

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 09-0313

Introduced by: President Rawlings-Blake
At the request of: Uplands Visionaries, LLC
Address: c/o Jon Laria, Esquire, Ballard Spahr Andrews & Ingersoll, LLP, 300 East Lombard
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Introduced and read first time: March 30, 2009
Assigned to: Urban Affairs and Aging Committee
Committee Report: Favorable with amendments
Council action: Adopted
Read second time: July 13, 2009

AN ORDINANCE CONCERNING

**Urban Renewal – Uplands –
Amendment 2**

FOR the purpose of amending the Urban Renewal Plan for Uplands to revise the Land Use Plan for residential uses permitted under a certain zoning district; clarifying certain references and language; amending Appendix B to provide that where there may be a conflict between the provisions of the Renewal Plan and the provisions of any Planned Unit Development in the Renewal Area, the provisions of the Renewal Plan control; modifying certain design guidelines of Appendix B; and replacing certain Exhibits; waiving certain content and procedural requirements; making the provisions of this Ordinance severable; providing for the application of this Ordinance in conjunction with certain other ordinances; and providing for a special effective date.

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

Recitals

The Urban Renewal Plan for Uplands was originally approved by the Mayor and City Council of Baltimore by Ordinance 04-0887 and last amended by Ordinance 08-99.

An amendment to the Urban Renewal Plan for Uplands is necessary to revise the Land Use Plan for residential uses permitted under a certain zoning district; to clarify certain references and language; to amend Appendix B to provide that where there may be a conflict between the provisions of the Renewal Plan and the provisions of any Planned Unit Development in the Renewal Area, the provisions of the Renewal Plan control; to modify certain design guidelines of Appendix B; and to replace certain Exhibits.

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.

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

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

6 (1) In the Plan, amend the first sentence of B.1. to read as follows:

7 Residential uses shall be those permitted under the [R-6] R-5 category as set forth
8 by the Zoning Code of Baltimore City.

9 (2) In the Plan, amend C.4.a. second paragraph to read as follows:

10 The Department of Housing and Community Development will fully utilize the
11 [Design Advisory Panel] URBAN DESIGN AND ARCHITECTURAL REVIEW PANEL
12 and the Site Plan Review Committee to work with Developers in the achievement
13 of high quality site, building, and landscape design.

14 (3) In the Plan, in the last line of the second sentence of C.5., delete “on September 9,
15 2004”.

16 (4) In the Plan, in Appendix B, after the title “Design Guidelines”, insert the following
17 sentence:

18 WHERE THERE MAY BE A CONFLICT BETWEEN THE PROVISIONS OF THE UPLANDS
19 RENEWAL PLAN AND THE PROVISIONS OF ANY PLANNED UNIT DEVELOPMENT IN
20 THE UPLANDS RENEWAL AREA, THE PROVISIONS OF THE UPLANDS RENEWAL PLAN
21 CONTROL.

22 ~~(5) In Appendix B of the Plan, in B.1.a. and b., in each instance, delete “10” and~~
23 ~~substitute “8”; in B.2., delete “15” and substitute “10”; and, in B.4., delete the last~~
24 ~~sentence in its entirety.~~

25 (5) In Appendix B of the Plan, in B.1.a., 1st line, and in B.1.b., in each instance, before
26 “setback”, insert “AVERAGE MASTER PLAN”; and, at the end of B.1.a. and B.1.b., in
27 each instance, delete “10” and substitute “8”; and, in B.2., delete “15” and substitute
28 “4”, delete “primary” and substitute “ALL”, and delete “and 7’ for outbuildings”; and,
29 in B.4., delete the last sentence in its entirety.

30 (6) In Appendix B of the Plan, in C.1.a., delete “5” and substitute “4”; and, in D.5.,
31 delete the first sentence.

32 (7) In Appendix B of the Plan, in Building Types Rowhouse, in the 6th bullet, after
33 “windows”, insert “OR SINGLE-HUNG WINDOWS (IF RENTAL)”.

34 (8) In Appendix B of the Plan, after Building Types Duplex section, insert

35 TRIPLEXES (*UNIT SIZE – 1,000 SQUARE FEET TO 1,500 SQUARE FEET, 2 TO 3*
36 *BEDROOMS*)

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- 1 • PORCHES AND STOOPS CREATE A TRANSITION BETWEEN INSIDE AND OUTSIDE,
2 AND BETWEEN PUBLIC AND PRIVATE SPACE.
- 3 • UNITS ARE ORIENTED TO THE SIDEWALK AND HELP DEFINE STREET EDGES.
- 4 • VARIATION IN ROOF FORMS CREATES VISUAL INTEREST AND GIVES UNITS A
5 HUMAN SCALE. HIPPED, GABLE, AND SHED ROOFS ARE ENCOURAGED TO
6 MAINTAIN A RESIDENTIAL NEIGHBORHOOD FEEL.
- 7 • SPECIAL ARCHITECTURAL DETAILS, SUCH AS CORNICES, DENTILS, ROOF VENTS,
8 AND WOOD TRIM AROUND WINDOWS, GIVE INDIVIDUAL IDENTITY TO EACH
9 UNIT.
- 10 • SEPARATE ENTRANCES ARE PROMINENT, WELL LIT, AND EXPRESS DISTINCT
11 UNITS.
- 12 • OPERABLE DOUBLE-HUNG WINDOWS OR SINGLE-HUNG WINDOWS (IF RENTAL)
13 PROVIDE NATURAL VENTILATION.
- 14 • A RAISED FIRST FLOOR GIVES RESIDENTS PRIVACY.
- 15 • LANDSCAPING CAN HELP KEEP THE UNITS COOL IN THE SUMMER AND CAN BE
16 AN ATTRACTIVE ADDITION TO THE SITE.
- 17 • A VARIETY OF EXTERIOR MATERIALS, SUCH AS WOOD SIDING AND BRICK, GIVE
18 THE BUILDING TEXTURE AND A SENSE OF SCALE AND INDIVIDUALITY.
- 19 • SETBACKS GIVE RESIDENTS PRIVACY AND CREATE ROOM FOR GRASSY AREAS
20 AND PLANTING.
- 21 • PROJECTING BAYS, BALCONIES, AND CORNERS GIVE RHYTHM TO THE STREET.
- 22 • WINDOWS ARE PLACED TO INCREASE “EYES ON THE STREET” FOR A SAFER
23 NEIGHBORHOOD.
- 24 • PARKING NEEDS ARE ACCOMMODATED BY ~~ON-STREET PARKING RESERVED FOR~~
25 ~~NEIGHBORHOOD RESIDENTS~~ RESIDENTIAL PERMIT PARKING OR BACKYARD
26 GARAGES REACHED BY ALLEYWAYS.

27 (9) In Appendix B of the Plan, in Building Types Mansionette, amend the title line to
28 read as follows:

29 Mansionette (*Unit size - 750 square feet to 1,000 square feet, 1, [to] 2, AND 3*
30 *bedrooms*)

31 (10) In Appendix B of the Plan, in Building Types Mansionette, amend the 5th bullet by
32 deleting “The main entrance is” and substituting “ENTRANCES WILL BE”; amend the
33 6th bullet by deleting “double-hung” and substituting “SINGLE-HUNG”; and, amend the
34 16th bullet by inserting “, IF APPLICABLE,” after “Garages”.

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1 (11) In Appendix B of the Plan, in Building Types Mansion, amend the 7th bullet by
2 inserting “OR SINGLE-HUNG WINDOWS (IF RENTAL)” after “windows”.

3 (12) In Appendix B of the Plan, in Building Types Multifamily, after the 6th bullet, insert
4 new bullet #7 to read as follows:

- 5 • OPERABLE DOUBLE-HUNG WINDOWS OR SINGLE-HUNG WINDOWS (IF RENTAL)
6 PROVIDE NATURAL VENTILATION.

7 (13) Replace Exhibit 1, “Land Use Plan”, dated September 30, 2004, with new Exhibit 1,
8 “Land Use Plan”, dated March 24, 2009, and replace Exhibit 4, “Existing Zones,
9 dated September 30, 2004, with new Exhibit 4, “Proposed Zones”, dated March 24,
10 2009.

11 **SECTION 2. AND BE IT FURTHER ORDAINED**, That the Urban Renewal Plan for Uplands, as
12 amended by this Ordinance and identified as “Urban Renewal Plan, Uplands, revised to include
13 Amendment 2, dated March 30, 2009”, is approved. The Department of Planning shall file a
14 copy of the amended Urban Renewal Plan with the Department of Legislative Reference as a
15 permanent public record, available for public inspection and information.

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

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

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

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

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Certified as duly passed this _____ day of _____, 20__

President, Baltimore City Council

Certified as duly delivered to Her Honor, the Mayor,
this _____ day of _____, 20__

Chief Clerk

Approved this _____ day of _____, 20__

Mayor, Baltimore City