covenant running with the land that shall survive subsequent re-sale
26 or other change in ownership or occupancy.

27 b. Design and construction.

28 (1) The exterior design and finish of affordable units constructed pursuant
29 to this section shall be generally comparable to other units in the
30 participating project. Affordable units shall be constructed prior to or
31 concurrently with the construction of other units in the participating
32 project.

33 (2) The developer shall submit site plans and schedules of pricing and
34 completion dates that respond to the goals and requirements of this
35 section to the Housing Commissioner and the Director of Planning on
36 or about the time of site plan submission. No site plan approval shall
37 be granted nor any building permits issued unless the Commissioner
38 and the Director of Planning determine that the participating project
39 meets the goals and requirements of this section.

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1 c. Requirements are applicable to each phase separately.

2 Where deemed appropriate by the Director of the Department of Planning,
3 for developments that require multiple phases, the above requirements
4 may be applied to each phase separately rather than for the entire unit
5 count.

6 d. Subsequent provisions.

7 Should the Mayor and City Council of Baltimore enact legislation
8 containing inclusionary housing requirements on a city-wide basis, those
9 regulations shall apply and supersede the requirements of this urban
10 renewal plan.

11 E. Interpretation

12 In the event of any question regarding the meaning of these standards and controls or
13 other provisions of the Urban Renewal Plan, the interpretation by the Department of
14 Planning is final and binding, provided that the interpretation is not unreasonable or
15 arbitrary.

16 F. Term of the Plan

17 This Urban Renewal Plan becomes effective 30 days after it is signed into law. The
18 Renewal Plan, as it may be amended from time to time, will remain in full force and
19 effect for a period of 10 years from the date of original adoption of this Plan by
20 Ordinance of the Mayor and City Council of Baltimore.

21 G. Procedures for Amending the Plan

22 1. This Urban Renewal Plan may be amended from time to time. Proposed
23 amendments received or recommended by the Department of Housing and
24 Community Development must be submitted by DHCD to each of the
25 Associations whose boundaries include any part of the area of this Plan for their
26 review and comment.

27 Any written comments and recommendations by the Associations must be
28 submitted to the Department of Housing and Community Development within 30
29 days from the date the proposed amendments were received by the associations.

30 Each of the neighborhood associations affected by the Plan must receive written
31 notices of the time and place of the Planning Commission and City Council
32 hearings at least 10 days before each hearing is scheduled.

33 2. No change may be made to this Renewal Plan unless that change is included in an
34 ordinance that is approved and adopted by the Planning Commission, the City
35 Council, and signed by the Mayor.

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H. Other Provisions Necessary to Meet Requirements of State and Local Laws

1. All appropriate provisions of the Zoning Code of Baltimore City apply to properties within the Project Area.
2. The sign controls and height restrictions contained in the Renewal Plan, as well as the Design Standards and Maintenance Standards contained in the Appendix, supersede all previous and conflicting codes and ordinances of the City of Baltimore.

I. Waivers

~~The Planning Commission may waive any specific requirements of this Plan that are more restrictive than the requirements of the Zoning Ordinance of Baltimore City.~~

~~Before issuing a waiver however, the Planning Commission must request a letter from each of the Associations whose boundaries include the location of the property affected by the waiver requesting that organization's position on the issuance of the waiver. The Associations must return the letter describing their position on the waiver within 10 days of receiving the request from the Planning Commission.~~

~~Any person seeking a waiver must first exhaust all applicable administrative remedies or procedures incorporated in this Plan or otherwise required by law, before seeking a waiver.~~

~~The Planning Commission retains the final right to approve or disapprove all proposed waivers. The Planning Commission shall grant no waiver that does not, by clear and convincing evidence, further the goals of the Plan. In the letter documenting the approval or disapproval of the proposed waiver, the Planning Commission shall include a statement of the reasons for its final decision.~~

I J. Severability

If any provision of this Ordinance or the application of this Ordinance to any person or circumstance is held invalid for any reason, the invalidity does not affect any other provision or any other application of this Ordinance, and for this purpose the provisions of this Ordinance are declared severable.

J-K. Applicability

If a Planned Unit Development is approved within the boundaries of this Plan, the Planned Unit Development shall be the land use governing document.

If a provision of this Ordinance is in conflict with a provision of any zoning, building, electrical, plumbing, health, fire, or safety law or regulation, the provision that establishes the higher standard for the protection of the public health and safety prevails.

Nothing in this Plan shall be construed to supersede the requirements or procedures for public notice and public hearings, comments, or participation otherwise required by law.

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Appendix A: Design Guidelines for Alteration/addition to Existing Contributing Structures

A Contributing Structure is defined as a structure that meets one or more of the following characteristics– The structure:

1. contributes to the heritage of the community;
2. represents one or more periods of styles of architecture, landscape architecture, building or construction which has significant character, interest, or value as part of the development, heritage, or culture of the City of Baltimore; or
3. provides certain historic or scenic value significant to the area.

All of the Contributing Structures have been identified within the City and National Districts that are located within the area of this Urban Renewal Plan

Goals:

- Retain the historical and architectural integrity of existing structures.
- If demolition is necessary for new development, encourage the preservation of the front section, or front walls of the existing buildings on the site.
- Ensure that the rehabilitation of existing Contributing Structures in the neighborhood is consistent with the Secretary of the Interior Standards.

I. CHAP Guidelines for Renovation of Existing Contributing Structures

The Baltimore City Commission for Historical and Architectural Preservation’s document “Historic Preservation Guidelines” contains the guidelines that are to be used for guiding the renovation of Contributing buildings located within the boundaries of this Plan. These are the guidelines used by CHAP in making their decisions about the appropriateness of the proposals for renovating Contributing Structures within all of their Historic districts. The document is available from the Department of Planning.

II. Additional Guidelines for Renovation of Existing Contributing Structures Specific to this Urban Renewal Plan

1. Building Walls

- a. Rear walls should present a neat and uniform appearance. If openings are filled in, the infill material should match the existing wall material. If existing walls are composed of numerous materials, painting is a recommended solution.
- b. Unpainted brick or stone walls must not be painted, unless it is historically appropriate to paint them or they are located on a block face where two-thirds or more of the existing masonry building faces are already painted.

2. Storefronts

- a. The design for new storefronts must be compatible with the design of original storefronts within the neighborhood and with the design of the upper portion of the building. Design elements that are present in the upper façade may be incorporated in the storefront design.

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- 1 b. Materials that are not typical of the original materials used on neighborhood
2 storefronts, such as formstone, pierced concrete block, aluminum siding, exposed
3 plywood, or wood shakes must not be used.
- 4 c. Replacement display windows, entrances, signs, lighting, and security protection
5 must be compatible with the design, character, and scale of the existing building.
6 All show window elements must be located below the building's second floor
7 windows.

8 3. Windows and Doors

- 9 a. Windows facing public streets must not be filled, boarded up, or covered by signs.
- 10 b. Windows not facing public streets may be closed up only if permission is received
11 by CHAP and the Fire Department. Windows that are approved for closing must
12 be completely removed from the building and replaced with a material that has
13 been approved by CHAP prior to installation.
- 14 c. Windows that face public streets or are part of an entrance must be glazed with
15 clear glass. These windows may not be glazed with any type of sheet plastic or
16 constructed of glass block.
- 17 d. Replacement windows must be sized to fit within the existing masonry openings.
18 The use of infill panels to make replacement windows large enough for existing
19 masonry openings will not be permitted. Existing masonry openings must not be
20 enlarged to fit new windows. Maintain the same strong horizontal and vertical
21 alignment for new window openings that are found in the existing traditional
22 buildings in the neighborhood. Maintain historic proportions of the internal
23 divisions within the windows themselves.
- 24 e. If windows fabricated from materials other than wood are selected, the shape and
25 number of the glass panes and the scale and profile of the frame, sash, mullions,
26 and muntins must be compatible with the style of the building. Also, the material
27 or the coating on the material of the window parts must not be a stark or bright
28 white, but a softer white, cream, or darker color. Snap-in muntin grid inserts are
29 not acceptable.
- 30 f. Inappropriate new window or door features are discouraged. These also include
31 the installation of plastic, canvas, or metal strip awnings that detract from the
32 character and appearance of the building.
- 33 g. Outside vestibule doors on rowhouses shall be retained.

34 4. Traditional Canopies and Marquees

35 Traditional canopies and marquees on commercial buildings shall be retained
36 whenever possible. Reconstruction of historic canopies and marquees that have been
37 removed shall be supported by CHAP when the original design is duplicated.

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5. Structures and Site Plan Elements:

The introduction of new structures and site plan elements into the neighborhood that are incompatible with the character of the district because of size, color, and materials will be discouraged.

III. Review of Plans

The procedure for the review of plans for the renovation of existing Contributing Buildings located within the boundaries of this Plan is described in Section C part 3 of the Plan.

IV. Compliance

An approved building permit, with a “Notice to Proceed”, is required before any proposed exterior work proceeds on any building located within the boundaries of this Plan. After the application for the permit is filed, the applicant will work with the Department of Planning to begin the approval process. The process will involve working with City staff and the Development Design Review Panel. The process will require fulfillment of the CHAP, Urban Renewal, DHCD Housing, Building, and Zoning Code regulations before the building permit with the “Notice to Proceed” is approved by the City.

No work, alterations, or improvements may be undertaken that do not conform with the requirements of this Plan. ~~However, the Planning Commission may waive compliance with one or more of these standards if the Planning Commission determines that the waiver does not adversely affect the Design Goals contained in this Plan.~~

Nothing in this Renewal Plan may be construed to permit any sign, construction, alteration, change, repair, use, or any other matter otherwise forbidden or restricted or controlled by any other public law.

Appendix B: Design Guidelines for New Construction

The Design Guidelines are contained in a separate CHAP document titled “Mount Vernon Historic District ~~Design Standards~~ Design Guidelines for New Construction”.

Appendix C: Additional Design Guidelines and Standards for Accessory Elements That Are Attached to Both Renovated and New Buildings

Different, special purpose, accessory elements are attached to the exterior of many buildings within the district. Awnings and canopies, security screens and grills, and signs are often added to new or renovated facades. Lighting fixtures are added to the exterior walls for decorative and security purposes and to illuminate signs. These design guidelines and standards must be used by the Department of Housing and Community Development and the Development Design Review Panel to determine the suitability of these accessory elements.

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1 I. Guidelines and Standards

2 A. Shutters

3 Shutters may be used on buildings only if architecturally appropriate. Shutters must
4 be mounted using one of two techniques: mounted with hinges and a metal latch or
5 fastened directly to the wall as if they were permanently opened. CHAP will make
6 the final determination on the appropriateness of shutter material, design, size,
7 placement, and mounting system.

8 B. Fabric Awnings and Canopies

9 Awnings are classic elements for commercial storefronts, providing opportunities for
10 signage, identifying character, and protection from the elements for pedestrians.

11 1. Fabric Awnings and Canopies on Contributing Structures

12 Because awnings and canopies are not appropriate for every Contributing
13 Structure in the neighborhood and because the particular awning design and
14 location must be appropriate to the style and design of the building, all
15 applications for awnings will be considered by the CHAP Commission on a case
16 by case basis.

17 CHAP will forward the information to the Development Design Review Panel to
18 determine if the colors and design are compatible with the building façade and
19 other nearby awnings and architectural elements. The Development Design
20 Review Panel and CHAP will consider the following guidelines in making their
21 decision:

- 22 (1) The particular building type must have historically featured the proposed
23 type of awning.
- 24 (2) The proposed awnings must complement the building façade's detailing,
25 color, materials, scale, proportion, and form. The color and patterns must
26 harmonize with the buildings façade, not overwhelm it. Awnings
27 ornamentation, including the valance edge details, must suit the character
28 of the building. The awnings must fit within the frame of the windows
29 and door openings.
- 30 (3) Awnings on store fronts must be designed in the tradition of commercial
31 awnings. CHAP will consider permanent awnings for use on commercial
32 buildings if they meet the other design guidelines and are part of a
33 traditional commercial window display.
- 34 (4) Awnings on residential structures must be designed in the tradition of
35 residential awnings. Because residential awnings were designed to
36 provide shade and cooling only in the summer, CHAP will approve them
37 for residential use only if the fabric is removable or retractable. CHAP
38 will not consider year round, permanent, window awning installations for
39 residential properties.

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1 (5) Because, all awning fabrics (cotton duck, vinyl-coated cotton duck, vinyl-
2 laminated polyester, and woven acrylic) have life spans that vary from 5 to
3 7 years, the awning proposal must include a maintenance/replacement
4 plan for the canopy and its fabric.

5 (6) The installation must be the least destructive to the building and most
6 stable possible.

7 2. Additional Guidelines for All Awnings and Canopies

8 (1) Awnings made from metal strips, shiny plastic, plastic coated, or plastic
9 appearing materials are prohibited. Metal or rigid awnings are not
10 allowed except for marquees for hotels and theatres.

11 (2) Awning fabric must be flameproof.

12 (3) Awnings may not project more than 7 feet from the wall of a building.
13 The maximum height for any part of an awning is 13 feet above the
14 sidewalk. The top of the awning must also be at least 1 inch below the
15 windows of the floor above. The bottom of the awning must have a
16 clearance of at least 8 feet above the sidewalk.

17 (4) The bottom of the awning may not be covered with fabric or any other
18 material to create an enclosed volume.

19 3. Signs on Awnings and Canopies

20 Signs painted on, applied to, or sewn into awnings are permitted. The areas of
21 these signs added together with the areas of the other signs on the building must
22 be less than the maximum area of signs that are allowed on the building.

23 C. Security Grilles and Bars

24 1. Security grilles and bars may be used only:

25 a. when windows are accessible from the ground (less than 9 feet above the
26 ground);

27 b. when windows are accessible from fire escapes;

28 c. when windows are accessible from adjacent roofs; or

29 d. when windows cannot be seen from a public street.

30 2. Enclosures and coverings for security grilles and screens must be as
31 inconspicuous as possible and designed to blend in with the rest of the building.

32 3. Security grilles and bars must be made of a dark material or painted a dark color.

33 4. Security grilles and bars in front of show windows must be opened or removed
34 when a business is open.

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1 5. New fixed security grilles and bars for storefront windows must be located on the
2 inside of the windows.

3 6. Exterior components of security systems should be as inconspicuous as possible.

4 D. Standards for Signs

5 All new signs must be in accordance with the Zoning Code of Baltimore City and, as
6 appropriate, subject to minor privilege requirements. In addition the following
7 regulations are included in this ordinance to help ensure that new signs are well
8 designed and add to the quality and character of neighborhood:

9 1. Maximum Number and Sizes allowed in each Zoning District

10 a. In Business and Manufacturing Zoning Districts the maximum area of all the
11 signs on the front of a building in square feet must be less than the width of
12 the front façade in linear feet times 1.5. For example, if the front of a building
13 is 20 feet wide, the total area of all the signs on the front of the building may
14 not exceed 30 square feet. The front wall and the side wall of corner
15 properties may have signs on each wall. The maximum area of the signs in
16 square feet on each wall must be less than the length of that wall in linear feet.

17 b. In the R-8 Zoning District, only one identification sign of up to 18 square feet
18 in area is allowed if it is not illuminated or one identification sign of up to 12
19 square feet is allowed if it is directly illuminated. This is the same maximum
20 number and area of signs that is allowed in the Zoning Code.

21 c. In the Office-Residential Zoning Districts, only one identification sign of up
22 to 36 square feet in area is allowed if it is not illuminated or one identification
23 sign of up to 24 square feet is allowed if it is directly illuminated. This is the
24 same maximum number and area of signs that is allowed in the Zoning Code.

25 2. General

26 a. The type of the sign, its location, and the design of its brackets must be
27 harmonious in scale, color, and style with the building it is part of.

28 b. Signs may not cover architectural details, windows, or cornices of buildings.

29 c. The information included on a sign should be kept to a minimum. Excessive
30 language makes the sign harder to read, especially for people in cars.
31 Wording should be limited to the name of the business and perhaps the type of
32 service provided.

33 d. The use of logos, graphic symbols, or freestanding letters is encouraged.

34 e. Signs should be designed to be part of the overall storefront design. Colors
35 should be coordinated and compatible with the rest of the building façade.
36 Multi-color signs must be designed carefully as they can easily become too
37 busy and chaotic. Lettering styles on the signs can be selected to reflect the

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1 business or the style of the building. In all cases, signs should be laid out,
2 constructed, and installed by sign fabricators to ensure professional results.

- 3 f. Wood, metal, or plastic signs that are coated or painted are permitted.
- 4 g. Internally lit box signs are not permitted.
- 5 h. Internally lit or back lit individual letter signs are permitted.
- 6 i. The design for all permanent signs must be submitted to the Department of
7 Housing and Community Development for approval. The submission must
8 include a scale drawing showing the sign and its location, size, material, and
9 methods for mounting and lighting. The Department will forward the
10 information to the Department of Planning to determine if the designs for the
11 signs are compatible with the objectives of this Urban Renewal Ordinance.

12 3. Flat signs

- 13 a. The sign must be placed parallel to the building and may not extend more than
14 8 inches from the building's wall. The bottom of the sign must be 8 feet or
15 higher above the ground.
- 16 b. For multi-story buildings, the top of the sign for first-floor tenants must be
17 below the bottom of the second-story windows.
- 18 c. Flat signs may not cover architectural details, windows, or cornices of
19 buildings.

20 4. Projecting Signs

- 21 a. One projecting sign is permitted for each street level business within the urban
22 renewal boundaries. Also, an additional projecting sign is permitted for each
23 building in the district to list upper floor businesses in that building.
- 24 b. Signs may be double faced.
- 25 c. Signs must be mounted perpendicular to the building and must not extend
26 more than 4 feet from the wall. The bottom of the sign must have a clearance
27 of at least 9 feet above the sidewalk. The top of the sign must not extend
28 above the bottom of the second floor window sills or be more than 14 feet
29 above the ground, whichever is lower.
- 30 d. The maximum area of any projecting sign is 12 square feet on each side. The
31 areas of these signs added together with the areas of the other signs on the
32 building must be less than the maximum area of signs that are allowed on the
33 building.

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1 5. Freestanding Signs

- 2 a. One freestanding sign is allowed in an open side or front yard for each lot line
3 of a parcel that faces a public street. The maximum height of a freestanding
4 sign is 5 feet; the maximum area for each side of the sign is 16 square feet.
- 5 b. Internally lit, freestanding box signs are not permitted.
- 6 c. The freestanding sign panel may:
- 7 (1) extend directly to the ground;
- 8 (2) be supported by a thin slab or wall that extends to the ground, with both
9 ends of the slab or wall extending at least to the ends of the sign panel; or
- 10 (3) be supported by dark colored poles or posts that extend to the ground, and
11 the outside edge of the poles or posts must be aligned with the ends of the
12 sign panel.

13 6. Other Signs

14 a. Signs for Upper Story Tenants

- 15 (1) Each commercial tenant that occupies an upper floor of a building may
16 have a listing on the building's directory sign or, if the directory sign does
17 not exist, may have a flat or painted sign.
- 18 (2) Flat or painted signs for upper story tenants are limited to a maximum of 5
19 square feet each and may not project more than 4 inches from the
20 building. The areas of these signs added together with the areas of the
21 other signs on the building must be less than the maximum area of signs
22 that are allowed on the building.
- 23 (3) Signs for businesses on upper floors of buildings should be limited to a
24 maximum of 8" high lettering painted on the inside of the upper floor
25 window or on the entry level door.

26 b. New rooftop signs, billboards, and other general advertising signs are not 27 permitted.

28 c. Signs that are painted on a building and signs that are made of individually 29 cut-out letters attached directly to a building are permitted. The areas of these 30 signs added together with the areas of the other signs on the building must be 31 less than the maximum area of signs that are allowed on the building.

32 d. Signs painted on, applied to, or sewn into awnings are permitted. The areas of 33 these signs added together with the areas of the other signs on the building 34 must be less than the maximum area of signs that are allowed on the building.

35 e. Signs painted or etched on display windows are permitted. Non-flashing neon 36 signs located inside store windows are permitted. The areas of these signs

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1 added together with the areas of the other signs on the building must be less
2 than the maximum area of signs that are allowed on the building.

- 3 f. The total area of all the signs, posters, placards, and graphic displays located
4 in a display window must not take up more than 25% of the area of that
5 window.
- 6 g. "Temporary" signs may be displayed within storefront windows provided that
7 the signs do not cover more than 20% of the window area and are not on
8 display for more than 30 days.
- 9 g. Flashing, blinking, fluctuating, or otherwise animated signs other than barber
10 poles, time and temperature signs less than 4 square feet in area, signs on
11 theater marquees, or existing flashing neon signs are not permitted.
- 12 h. Banners are not permitted in any zoning district within Baltimore City unless
13 they are specifically approved on appeal by the Board of Municipal and
14 Zoning Appeals. Flags and banners that are decorative, compatible with the
15 building, its use, and the architectural design of adjacent buildings will be
16 considered for approval by the CHAP if they are approved by the BMZA.
17 Banners located in predominantly residential areas will not be approved by
18 CHAP.

19 E. Lighting

- 20 1. Light fixture styles should be compatible with the design of the building.
- 21 2. Light fixtures with exposed fluorescent, quartz, mercury vapor, or regular
22 incandescent light bulbs are not permitted on the fronts or sides of buildings
23 facing public streets. Light fixtures with exposed low-wattage, decorative light
24 bulbs are permitted.
- 25 3. The following types of lighting fixtures on the fronts or sides of buildings facing
26 public streets are permitted:
- 27 a. Recessed down lights that are installed in a box-like structure. The fixture
28 must be the same length as the architectural element or sign that it lights. The
29 box may also be designed to angle the light towards a display window or
30 adjacent wall.
- 31 b. Light boxes with fluorescent lights that are hidden behind a plastic or metal
32 grille.
- 33 c. Gooseneck incandescent fixtures— fixtures with porcelain enamel reflectors on
34 bent metal arms that are designed to prevent glare at the pedestrian level.
- 35 4. Internally lit or back lit individual letter signs are permitted.
- 36 5. Internally lit box signs are not permitted.

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- 1 6. Security lighting should be provided, whenever possible, to serve both pedestrians
2 and vehicles.
- 3 7. Unshielded, specialized security lighting fixtures are not allowed on the fronts of
4 buildings. Other shielded, architecturally appropriate fixtures on the fronts of
5 buildings that increase pedestrian security are encouraged.
- 6 8. Security lighting should be provided, whenever possible, along the sides of
7 buildings not facing streets, in the rear of buildings, and in adjacent loading and
8 parking areas. This lighting may be provided by specialized security lighting
9 fixtures.
- 10 9. All lighting must be oriented or shielded so that residences are not directly
11 exposed to the source of the glare.

12 F. Antennas and roof mounted equipment

- 13 1. Accessory rooftop structures such as antennas, satellite dishes, other
14 communications equipment, HVAC, or other operating equipment must be placed
15 as inconspicuously as possible and must be properly screened.
- 16 2. Design standards for antennas are as follows:
 - 17 a. Antennas may not exceed 15 feet in height by 6 feet in width.
 - 18 b. Height is measured from the roof or the ground to the top of the antenna.
 - 19 c. Appropriate screening must be provided to prevent visibility from adjacent
20 properties.
 - 21 d. Antennas must be designed to accommodate co-location.

22 G. Roof Decks

23 Roof decks and railings must be placed so that they are not visible from public
24 streets.

25 II. Review of Plans

26 The procedure for the review of plans for the renovation and construction of buildings
27 located within the boundaries of this Plan is described in Section C, part 3 of the Plan.

28 III. Compliance

29 An approved building permit, with a “Notice to Proceed”, is required before any
30 proposed exterior work proceeds on any building located within the boundaries of this
31 Plan. After the application for the permit is filed, the applicant will work with the CHAP
32 office to begin the approval process. The process will involve working with City staff
33 and the Development Design Review Panel. The process will require fulfillment of the
34 CHAP, Urban Renewal, DHCD Housing, Building, and Zoning Code regulations before
35 the building permit with the “Notice to Proceed” is approved by the City.

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1 No work, alterations, or improvements may be undertaken that do not conform with the
2 requirements of this Plan. ~~However, the Planning Commission may waive compliance~~
3 ~~with one or more of these standards if the Planning Commission determines that the~~
4 ~~waiver does not adversely affect the Design Goals contained in this Plan.~~

5 Nothing in this Renewal Plan may be construed to permit any sign, construction,
6 alteration, change, repair, use, or any other matter otherwise forbidden or restricted or
7 controlled by any other public law.

8 **Appendix D: Design Guidelines and Standards for Site Plans**

9 I. Guidelines and Standards

10 Site plans are reviewed by the City of Baltimore's Site Plan Review Committee, a
11 committee of City agencies convened by the City's Department of Planning. The
12 following guidelines are to be used by the committee in addition to the committee's
13 general guidelines.

14 A. General

- 15 a. In commercial parts of the neighborhood, sidewalks should be at least 10 feet in
16 clear width to encourage pedestrian use. The use of even wider sidewalks in
17 commercial areas for outdoor table service, as allowed by the Zoning Code, is
18 encouraged.
- 19 b. Vending machines set up outside of buildings must be located so they are not
20 visible from public streets.
- 21 c. Loading docks and service areas must be located so they do not face public
22 streets.
- 23 d. Dumpsters or other private trash containers must be screened by a masonry wall
24 or a wood fence with opaque gates at least six feet in height, designed to be
25 complementary to the building served. Provide ready access for all tenants.

26 The dumpsters or trash containers must not be located in the front or sides of
27 buildings facing public streets.

- 28 e. Barbed or razor wire fencing is not allowed anywhere within the district.

29 B. Landscaping

30 The following regulations are included in this ordinance to help to increase the
31 amount and quality of trees and landscaped green space throughout the
32 neighborhood:

- 33 a. When buildings are set back from the property lines along major streets, the land
34 area between the edge of the sidewalk and the building must be well landscaped.
- 35 b. Other appropriate sidewalk landscaping may include planting in properly located
36 containers provided that they are maintained and replanted seasonally.

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- 1 c. Street trees are an critical component for softening and celebrating the
2 neighborhood's urban qualities. With the same tree species planted at relatively
3 regular intervals along both sides of the block, street trees provide a contrast to
4 the hard materials of the city, and create a pattern and presence that adds a sense
5 of unity to the street. For these reasons, street trees must be included along all
6 City streets wherever possible.

7 The health of the trees and careful pruning are also critical issues. The selection
8 of the species, the size of the tree pits, the quality of the soil, and the prevention
9 of compaction of the tree pit soil are the essential for insuring that trees remain
10 healthy. Tree pits must be a minimum of 4 feet by 6 feet, or 4 feet by 8 feet in
11 size if possible. If sidewalks are wide enough, tree pits may be wider than 4 feet
12 and set back from the street curb. Loose set cobblestones may be set within the
13 tree pit to help prevent compaction of the soil, allow the penetration of water, and
14 provide a surface for getting in and out of cars parked next to the curb.

- 15 d. Parking lots with more than 8 spaces must incorporate one deciduous tree within
16 the area of the lot design for every 1,200 square feet of parking lot pavement.
- 17 e. Chain link fences are not allowed along edges of building lots facing public
18 streets unless they are black coated and incorporated within a hedge. Wood,
19 painted or coated aluminum, cast iron, and steel fences are acceptable.
- 20 f. Metal or plastic slats threaded through chain link fences or fabric attached to
21 chain link fences are not allowed, except during construction of a new or
22 rehabilitated structure.
- 23 g. Media boxes shall be limited to 5 for any block-face and limited to 10 within any
24 500 foot radius. All media boxes on any block-face shall be co-located and shall
25 be installed in a media box corral.

26 C. Parking Lots

- 27 a. Parking lots may not be placed in the front of a building. They are, however,
28 acceptable on the side of a building provided there is adequate screening so that
29 the view of cars is shielded from public streets.
- 30 b. The edges of the parking lot screening should extend out to the sidewalk property
31 line to maintain the continuous line of building faces along the street.
- 32 c. All parking lots facing public streets must be screened along the streets with
33 walls, screen fences, or screening landscaping.
- 34 (1) Solid masonry or wood walls that are used to screen parking lots along public
35 streets must be between 2 feet 6 inches and 3 feet 6 inches high.
- 36 (2) Fences which do not completely block views that are used to screen parking
37 lots must be a minimum of 4 feet high and maximum of 5 feet high, with 20-
38 40% of the fence being solid material.

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1 (3) Hedges are allowed for screening parking lots, but they must have a black
2 coated chain link or metal picket fence behind or inside them. The hedge
3 must hide the fence from the public sidewalk. The hedge must be a
4 maintained at a minimum of 2 feet 6 inches and a maximum of 3 feet 6 inches
5 high.

6 d. Chain link fences are not allowed along edges of parking lots facing public streets
7 unless they are black coated and incorporated within a hedge. Wood, painted
8 aluminum, cast iron, and steel fences are acceptable.

9 e. Chain link fences are allowed along edges of parking lots that do not face public
10 streets.

11 f. Wheel blocks or curbs set back to stop front tires must be provided in parking lots
12 to protect adjacent walls and fences from damage.

13 g. A minimum of 20 foot candles of lighting must be provided for all parking lots.
14 The lighting must be oriented or shielded so that residences are not directly
15 exposed to the source of the glare.

16 II. Review of Plans

17 The procedure for the review of plans for the renovation and construction of buildings
18 located within the boundaries of this Plan is described in Section C, part 3 of the Plan. In
19 addition the site plan for the project will be subject to review and approval by the City's
20 interdepartmental Site Plan Review Committee.

21 III. Compliance

22 An approved building permit, with a "Notice to Proceed", is required before any
23 proposed exterior work proceeds on any building located within the boundaries of this
24 Plan. After the application for the permit is filed, the applicant will work with the
25 Department of Planning to begin the approval process. The process will involve working
26 with City staff and the Development Design Review Panel. The process will require
27 fulfillment of the CHAP, Urban Renewal, DHCD Housing, Building, and Zoning Code
28 regulations before the building permit with the "Notice to Proceed" is approved by the
29 City.

30 No work, alterations, or improvements may be undertaken that do not conform with the
31 requirements of this Plan. ~~However, the Planning Commission may waive compliance~~
32 ~~with one or more of these standards if the Planning Commission determines that the~~
33 ~~waiver does not adversely affect the Design Goals contained in this Plan.~~

34 Nothing in this Renewal Plan may be construed to permit any sign, construction,
35 alteration, change, repair, use, or any other matter otherwise forbidden or restricted or
36 controlled by any other public law.

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Appendix E: Maintenance Standards for Private Properties

I. Standards

These maintenance goals and standards will be used by the Department of Housing and Community Development to reduce and prevent the recurrence of deteriorated conditions within the district. These standards apply to all land use categories. These maintenance standards include existing maintenance standards that are in the codes and ordinances of the City of Baltimore and additional higher standards that are established as part of this ordinance.

A. Standards for the Maintenance of Occupied Structures

1. Businesses and residents must keep their properties free of trash.
2. Support mechanisms for signs and exterior electrical, plumbing, and mechanical equipment must be kept in good repair.
3. All windows must be tight fitting and have sash of proper size and design. Sash with rotten wood, broken joints, or loose mullions or muntins must be replaced. All broken and missing windows and glass block must be replaced with glass, replicating the original. All exposed wood must be repaired or painted.
4. All trash must be placed in covered receptacles.
5. Properties with flaking paint must be repainted or repaired within 30 days of being cited.
6. Graffiti must be removed within 60 days of being cited.
7. All fences and barriers must be maintained on a regular basis. Owners must repair or remove damaged fences within 90 days. Landscape barriers must be trimmed on a regular basis, and dead or damaged shrubbery must be replaced as needed.
8. Defective structural and decorative elements on building walls that face primary and side streets must be repaired in kind so that they closely resemble the original materials and design of the building. Damaged, sagging, or otherwise deteriorated storefronts, show windows, or entrances must be repaired or replaced.
9. Cornices and windows above the first floor must be kept structurally sound and in good condition. Wood that is rotten or weak must be repaired or replaced in a way that matches the original design and construction as closely as possible. All exposed wood must be painted or stained or protected through other acceptable methods.
10. Unused elements on the front of a building, such as abandoned sign brackets, unused mechanical equipment, or empty electrical conduits, must be removed.
11. Rear and interior side walls must be kept neat and repaired.

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1 12. Rear walls must be painted or stuccoed to cover up existing patched and in-filled
2 areas.

3 13. Chimneys, elevator housing, and other roof-top structures must be kept clean and
4 repaired. Roofs must be kept clean and free of trash and debris.

5 B. Standards for the Maintenance of Vacant Structures and Properties

6 1. Grass and weeds must not exceed 8 inches in height. All other landscaping and
7 shrubbery must be maintained on a regular basis.

8 2. All windows must be tight fitting and have sash of proper size and design. Sashes
9 with rotten wood, broken joints, or loose mullions or muntins must be replaced.
10 All broken and missing windows and glass block must be replaced with glass or
11 approved plastic glazing. All exposed wood must be repaired or painted.

12 3. Broken windows or other forms of vandalism must be repaired within a 5-day
13 period.

14 4. Trash must be removed on a weekly basis and must be kept in a secured
15 receptacle.

16 5. Trash must be made available for regular pick-ups.

17 6. Buildings must be maintained to give the appearance that they are occupied.

18 II. Compliance

19 A. These maintenance standards are enforced by the Department of Housing and
20 Community Development. Complaints about violations of these standards may be
21 made to the Department by any individual or organization.

22 B. Structural repairs must be made within 60 days from the receipt of a violation notice
23 from the Department of Housing and Community Development.

24 C. All maintenance and non-structural repairs must be made within 45 days from the
25 receipt of a violation notice from the Department of Housing and Community
26 Development.

27 D. Vandalized properties must be secured within a 5-day period. Property owners who
28 require additional time to make a repair must notify the Department of Housing and
29 Community Development either in writing or by telephone and provide an extension
30 of the completion date.

31 **SECTION 4. AND BE IT FURTHER ORDAINED**, That the Urban Renewal Plan for Mount
32 Vernon, identified as “Urban Renewal Plan, Mount Vernon, including Exhibit 1, Land Use,
33 dated October 1, 1992; ~~Exhibit 2, Property Acquisition, dated June 30, 2005; Exhibit 3, Land~~
34 ~~Disposition, dated June 30, 2005;~~ Exhibit 4, Zoning Districts, dated June 3, 2005; ~~Exhibit 5,~~
35 ~~Mount Vernon: Proposed Height, dated June 15, 2005;~~ and Exhibit 6, Historic Districts
36 Contributors, dated June 30, 2005”, is approved, and the Clerk of the City Council is directed to

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1 file a copy of the Renewal Plan with the Department of Legislative Reference as a permanent
2 public record and to make the same available for public inspection and information.

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

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

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

21 **SECTION 8. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30th
22 day after the date it is enacted.

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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