

**CITY OF BALTIMORE
COUNCIL BILL 06-0476
(First Reader)**

Introduced by: Councilmember Young
Introduced and read first time: July 10, 2006
Assigned to: Urban Affairs Committee

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

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Urban Renewal – Oldtown –**
3 **Amendment _**

4 FOR the purpose of amending the Urban Renewal Plan for Oldtown to authorize the acquisition
5 by purchase or by condemnation of certain properties for urban renewal purposes, close
6 certain rights-of-way, create new disposition lots, propose certain land use and zoning
7 changes, revise exhibits to reflect the changes in the Plan, making minor technical changes in
8 the Plan, and revise and clarify land use categories; waiving certain content and procedural
9 requirements; making the provisions of this Ordinance severable; providing for the
10 application of this Ordinance in conjunction with certain other ordinances; and providing for
11 a special effective date.

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

17 **Recitals**

18 The Urban Renewal Plan for Oldtown was originally approved by the Mayor and City
19 Council of Baltimore by Ordinance 70-760 and last amended by Ordinance 99-509.

20 An amendment to the Urban Renewal Plan for Oldtown is necessary to authorize the
21 acquisition by purchase or condemnation of certain properties for urban renewal purposes, close
22 certain rights-of-way, create new disposition lots, propose certain land use and zoning changes,
23 revise exhibits to reflect the changes in the Plan, make minor technical changes in the Plan, and
24 revise and clarify land use categories.

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

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

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

3 (1) In the Plan, in B.1., after the boundary description, delete the last sentence.

4 [A map illustrating boundaries of the project area is given below as Exhibit No. 1,
5 Project Area Boundary.]

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

7 2. Urban Renewal Plan Objectives

8 THE OBJECTIVES OF THE OLDTOWN URBAN RENEWAL PLAN (HEREINAFTER
9 REFERRED TO AS “RENEWAL PLAN”) AS DETERMINED BY THE MAYOR AND CITY
10 COUNCIL OF BALTIMORE (HEREINAFTER REFERRED TO AS “CITY”), ACTING BY AND
11 THROUGH THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
12 (HEREINAFTER REFERRED TO AS “DEPARTMENT”) AND THE COMMISSIONER
13 THEREOF (HEREINAFTER REFERRED TO AS “COMMISSIONER”) ARE AS FOLLOWS:

- 14 a. To achieve a good residential neighborhood, as determined by the residents of
15 the Oldtown Project Area, for the residents of the Oldtown Project Area and
16 people with similar economic and social characteristics as documented in the
17 report, The People of Oldtown, dated 1969.
- 18 b. To remove and or rehabilitate substandard buildings and to eliminate blighting
19 influences [upon the Oldtown Project Area and upon the surrounding area
20 including Latrobe, Somerset and Douglas Homes].
- 21 c. To provide [a substantial number of] housing units at BOTH MARKET RATE
22 AND low and moderate cost on land to be disposed of for residential purposes.
- 23 d. To provide maximum opportunities for home ownership through the use of all
24 available programs.
- 25 e. To provide land for open space, recreation areas, educational and other public
26 facilities.
- 27 f. To revitalize the Gay Street Shopping Area through rehabilitation of existing
28 stores and new construction [and through the conversion of Gay Street to a
29 shopping mall].
- 30 g. To maximize employment opportunities through redevelopment of land for
31 retail commercial, wholesale/service commercial, and industrial purposes.
- 32 h. To channel through traffic onto arterial streets and to discourage through
33 traffic from entering local streets.
- 34 i. To protect the neighborhood from future blighting influences.

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1 [j. To rehabilitate the houses in the 600 block of Stirling Street in accordance
2 with their architectural and historical significance as part of Baltimore's
3 heritage.]

4 [k. To develop a strategic planning process for the revitalization of the south shed
5 of the Belair Market, known as Block 1273, lot 4/5.]

6 3. Types of Proposed Renewal Action

7 Actions proposed for the [project area] PROJECT AREA will consist of the
8 following:

- 9 a. Clearance and redevelopment
- 10 b. Rehabilitation
- 11 c. Provision of public facilities such as street, [and] utility, AND STREETSCAPE
12 improvements, parks[,] AND plazas[, street and sidewalk furniture].

13 (3) In the Plan, Amend C. to read as follows:

14 C. Land Use Plan

15 1. Land Use Plan Map

16 A Land Use PLAN Map is attached as Exhibit 2.

- 17 a. Residential, BUSINESS-Retail Commercial, BUSINESS-Wholesale/Service
18 Commercial, and Industrial uses are shown on the Land Use Plan Map,
19 Exhibit 2.
- 20 b. Public uses including schools, fire houses, AND parks[, and a mall
21 proposed or existing-to-remain] within the [project area] PROJECT AREA
22 are shown on Exhibit 2. All proposed public easements within the [project
23 area] PROJECT AREA are shown on Land Disposition Map, Exhibit 4.
- 24 c. Streets, all other public rights-of-way and vehicular access easements
25 proposed or existing to remain within the [project area] PROJECT AREA are
26 shown on Exhibit 2.

27 2. Land Use Provisions and Standards

28 a. Permitted Uses

29 Only the use categories shown on the Land Use Plan, Exhibit 2, [shall be]
30 ARE [permitted] ALLOWED within the [project area] PROJECT AREA. The
31 use categories are Residential, BUSINESS (Retail Commercial,
32 Wholesale/Service Commercial), Industrial, and Public. In addition,
33 certain existing uses, identified as [non-conforming] NONCONFORMING on
34 the Land Use Plan and in Appendix A, and [non-complying]
35 NONCOMPLYING [land uses] STRUCTURES identified in Appendix B [will

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1 be permitted] ARE ALLOWED to continue operations subject to the
2 provisions governing [non-conforming] NONCONFORMING uses set forth
3 below in [section] SECTION C.2.a.(6) and [non-complying uses]
4 NONCOMPLYING STRUCTURES set forth below in [section] SECTION
5 C.2.a.(7) of this [plan] PLAN. The specific uses [permitted] ALLOWED ARE
6 AS follows:

7 (1) Residential

8 In the area designated Residential on the Land Use Plan, USES
9 INCLUDE THOSE AS ALLOWED IN THE UNDERLYING R-8, R-9, AND R-10
10 ZONING DISTRICT CATEGORIES OF THE ZONING CODE OF BALTIMORE
11 CITY.[Map, the permitted uses shall be as follows:

12 dwellings; private schools, and other educational facilities; libraries;
13 religious facilities of any denomination, sect or rite; clubs and lodges;
14 and public utility facilities. Subject to the regulations of the Zoning
15 Ordinance of Baltimore City: convalescent homes; homes for the care
16 of the aged; day nurseries and nursery schools; other public service
17 uses; professional offices for not more than four physicians or dentists
18 in a structure designed for residential use; and housing for the elderly.]

19 (2) BUSINESS-Retail Commercial

20 [(a) Uses designated with an asterisk (*) shall not be located on the
21 ground level along the street frontage.

22 (b) Antique shops; art galleries; art supply stores; automobile
23 accessory stores (with no repair or installation services); bakeries
24 (where baked goods prepared on the premises are sold on the
25 premises); banks; barber and beauty shops; bicycle sales, rental
26 and repair stores; blood donor centers(*); blueprinting and
27 photostating establishments; book stores; bowling
28 establishments(*); building and loan associations; subject to the
29 approval of the Board of Municipal and Zoning Appeals, bus and
30 transit passenger shelters; camera and photographic supply stores;
31 candy and ice cream stores; card shops; carpet and rug stores, carry
32 out food shops; check cashing agencies; china and glassware
33 stores; clothes pressing establishments; clothing and costume
34 rental stores; non-profit clubs and lodges(*); coin and philatelic
35 stores; communications systems (sales and services); data
36 processing service(*); department stores; delicatessens; display
37 rooms for mail order sales; drive-through carry out restaurants;
38 drug stores; dry cleaning establishments (engaged only in
39 neighborhood retail trade); dry cleaning and laundry receiving
40 stations; dwellings(*); electrical stores; employment agencies(*);
41 exhibit rooms(*); exterminators shops(*); fabric shops; financial
42 institutions; florist shops; food and grocery stores; furniture stores
43 (including upholstery, when conducted as an accessory use);
44 garden supply, tool, and seed stores; gift shops; hardware stores;
45 hobby shops; household appliance stores; interior decorating shops

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1 (including upholstering and making of draperies, slip covers, and
2 other similar articles, when conducted as an accessory use);
3 jewelry stores (including watch repair); launderettes (not more
4 than four employees on the premises in addition to one manager);
5 leather goods and luggage stores; libraries; locksmith shops; lunch
6 rooms; meat markets; medical and dental clinics(*); medical
7 appliance stores; meeting and banquet halls(*); millinery shops;
8 musical instrument sales and repair; newspaper distribution
9 agencies; newsstands; novelty shops; offices (private and public);
10 offices for philanthropic institutions not to include direct services;
11 office supply stores; subject to the authorization of the Mayor and
12 City Council, off-street parking facilities; optician sales;
13 orthopedic stores; paint; pet shops; pharmacies; phonograph and
14 sheet music stores; photocopying services; photographers; physical
15 culture and health services (reducing salons, and gymnasiums)(*);
16 picture framing shops (when conducted for retail trade on the
17 premises); pool halls and billiard parlors(*); post offices; public
18 facilities; radio and television sales and service; radio and
19 television stations and studios(*); recording studios(*); restaurants
20 without licenses to dispense alcoholic beverages, schools and
21 studios (music, dance, and business)(*); school supply stores;
22 second-hand stores; secretarial and telephone answering
23 services(*); sewing machine sales and service (household
24 appliances * only); shoe and hat repair stores; shoe shine parlors;
25 sporting and athletic goods stores; stationery stores; tailor or
26 dressmaking shops, for custom work or repairs; telegraph offices;
27 theaters; ticket agencies; tobacco shops; toy stores; trading stamp
28 redemption centers; travel bureaus; variety stores; vending
29 machine outlets (for the retail sale of ice and milk); venetian blind
30 and window shade sales and services; video stores; wallpaper
31 stores; watch and clock sales and repair services; wearing apparel
32 shops; wig shops.]

33 (A) IN THE AREA DESIGNATED RETAIL COMMERCIAL ON THE LAND USE
34 PLAN, USES INCLUDE THOSE AS ALLOWED IN THE UNDERLYING B-2
35 ZONING DISTRICT CATEGORY OF THE ZONING CODE OF BALTIMORE
36 CITY.

37 (B) THE FOLLOWING USES THAT ARE PERMITTED USES IN THE B-2
38 ZONING DISTRICT ARE PROHIBITED IN THIS PLAN:

39 FRATERNITY AND SORORITY HOUSES: OFF-CAMPUS
40 LIQUOR STORES: PACKAGE GOODS
41 MOTELS
42 ROOMING HOUSES – WITH 11 OR MORE UNITS
43 SKATING RINKS

44 (C) ADDITIONALLY, THE FOLLOWING USES THAT ARE PERMITTED USES
45 IN THE B-2 ZONING DISTRICT ARE CONDITIONAL USES THAT
46 REQUIRE BOARD OF MUNICIPAL AND ZONING APPEALS APPROVAL
47 IN THIS PLAN:

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1 CHECK CASHING AGENCIES
2 CLINICS: MEDICAL AND DENTAL
3 CLUBS AND LODGES: PRIVATE NONPROFIT
4 HOTELS
5 ROOMING HOUSES – UP TO 10 UNITS
6 TAVERNS – NO LIVE ENTERTAINMENT OR DANCING

7 (D) IN THE AREA DESIGNATED RETAIL COMMERCIAL ON THE LAND USE
8 PLAN, CONDITIONAL USES ARE LIMITED TO THOSE AUTHORIZED BY
9 THE ZONING CODE OF BALTIMORE CITY AS CONDITIONAL USES IN A
10 B-2 ZONING DISTRICT. HOWEVER, THE FOLLOWING USES THAT ARE
11 CONDITIONAL USES IN THE B-2 ZONING DISTRICT ARE PROHIBITED
12 USES IN THIS PLAN:

13 COMMUNITY CORRECTION CENTERS
14 DRY CLEANING ESTABLISHMENTS: DRIVE-IN
15 FIREARM SALES, AMMUNITION SALES, OR BOTH – WHEN IN A
16 BUSINESS ESTABLISHMENT THAT IS PERMITTED IN A BUSINESS
17 DISTRICT AND LOCATED AT LEAST 100 YARDS FROM THE
18 BOUNDARY LINE OF A PARK, RELIGIOUS INSTITUTION,
19 EDUCATIONAL INSTITUTION, PUBLIC BUILDING, OR OTHER
20 PLACE OF PUBLIC ASSEMBLY
21 GARAGES, OTHER THAN ACCESSORY, FOR STORAGE, REPAIR AND
22 SERVICING OF MOTOR VEHICLES OVER 1½-TONS CAPACITY –
23 BUT NOT INCLUDING BODY REPAIR, PAINTING, AND ENGINE
24 REBUILDING
25 GASOLINE SERVICE STATIONS
26 MASSAGE SALONS
27 PAROLE AND PROBATION FIELD OFFICES
28 PAWNSHOPS
29 POULTRY – AND RABBIT KILLING ESTABLISHMENTS
30 TRAVEL TRAILERS, RECREATIONAL VEHICLES, AND SIMILAR
31 CAMPING EQUIPMENT: PARKING OR STORAGE

32 (E) THE FOLLOWING USES MUST NOT BE LOCATED ON THE GROUND
33 LEVEL ALONG THE STREET FRONTAGE:

34 BLOOD DONOR CENTERS
35 BOWLING ESTABLISHMENTS
36 CLINICS: MEDICAL AND DENTAL
37 CLUBS AND LODGES: PRIVATE NONPROFIT
38 EXHIBIT ROOMS
39 EXTERMINATORS’ SHOPS
40 MEETING AND BANQUET HALLS
41 POOL HALLS AND BILLIARD PARLORS
42 SECRETARIAL AND TELEPHONE ANSWERING SERVICES
43 SEWING MACHINES: SALES AND SERVICE – HOUSEHOLD APPLIANCES
44 ONLY

45 (F) Upon its rezoning to B-3 Community Commercial by separate
46 ordinance, and subject to Planning Department approval of final

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1 designs for signage, landscaping and screening and site access, the
2 following additional uses shall be permitted on Disposition Lot 29,
3 that parcel bounded by Orleans Street, N. Central Avenue,
4 Mullikin Street and Lewis Street, known as 1241-1255 Orleans
5 Street and 300-312 N. Central Avenue, reclassified herein as
6 “Retail Commercial”: (i) “Restaurants, drive-in”, with drive-
7 through windows, if approved by AN ORDINANCE OF the Mayor
8 and City Council pursuant to THE ZONING CODE OF BALTIMORE
9 CITY [Article 30, Sections 6.3-1.d.3 and 11.0-6.d, Baltimore City
10 Code (1983 Replacement Volume, as amended)]; (ii) “Outdoor
11 table service where accessory to a restaurant use”, if approved by
12 the Baltimore City Board of Municipal and Zoning Appeals
13 pursuant to THE ZONING CODE OF BALTIMORE CITY [Article 30,
14 Sections 6.3-1.c. and 6-2-1.c.4b, Baltimore City Code (1983
15 Replacement Volume, as amended)]; and (iii), notwithstanding any
16 other provision of this Plan to the contrary, restaurant signage as
17 generally permitted for THE B-3 [zoning districts] ZONING
18 DISTRICT by [Article 30, Baltimore City Code (1983 Replacement
19 Volume, as amended), Sections 10.0-1 and 10.0-3.”] THE ZONING
20 CODE OF BALTIMORE CITY.

21 (G) [(c)] Subject to the approval of the Board of Liquor License
22 Commissioners, those liquor outlets existing at the time of
23 adoption of Amendment No. 5 to this Plan in the Retail
24 Commercial area [shall be] ARE permitted to continue indefinitely
25 at their existing location or any other location within the Retail
26 Commercial area.

27 (H) Landscaping, loading facilities, and parking facilities related to the
28 above listed retail commercial uses are also permitted. No use
29 [shall be] IS permitted [which] THAT is noxious or offensive by
30 reason of emission of odor, dust, smoke, gas fumes, vibrations or
31 noise.

32 (3) BUSINESS-Wholesale/Service Commercial

33 [(a)] With the exception of dwellings, all uses permitted in Retail
34 Commercial areas shall be permitted in Wholesale/Service
35 Commercial areas: such uses shall be permitted on the ground
36 level or any other level. In addition, the following uses shall be
37 permitted: Ambulance service; animal hospitals; artisans’ and
38 craft shops; auction rooms; automobile accessory stores (including
39 repair and installation services); automobile glass and mirror
40 shops; subject to the approval of the Board of Municipal and
41 Zoning Appeals, automobile laundries; automobile painting shops;
42 automobile seat cover and convertible top establishments; subject
43 to the approval of the Board of Municipal and Zoning Appeals,
44 automobile service stations; awnings, storm windows, and doors
45 sales and service establishments; bakeries (including the sale of
46 bakery products to restaurants, hotels, clubs, and other similar
47 establishments); battery and tire sales and service establishments;

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1 boat sales, rental, and repair establishments; bookbinding
2 establishments; building material sales establishments; bus stations
3 and terminals; carpet and rug cleaning establishments, cartage and
4 express facilities; computer centers; dry cleaning establishments;
5 feed stores; food commissaries; frozen food lockers; fuel and ice
6 sales; furniture making shops (custom); subject to the approval of
7 the Board of Municipal and Zoning Appeals, garages for storage,
8 repair and servicing of motor vehicles; greenhouses; hiring halls
9 and work distribution centers; industrial suppliers; laboratories;
10 launderettes; laundries; linen, diaper, and other similar supply
11 establishments; lunch rooms; machinery sales, rental, and services
12 establishments; mail order houses; meat markets (including the
13 sale of meats to restaurants and other similar establishments); milk
14 products processing and distribution establishments; model slot car
15 racing centers, monument sales establishments; motor vehicle
16 rental establishments; moving and storage establishments;
17 newspaper distribution agencies; off-street parking facilities;
18 parcel collection and delivery stations; pay distribution centers;
19 photographic printing and developing establishments; plumbing,
20 heating, and electrical equipment showrooms and shops; printing
21 and publishing establishments; religious institutions; repeater,
22 transformer, pumping, booster, switching, conditioning, regulating
23 stations, and other public utility installations; drive-in restaurants,
24 subject to the approval of the Board of Municipal and Zoning
25 appeals, and other restaurants with or without liquor licenses;
26 schools (commercial and trade); sign painting shops; skating rinks;
27 store fixture sales establishments; swimming pools; taverns; trailer
28 sales and rental establishments; undertaking establishments and
29 funeral parlors; union halls; upholstering shops; vending machines
30 for the retail sale of products; warehousing and wholesale
31 establishments; welding equipment suppliers; woodworking,
32 custom shops.]

33 (A) IN THE AREA DESIGNATED WHOLESALE/SERVICE COMMERCIAL ON
34 THE LAND USE PLAN, USES INCLUDE THOSE AS ALLOWED IN THE
35 UNDERLYING B-3 ZONING DISTRICT CATEGORY OF THE ZONING
36 CODE OF BALTIMORE CITY. ALL USES ALLOWED IN RETAIL
37 COMMERCIAL AREAS IN THIS PLAN SHALL BE ALLOWED IN
38 WHOLESALE/SERVICE COMMERCIAL AREAS. ALL
39 WHOLESALE/SERVICE COMMERCIAL LAND USES ARE ALLOWED ON
40 THE GROUND LEVEL OR ANY OTHER LEVEL.

41 (B) THE FOLLOWING USES THAT ARE PERMITTED USES IN THE B-3
42 ZONING DISTRICT ARE PROHIBITED USES IN THIS PLAN:

- 43 HIGHWAY MAINTENANCE SHOPS AND YARDS
- 44 MILK AND DAIRY PRODUCTS: PROCESSING AND DISTRIBUTION
- 45 MOBILE HOMES: SALES
- 46 MOVING AND STORAGE ESTABLISHMENTS
- 47 STABLES FOR HORSES

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1 (C) ADDITIONALLY, THE FOLLOWING USES THAT ARE PERMITTED USES
2 IN THE B-3 ZONING DISTRICT ARE CONDITIONAL USES THAT
3 REQUIRE BOARD OF MUNICIPAL AND ZONING APPEALS APPROVAL
4 IN THIS PLAN:

- 5 ANIMAL HOSPITALS
- 6 AUTOMOBILE PAINTING SHOPS
- 7 CARPET AND RUG CLEANING ESTABLISHMENTS
- 8 CONTRACTOR AND CONSTRUCTION SHOPS AND YARDS
- 9 HOSPITALS
- 10 MEAT MARKETS – INCLUDING SALE OF MEATS AND MEAT PRODUCTS
- 11 TO RESTAURANTS, HOTELS, CLUBS, AND SIMILAR
- 12 ESTABLISHMENTS
- 13 PALMISTS
- 14 REPEATER, TRANSFORMER, PUMPING, BOOSTER, SWITCHING,
- 15 CONDITIONING, AND REGULATING STATIONS, AND SIMILAR
- 16 INSTALLATIONS
- 17 TRAILERS: SALES AND RENTAL

18 (D) IN THE AREA DESIGNATED WHOLESALE/SERVICE COMMERCIAL ON
19 THE LAND USE PLAN, CONDITIONAL USES ARE LIMITED TO THOSE
20 AUTHORIZED BY THE ZONING CODE OF BALTIMORE CITY AS
21 CONDITIONAL USES IN A B-3 ZONING DISTRICT. HOWEVER, THE
22 FOLLOWING USES THAT ARE CONDITIONAL USES IN THE B-3 ZONING
23 DISTRICT ARE PROHIBITED USES IN THIS PLAN:

- 24 AFTER-HOURS ESTABLISHMENTS
- 25 AMUSEMENT ARCADES
- 26 AMUSEMENT PARKS AND PERMANENT CARNIVALS
- 27 GARAGES, OTHER THAN ACCESSORY, FOR STORAGE, REPAIR, AND
- 28 SERVICING OF MOTOR VEHICLES NOT OVER 1½-TONS CAPACITY
- 29 – INCLUDING BODY REPAIR, PAINTING, AND ENGINE REBUILDING
- 30 HELIPORTS
- 31 RESTAURANTS: DRIVE-IN

32 (E) [(b)] Landscaping, loading facilities, and parking facilities related
33 to the above listed Wholesale/Service Commercial uses are also
34 permitted. No use [shall be] IS permitted [which] THAT is noxious
35 or offensive by reason of emission of odor, dust, smoke, gas
36 fumes, vibrations or noise.

37 (4) Industrial

38 [Subject to the approval of the Board of Municipal and Zoning Appeals,
39 animal hospitals, antennas for microwave relay radio and television;
40 apparel manufacturing; artisans and craftsmen’s workshops; automobile
41 laundries; subject to the approval of the Board of Municipal and Zoning
42 Appeals, automobile service stations; automotive parts manufacturing;
43 bakeries; battery manufacturing and rebuilding; battery and tire sales and
44 service; beverage manufacturing; blueprinting and photostating
45 establishments; boat manufacturing and repairing; bookbinding; bottle

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1 manufacturing; bottling works; box manufacturing; broom manufacturing;
2 brush manufacturing; building material sales establishments; bus and
3 transit passenger stations and terminals; cameras and other photographic
4 equipment manufacturing; candy manufacturing; canvas products
5 manufacturing; carpet and rug cleaning establishments; carpet
6 manufacturing; carry out food shops; catering establishments; cereal
7 manufacturing; check cashing agencies; chemical apparatus
8 manufacturing; coffee roasting; communications systems, sales and
9 service; computer centers; confectionery manufacturing; contractor shops
10 and yards; cosmetics manufacturing; cork products manufacturing and
11 processing; cotton processing; data processing; die casting; distribution
12 and sales of industrial supplies; drug manufacturing; dry cleaning
13 establishments; dyeing establishments; electrical appliances
14 manufacturing; electronic instruments manufacturing; electroplating;
15 employment agencies; extracts manufacturing (food and flavor); fence
16 manufacturing; fermented fruits and vegetable products processing; flour
17 manufacturing; food commissaries; food products manufacturing and
18 processing; fuel and ice sales; furniture and fixture manufacturing; fur and
19 leather processing; galvanizing; garages, for storage and repair; gases,
20 non-combustible and non-toxic, manufacturing and storage; gelatin and
21 casein manufacturing; glass manufacturing; glass products manufacturing
22 (from previously prepared materials); greenhouses; hardware and tool
23 manufacturing; highway maintenance shops and yards; hiring halls and
24 work distribution centers; ice manufacturing; ice cream manufacturing;
25 ink manufacturing; inked products manufacturing; instruments
26 manufacturing (professional, scientific and controlling); insulating
27 materials manufacturing; jewelry manufacturing; laboratory apparatus
28 manufacturing; laundries; leather products manufacturing; linen, diaper
29 and similar supply establishments; lithographing; luggage manufacturing;
30 lumber yards; machinery and machine manufacturing, sales, rental and
31 service; machine shops; machine tools manufacturing; mail order
32 distribution centers; malting; maritime suppliers and servicing; match
33 manufacturing; mattress manufacturing; medical and dental clinics;
34 medical equipment manufacturing; metal products manufacturing
35 (medium and light); milk and dairy products processing and distribution;
36 mirror manufacturing; monument works; motorcycles and similar
37 motorized vehicles manufacturing; motor freight terminals; motor vehicle
38 rental establishments; moving and storage establishments; musical
39 instruments manufacturing; newsstands; non-profit clubs and lodges only;
40 novelty products manufacturing; subject to the approval of the Board of
41 Municipal and Zoning Appeals, offices (business and professional directly
42 related to industrial activities); off-street parking facilities; optical
43 equipment manufacturing; orthopedic and medical appliance
44 manufacturing; paper products, manufactured from previously prepared
45 materials; parcel collection and delivery stations; perfume manufacturing;
46 pharmaceutical manufacturing; photocopying service; photoengraving;
47 photographers; photography film manufacturing and processing; pickling
48 of metal; plastic products manufacturing (from previously prepared
49 materials); polish manufacturing; porcelain enamel products
50 manufacturing; porcelain enamels and glazes manufacturing; post offices;
51 pottery and chinaware manufacturing; printing and publishing

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1 establishments; subject to the approval of the Board of Municipal and
2 Zoning Appeals, public utility services (including electric distribution
3 centers and substations; repeater, transformer, pumping, booster,
4 switching, conditioning, regulating stations and other similar installations;
5 and telephone exchanges); recording studios; restaurants and lunchrooms;
6 rope manufacturing; rubber products manufacturing (from previously
7 prepared materials); rug manufacturing; salt manufacturing and
8 processing; schools (commercial and trade); serum, toxin and virus
9 manufacturing and processing; ship chandlers; sign manufacturing sales
10 and service; silverware manufacturing; sodium compound manufacturing
11 and processing; spice manufacturing and processing; sporting and athletic
12 goods manufacturing; starch manufacturing; statuary production; stone
13 cutting; stone manufacturing (synthetic); sugar refineries; taverns; terra
14 cotta manufacturing; textile products manufacturing; tile manufacturing;
15 tire manufacturing; tobacco products manufacturing; toiletries
16 manufacturing; tool, die or pattern making shop; toy manufacturing; trailer
17 manufacturing; trucks and truck trailer sales and rental; umbrella
18 manufacturing; union halls; upholstering shops; vending machines (for
19 retail sale of ice and milk); warehouses; wax and wax products
20 manufacturing; welding shops; wholesale establishments; window blinds,
21 shades and awnings manufacturing; wire manufacturing; wood products
22 manufacturing; wool processing.]

23 IN THE AREA DESIGNATED INDUSTRIAL ON THE LAND USE PLAN, USES
24 INCLUDE THOSE AS ALLOWED IN THE UNDERLYING M-2 ZONING DISTRICT
25 CATEGORY OF THE ZONING CODE OF BALTIMORE CITY.

26 (5) Public

27 Schools; parks; plazas; [malls;] neighborhood centers; fire stations;
28 offices; libraries, and other public facilities; and landscaping, parking and
29 loading facilities related to the above uses.

30 [(6) Non-Conforming Uses

31 A non-conforming uses is any legally existing use of land, buildings or
32 structures that does not conform to the regulations for the use district of
33 the Zoning Ordinance of Baltimore City. The non-conforming uses listed
34 in Appendix A are existing non-conforming uses or are uses which will
35 become non-conforming as a result of the enactment of an Ordinance
36 adopting the Zoning proposals contained in this Plan. The non-
37 conforming uses listed in Appendix A, and other non-conforming uses
38 which may be established between the date of the survey on which the list
39 in appendix A is based and the date of the approval of this Plan by the
40 Mayor and City Council of Baltimore shall be permitted to continue
41 operations subject to the provisions of the Zoning Ordinance of Baltimore
42 City governing non-conforming uses.]

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1 (6) NONCONFORMING USE

2 A LAWFULLY EXISTING USE OF A BUILDING OR OTHER STRUCTURE OR OF
3 LAND THAT DOES NOT CONFORM TO THE APPLICABLE USE REGULATIONS OF
4 THE ZONING CODE OF BALTIMORE CITY MAY BE CONTINUED AS A
5 “NONCONFORMING USE” ONLY AS PROVIDED IN TITLE 13 OF THE ZONING
6 CODE. A LAWFULLY EXISTING USE OF A BUILDING OR OTHER STRUCTURE
7 OF LAND THAT DOES NOT COMPLY WITH THE LAND USE REGULATIONS OF
8 THIS RENEWAL PLAN IS ALLOWED TO CONTINUE FOR AN INDEFINITE PERIOD
9 OF TIME. THE NONCONFORMING USES LISTED IN APPENDIX A ARE
10 PERMITTED TO CONTINUE, SUBJECT TO ALL OF THE PROVISIONS OF TITLE 13
11 OF THE ZONING CODE OF BALTIMORE CITY ENTITLED
12 “NONCONFORMANCE”.

13 [(7) Non-complying Land Uses

14 A non-complying land use is any existing use of land that, although it
15 conforms to the Zoning Ordinance of Baltimore City, does not comply to
16 the land use regulations of this Plan. A list of non-complying land uses is
17 contained in appendix B. The non-complying land uses listed in
18 Appendix B, and non-complying land uses which may be established
19 between the date of the survey on which the list in Appendix B is based
20 and the date of the approval of this Plan by the Mayor and City Council of
21 Baltimore shall be permitted to continue for an indefinite period of time,
22 except that:

23 (a) Any non-complying land use which is discontinued for a period
24 exceeding 12 months shall not be reestablished.

25 (b) No change in the permanent physical members of a structure, such as
26 bearing walls, columns, beams, or girders, or no substantial change in
27 the roof or in the exterior walls shall be made in or to a building or
28 structure except those required by law or except to make the building
29 and use thereof conform to the regulations of this plan.

30 (c) No non-complying land use shall be changed to any other non-
31 complying use.]

32 (7) NONCOMPLYING STRUCTURE

33 A LAWFULLY EXISTING STRUCTURE THAT DOES NOT COMPLY WITH THE
34 BULK REGULATIONS OF THE ZONING CODE OF BALTIMORE CITY MAY BE
35 CONTINUED AS A “NONCOMPLYING STRUCTURE” ONLY AS PROVIDED IN
36 TITLE 13 OF THE ZONING CODE. THE NONCOMPLYING STRUCTURES LISTED
37 IN APPENDIX B ARE PERMITTED TO CONTINUE, SUBJECT TO THE PROVISIONS
38 REGULATED BY TITLE 13 OF THE ZONING CODE OF BALTIMORE CITY.

39 b. Regulations, Controls and Restrictions on Land to be Acquired[.]

40 The following regulations, controls, and restrictions will be implemented
41 where applicable by covenants or other provisions in the agreements for land

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1 disposition and instruments of conveyance executed pursuant thereto.[, Such]
2 THE regulations, controls, and restrictions are for the benefit of the City of
3 Baltimore and [shall be] ARE enforced solely by the City of Baltimore, except
4 as noted in sub-section C.2.b.(1)(d) below:

5 (1) General provisions applicable to all land and property to be acquired[:]

6 (a) The Redeveloper [shall] MUST devote the land to those uses specified
7 in [the] THIS Plan and to no other uses.

8 (b) The Department [of Housing and Community Development]
9 specifically reserves the right to review and approve the Developer’s
10 plans and specifications for development or rehabilitation with respect
11 to their conformance with the provisions of the Renewal Plan and in
12 order to achieve harmonious development of the [project area]
13 PROJECT AREA. The Department also reserves the right to refuse to
14 approve any [such] drawings, plans, or specifications that are not
15 suitable or desirable, in its opinion, for aesthetic or functional
16 reasons; and in so passing upon [such] THE drawings, plans and
17 specifications, it [shall have] HAS the right to take into consideration,
18 but [shall] IS not [be] limited to, the suitability of the site plan,
19 architectural treatment, building plans, elevations, materials and color,
20 construction details, access, parking, loading, landscaping,
21 identification signs, exterior lighting, refuse collection details, streets,
22 sidewalks and the harmony of the plans with the surroundings.
23 Approval of plans for residential development [shall be] IS based, upon
24 an evaluation of the degree to which they meet the following general
25 criteria and any detailed standards that may, at a later time, be derived
26 from them.

27 i. All residential units [shall] MUST be designed so as to provide a
28 reasonable degree of protection from visual intrusion and noise
29 between one unit and another and between each unit and its
30 immediate environment. Such protection should be achieved while
31 maintaining an acceptable standard of internal lighting and
32 ventilation wherever possible.

33 ii. All residential units [shall] MUST be provided with access to an
34 area for the storage of garbage. This area [should] MUST be
35 suitable for [such] THE use and appropriately located in relation to
36 surrounding uses. Access [shall] MUST be reasonably direct and
37 entirely within the boundaries of a single site. The storage area
38 [shall] MUST be large enough to contain the garbage can and a
39 reasonable amount of additional space for bulky items and
40 spillage. Storage areas in new construction and multiple dwelling
41 units [should] MUST be permanently screened from general view.

42 iii. All residential sites [shall] MUST be developed in toto for uses
43 permitted in this [plan] PLAN, and any division of space for
44 separate functions [should] MUST be shown on the development
45 plans. This refers not only to space within the dwelling unit, but

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1 also to open areas of the plans (for example, access path, storage
2 area, drying yard, play lot, garden,) together with proposals for
3 effective site modification (for example, paving, screening,
4 planting, terracing). Functional areas [should] MUST be suitable
5 for the uses proposed on the basis of location, site development,
6 access, size, visibility and relationship to adjoining uses.

7 iv. All residential units [shall] MUST have adequate cross ventilation.
8 Where units are not equipped with air conditioning or other
9 effective mechanical ventilating system, natural cross ventilation
10 [should] MUST be provided wherever possible.

11 (c) The Department [of Housing and Community Development shall]
12 MUST submit to [Model Cities Council A, or its successor] THE
13 OLDTOWN COUNCIL "A" PAC AND THE OLDTOWN MERCHANTS'
14 ASSOCIATION, OR THEIR SUCCESSORS, for [its] THEIR review and
15 comment the Preliminary Plans and the Proposed Final Construction
16 Plans for each Disposition Lot designated in this Plan. The written
17 comments and recommendations from this review [shall] MUST be
18 transmitted to the Department [of Housing and Community
19 Development] no later than three weeks after the plans have been
20 submitted to [Model Cities Council A,] THE OLDTOWN COUNCIL "A"
21 PAC AND THE OLDTOWN MERCHANTS' ASSOCIATION; otherwise it is
22 presumed that the plans are acceptable. The Commissioner [of the
23 Department of Housing and Community Development] retains final
24 authority to [approved] APPROVE or disapprove all plans.

25 (d) The Redeveloper will not enter into, execute, or be a party to any
26 covenant, agreement, lease, deed, assignment, conveyance, or any
27 other written instrument, which restricts the sale, lease, use or
28 occupancy of the [Property] PROPERTY, or any part thereof, or any
29 [Improvements] IMPROVEMENTS placed thereon, upon the basis of
30 national origin, race, religion, sex or color. The Redeveloper [will]
31 MUST comply with all State and local laws, in effect from time to time,
32 prohibiting discrimination or segregation, and will not discriminate, by
33 reason of national origin, race, religion, sex or color in the sale, lease,
34 use or occupancy of the [Property] PROPERTY.

35 (2) Provisions applicable to all land to be acquired within areas proposed for
36 clearance and redevelopment

37 (a) General Provisions

38 i. No building, structure, or parking area [shall] MAY be constructed
39 over an easement within the [project area] PROJECT AREA without
40 the prior written consent of the Commissioner [of the Department
41 of Housing and Community Development] and the Director of the
42 Department of Public Works.

43 ii. In computing building coverage, land occupied by open pavilions,
44 cabanas, canopies, and covered or weatherproof walkways [shall]

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1 MUST not be included; however, all other structures, including
2 accessory structure, [shall] MUST be included.

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

14 iv. Off-street loading spaces [shall] MUST not be less than 12 feet
15 wide, [and] 40 feet deep, and 14 feet high. This space, plus
16 adequate maneuvering space, [shall] MUST be provided entirely
17 within lot lines. Except as specified below in subsections
18 C.2.b.(2)(d)iv. and C.2.b.(2)(e)iii., no loading spaces [shall be] ARE
19 required.

20 v. No refuse or garbage [shall be] IS permitted to remain outside of
21 buildings [constructed therein], except as permitted by the
22 Baltimore City regulations regarding containers for garbage. The
23 areas for [such] THE containers [shall] MUST be properly screened.

24 [vi. No vehicular access shall be permitted from Orleans Street to
25 Disposition Lots 26, 28, and 30. No vehicular access shall be
26 permitted from Ensor Street to Disposition Lots 8, 9, 19, and 24.]

27 VI. [vii.] It is the intent of this Plan that vehicular access to adjacent
28 disposition lots from Greenmount Avenue, Central Avenue,
29 Madison, Hillen, and Monument Streets be minimized.

30 VII. [viii.] No signs other than those identifying the property where
31 they are installed or identifying the use conducted thereon [shall
32 be] ARE permitted; except [that on proposed Disposition Lot 50
33 one free standing sign] SIGNAGE indicating the [location of the]
34 PRESENCE OF A MULTI-TENANT shopping [mall] CENTER [shall be]
35 IS permitted, the location of which will be determined through Site
36 Plan Review; [such] THE signs [shall] MUST [not exceed 20 square
37 feet in area per face and 18 feet in height above grade level]
38 COMPLY WITH PROVISIONS OF THE ZONING CODE OF BALTIMORE
39 CITY. No sign [shall] may extend above the parapet wall or
40 roofline of the building to which it is attached, EXCEPT WITH THE
41 PRIOR APPROVAL OF THE COMMISSIONER. No animated or
42 pulsating sign [shall be] IS permitted. All signs [shall] MUST be
43 located entirely within lot lines.

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1 Notwithstanding any other provision of this Plan to the contrary,
2 the standards for restaurant signage within Disposition Lot 29, that
3 parcel bounded by Orleans Street, N. Central Avenue, Mullikin
4 Street and Lewis Street, known as 1241-1255 Orleans Street and
5 300-312 N. Central Avenue, reclassified herein as “Retail
6 Commercial”, [shall] MUST be as generally permitted for THE B-3
7 [zoning districts by Article 30, Baltimore City Code (1983
8 Replacement Volume, as amended), Sections 10.0-1 and 10.0-3,
9 subject to Planning Department approval of final designs for
10 signage, landscaping and screening and site access] ZONING
11 DISTRICT BY THE ZONING CODE OF BALTIMORE CITY.

12 VIII. [ix.] Setback areas [shall] MUST be used only for landscaping,
13 walkways, and access drives to parking and loading areas.

14 The immediately foregoing restriction [shall] DOES not apply to
15 Disposition Lot 29, that parcel bounded by Orleans Street, N.
16 Central Avenue, Millikin Street and Lewis Street, and known as
17 1241-1255 Orleans Street and 300-312 N. Central Avenue.

18 [x. It is the intent of the Plan that, wherever possible, the bed of Gay
19 Street, be developed as open space for pedestrian circulation.]

20 (b) Off-Street Parking Requirements

21 Off-street parking requirements are as established in the Zoning
22 [Ordinance] CODE of Baltimore City or in such lesser amount as may
23 be authorized by the Board of Municipal and Zoning Appeals as a
24 Special Exception or a Variance.

25 Off-street parking and loading areas [shall] MUST be visually screened
26 from the public streets and adjacent properties in accordance with
27 specifications in the Zoning [Ordinance] CODE of Baltimore City.

28 (c) Residential Disposition Lots

29 i. Within the areas designated Residential on the Land Use Plan
30 Map, Exhibit 2, residential uses [shall be] ARE limited to the
31 following types of dwellings: Row houses, Walk-up apartments,
32 and Elevator apartments. Standards are set forth in the schedule
33 below. If a combination of types of dwellings is constructed, each
34 portion of the Disposition Lot [shall be] IS governed by the specific
35 requirements applicable to each type of dwelling.

36 ii. Except where in the sole judgment of the Commissioner [of the
37 Department of Housing and Community Development] a lesser
38 setback or no setback is justified, a minimum setback of 15 feet
39 [shall be] IS required from Orleans Street, and a minimum setback
40 of 10 feet [shall be] IS required from Ensor, Madison and
41 Monument Streets and Central and Greenmount Avenues. No
42 setback [shall be] IS required from other streets.

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1 [iii. Except for Disposition Lot 15, development shall be limited to row
2 houses and walk-up apartments; it is the intent of the Plan that a
3 minimum of one-fourth of all dwelling units constructed on each
4 lot shall be row houses, arranged so that individual house lots
5 could be sold. Such house lots shall abut a public street or a
6 common right-of-way.]

7 III. [iv.] The [commissioner] COMMISSIONER [of the Department of
8 Housing and Community Development] may authorize the sale of
9 individual house lots [which] THAT exceed the maximum density
10 or the maximum building coverage or both, provided that the
11 Disposition Lot of which the individual house lot is a portion
12 [shall] DOES not exceed the density and building coverage
13 standards, and, provided further, that no codes or ordinances of
14 Baltimore City [shall be] ARE violated.

15 IV. [v.] On Disposition Lot 15, the predominant residential use [shall
16 be] IS elevator apartments for the elderly; however, row houses and
17 walk-up apartments are also permitted. Commercial uses
18 customarily accessory to elevator apartments are also permitted
19 provided:

20 (a') [Such] THE uses [shall be] ARE conducted entirely within
21 the structure and are limited to the first floor and basement
22 of the building, except for restaurants [which] THAT are
23 permitted on the top floor or roof.

24 (b') [Such] THE uses in the aggregate [shall] MUST not exceed
25 [seven] 7 percent of gross floor area of the structure.

26 (c') Only [one] 1 exterior advertising sign is permitted for each
27 establishment. No sign [shall] MAY project more than
28 [eight] 8 inches from the building, and no sign [shall] MAY
29 exceed [three] 3 square feet in gross area, provided that the
30 sign be non-illuminated or indirectly-illuminated.

31 V. [vi.] On Disposition Lot 26, a paved walkway [eight] 8 feet in width
32 shall be constructed by the redeveloper to connect a point on
33 McElderry Street approximately 400 feet from the intersection of
34 Forrest and McElderry Streets and a point on Aisquith Street
35 opposite Jefferson Court of Somerset Homes.

36 VI. [vii.] Within Disposition Lots 3 and 26, Disposition Lots 3A and
37 26A for Public Parks [shall] MUST be delineated by the Department
38 [of Housing and Community Development] in cooperation with
39 redevelopers of the remainder of Disposition Lots 3 and 26. The
40 approximate size of the Disposition Lots for Public PARKS [Park
41 shall] MUST be 10,000 square feet in [disposition] DISPOSITION Lot
42 3 and 15,000 square feet in Lot 26.

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VII. [viii.] Disposition Lots 15A and 16 and 27

(A') [i.] Maximum percentage of building coverage [shall] MUST be [ninety] 90 percent [(90%)].

(B') [ii] Maximum height of the main structures [shall] MUST be [twenty-five] 25 feet [(25')], except for 15A – [thirty-five] 35 feet [(35')].

(C') [iii.] A minimum setback of [ten] 10 feet [shall be] IS required from Monument Street on Disposition Lot 15A and from Aisquith Street on Disposition Lot 16. A minimum setback of [thirty] 30 feet [shall be] IS required from Aisquith Street on Disposition Lot 27.

(D') [iv.] Automobile parking [shall] MUST be appropriately screened from Somerset Homes through the use of masonry walls, fences, trees or shrubs planted at an appropriate interval or a combination of these.

(E') [v.] Signs

One flat sign, extending no further than 12 inches from the building, and not exceeding [twenty] 20 square feet in area [shall be] IS permitted. One sign, not to exceed [six] 6 square feet in area [shall be] IS permitted to project a maximum of 3 feet.

VIII. [vi.] Disposition Lots 612A, 630A, 634A, 638A, 640A, 655A, 659A, 665A, 667A and 669A [shall be] ARE limited to parking, landscaping and other residential uses related to properties designated for rehabilitation on Stirling Street.

(d) Retail Commercial Disposition Lots

i. Disposition Lot 15C

In addition to the General provisions of [the Oldtown] THIS Plan ([Sec.] SECTION C.2.b.(2)(a)) and off-street parking requirements of the Zoning [Ordinance] CODE, the following [shall apply] APPLY:

(a') Permitted uses [shall be] ARE limited to offices for business, governmental, professional and related uses; pharmacies; medical and dental clinics; and medical laboratories.

(b') Maximum height of structures [shall be] IS 35 feet.

(c') A minimum setback of [ten] 10 feet [shall be] IS required from Monument Street, except when in the sole judgment

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1 of the Commissioner [of the Department of Housing and
2 Community Development] a lesser or no setback is
3 justified.

- 4 ii. On Disposition Lot 13A, no setback [shall be] IS required. Subject
5 to the approval of the Board of Municipal and Zoning Appeals, no
6 rear yard [shall be] IS required. No projecting signs and no flat
7 signs [which] THAT exceed in area [three] 3 feet times the width in
8 feet of the frontage of a building [shall be] ARE permitted. No
9 signs other than a sign [six] 6 square feet or less in area identifying
10 the occupant at the side or rear door [shall be] IS permitted on the
11 side or rear facades of a building.
- 12 iii. The Floor Area Ratio [shall] MUST not exceed 2.5 subject to
13 required setbacks, parking and proper vehicle sight distances.
- 14 iv. On Lot 49, access [shall] is not [be] permitted from Mott Street or
15 Stirling Street.

16 (e) Wholesale/Service Commercial and Industrial

17 [i. The Floor Area Ratio shall not exceed 2.5 in Wholesale/Service
18 Commercial areas or 8.0 in Industrial areas; subject to required
19 setbacks, parking, and proper vehicle sight distance.]

- 20 I. [ii.] Outdoor storage areas and loading areas [shall] MUST be
21 appropriately screened from all adjacent streets. Appropriate
22 screening [shall] MUST include, but is not necessarily limited to,
23 solid and perforated masonry walls at least [five] 5 feet high, solid
24 fences, trees and shrubs planted at appropriate intervals, or a
25 combination of these.
- 26 II. [iii.] One off-street loading space [shall be] IS required for any
27 establishment [which] THAT exceeds 10,000 square feet of gross
28 floor area. Existing establishments [which] THAT redevelop [one]
29 1 or more Disposition Lots [shall] MUST provide an off-street
30 loading space only if a building is constructed on a Disposition Lot
31 [which] THAT exceeds 10,000 square feet of gross floor area.

32 [iv. Signs

- 33 (a') Flat signs not extending more than twelve inches from the
34 primary surface of the building and painted signs shall not
35 exceed in area three times the frontage in feet of the
36 building provided that in no case shall total area of such
37 signs exceed 200 square feet.
- 38 (b') Each establishment shall be permitted one projecting sign
39 or one free standing sign not to exceed forty square feet per
40 face.

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1 (c') Maximum height of a free standing sign shall be thirty-six
2 feet above grade level.

3 (d') Anything herein to the contrary notwithstanding, the total
4 area of all signs for service stations shall not exceed 80
5 square feet.

6 (e') Delivery Signs

7 One or more signs shall be permitted for the identification
8 of delivery entrances. Each delivery sign shall be not more
9 than six square feet in area.

10 (f') Secondary Signs

11 Non-illuminated secondary signs shall be permitted for the
12 identification of commercial tenants occupying the upper
13 floors of a building. Such signs shall not exceed one (1)
14 square foot in area and shall not project more than three
15 inches beyond the primary surface of the building.

16 (g') Painted or inlaid signs on cloth awnings are permitted.]

17 III. [v.] Subject to the approval of the Board of Municipal and Zoning
18 Appeals, no setback [shall be] is required in Industrial areas. No
19 setback [shall be] is required in Wholesale/Service Commercial
20 Areas.

21 IV. SIGNAGE IN THE WHOLESALE/SERVICE COMMERCIAL AND
22 INDUSTRIAL AREAS IS GOVERNED BY THE ZONING CODE OF
23 BALTIMORE CITY.

24 (f) Public Disposition Lots

25 i. Parks and Plazas

26 (a') It is the intent of this [plan] PLAN that Disposition Lot 9 be
27 used for active recreation for all age groups.

28 (b') Only maintenance structures, equipment and ornamental
29 structures and other structures appropriate to park and
30 recreation use [shall] MAY be constructed in areas
31 designated for Public Parks on the Land Use Plan Map,
32 Exhibit 2. No parking or loading facilities [shall be] ARE
33 required for Public [parks] PARKS.

34 (c') As specified above in subsection C.2.b.(2)(c)viii.,
35 Disposition Lots 3A and 26A for Public Parks [shall] MUST
36 be delineated by the Department [of Housing and
37 Community Development] in cooperation with
38 redevelopers of the remainder of Disposition Lots 3 and 26.

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1 The approximate size of the Disposition Lots for Public
2 Parks shall be 10,000 square feet in Disposition Lot 3 and
3 15,000 square feet in Disposition Lot 26.

4 (d') It is the intent of [the] THIS [plan] PLAN that Lots 31 and 38
5 be used for landscaping and recreation.

6 ii. Schools

7 It is the intent of [the plan] THIS PLAN that the southern edge of
8 Disposition Lot 10 be delineated by means of building facades,
9 solid walls, trees and bushes planted at close interval or a
10 combination of these. No setback [shall be] IS required. The Floor
11 Area Ratio [shall] MUST not exceed 3.0, subject to required
12 setbacks, parking, and proper vehicle sight distances.

13 [iii. Disposition Lot 21 (Mall)]

14 Kiosks, sales booths, display cases, and other commercial
15 activities may be placed on Disposition Lot 21A with the
16 permission of the Department of Housing and Community
17 Development, the Department of Recreation and Parks, and other
18 applicable departments and agencies.

19 Signs for the identification of the shopping area and the
20 occupants of kiosks, directories, bulletin boards, directional signs
21 and other signs which may be approved by the Department of
22 Housing and Community Development shall be permitted.]

23 III. [iv.] Disposition Lot 12 (Fire Station)

24 (a') A minimum setback of [fifteen] 15 feet [shall be] IS
25 required from Hillen and Ensor Streets.

26 (b') The Floor Area Ratio [shall] MUST not exceed 2.5, subject
27 to required setbacks, parking, and proper vehicle sight
28 distances.

29 (3) Provisions applicable to land to be acquired within rehabilitation 30 areas[:]

31 (a) Properties to be cleared and redeveloped

32 Certain properties in rehabilitation areas may be found to contain
33 structures in such poor condition that they can be treated feasibly only
34 by clearance and redevelopment rather than by rehabilitation. [Such]
35 THESE properties may be acquired by the [Mayor and] City [Council
36 of Baltimore] and sold to private redevelopers for redevelopment for
37 uses in accordance with [the] THIS Plan.

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1 (b) Other properties to be acquired and resold[:]

2 For properties acquired by the [Mayor and] City [Council of
3 Baltimore] for resale for rehabilitation, the rehabilitation standards in
4 this [plan] PLAN for the use category of [such] THE properties as
5 designated on the Land Use Plan Map, Exhibit 2, will apply.

6 c. Duration of Provisions and Requirements

7 [The land use provisions and standards specified in paragraphs C.2.a. and
8 C.2.b. above shall be in effect for a period of not less than 40 years following
9 the date of the approval of this Plan by the Mayor and City Council of
10 Baltimore.] THE PROVISIONS AND REQUIREMENTS OF THIS RENEWAL PLAN, AS
11 IT MAY BE AMENDED FROM TIME TO TIME, REMAIN IN FULL FORCE AND EFFECT
12 FOR A PERIOD OF 40 YEARS FROM THE DATE THE RENEWAL PLAN IS LAST
13 AMENDED BY THE CITY.

14 d. Applicability of Provisions and Requirements to Property Not to Be
15 Acquired[:]

16 The provisions of Section C.2.a. (Permitted Uses) above ~~shall~~ apply to all
17 properties not to be acquired within the [project area] PROJECT AREA as
18 specified in [Sub-sections] SUBSECTIONS C.2.a.(6) and C.2.a.(7). The
19 provisions of Section C.2.b. [shall] apply as appropriate to properties now
20 currently proposed to be acquired by this Plan if the owners thereof acquire
21 adjacent project land made available by the Department [of Housing and
22 Community Development] under the provisions of this Plan.

23 (4) In the Plan, amend D. to read as follows:

24 D. Project Proposals

25 1. Property Acquisition

26 A Property Acquisition Map is attached as Exhibit 3.

27 a. Properties within the Project Area (including parts thereof or interests
28 therein) will be acquired for the following purposes[:]

29 (1) Clearance and Redevelopment

30 Properties to be acquired for clearance and redevelopment are
31 identified on the Property Acquisition Map, Exhibit 3.

32 (2) Rehabilitation

33 [Properties to be acquired for rehabilitation are identified on the
34 Property Acquisition Map, Exhibit 3. Definitive] A DEFINITIVE
35 determination as to acquisition of [other] properties for rehabilitation
36 will be made during execution in accordance with the provisions of
37 this Plan.

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1 (3) Public Facilities

2 Properties to be acquired for provision of public facilities are also
3 identified on the Property Acquisition Map, Exhibit 3.

4 b. Conditions Under which Properties [Not] NOT Designated for Acquisition 5 May Be Acquired[:]

6 (1) Non-Salvable and Non-Compliance with Provisions

7 (a) It may be necessary to acquire by purchase or by condemnation for
8 Urban Renewal purposes the fee simple interest or any lesser
9 interest in and to such of the remaining properties or portions
10 thereof in the [Oldtown] Project AREA not specifically designated
11 for acquisition on the Property Acquisition Map, Exhibit 3, as may
12 be deemed necessary and proper by the Commissioner [of the
13 Department of Housing and Community Development] to effect
14 the proper implementation of [the Project] THIS PLAN. This may
15 include:

- 16 i. Any property in the [project area] PROJECT AREA containing a
17 non-salvable structure, i.e., a structure [which] THAT in the
18 opinion of the Commissioner [of the Department of Housing
19 and Community Development] cannot be economically
20 rehabilitated.
- 21 ii. Any property the owner of which is unable or unwilling to
22 comply or conform to the Property Rehabilitation Standards set
23 forth in this [Urban Renewal] Plan within 12 months from the
24 date of written notice of the required improvements, the
25 Department, [of Housing and Community Development] after
26 due consideration that the property owner has failed to achieve
27 substantial conformity with the Property Rehabilitation
28 Standards, may acquire [such] THE property pursuant to the
29 Eminent Domain Law of this State as if the property has
30 originally been planned for acquisition after 90 days written
31 notice to the owner. The Department of [Housing and
32 Community Development] reserves the right to acquire [any
33 such non-complying] THE NONCOMPLYING property for a
34 period of [two (2)] 2 years from the date of [said] THE written
35 90 days notice by the Department [of Housing and Community
36 Development].

37 (2) Designated or undesignated properties for acquisition for rehabilitation 38 by the Department of Housing and Community Development

39 It may be necessary to acquire by purchase or by condemnation for
40 Urban Renewal purposes the fee simple interest, or any lesser interest,
41 in and to such of the remaining properties or portions thereof in the
42 [Oldtown] Project AREA not designated for acquisition, in addition to
43 those properties enumerated in Section D.1.b.(1) above, in order to

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1 carry out rehabilitation by the Department [of Housing and
2 Community Development] because:

3 (a) Rehabilitation on a structure-by-structure basis is infeasible, and
4 assemblage of a group of properties is required to carry out the
5 objectives set forth in this Plan[, and].

6 (b) It is necessary to make residential structures available for use of
7 low or moderate-income families.

8 (c) Rehabilitation of individual, scattered properties is necessary in
9 order to remove blighting influences from otherwise sound
10 residential blocks.

11 (D) IT IS NECESSARY TO MINIMIZE THE EFFECTS OF SLUM AND
12 BLIGHTING INFLUENCES ON THE COMMERCIAL AREA.

13 (E) REHABILITATION OF PROPERTIES WILL ENHANCE THE GOODS AND
14 SERVICES BEING PROVIDED TO THE SURROUNDING RESIDENTIAL
15 AREA.

16 [(3) Properties to be acquired will be listed in Appendix C, “Properties for
17 Acquisition and Disposition for Residential Rehabilitation”]

18 c. Actions to be Followed by the Department of Housing and Community
19 Development Upon Acquisition of Properties for Residential
20 Rehabilitation

21 (1) Rehabilitate the property in conformance with the codes and
22 ordinances of Baltimore City and the rehabilitation standards and
23 objectives set forth in this Plan and dispose of property in accordance
24 with applicable regulations. If sale cannot be consummated by the
25 time rehabilitation is accomplished, units [shall] MAY be rented
26 pending continuing sale efforts; or

27 (2) Sell or lease the property subject to rehabilitation in conformance with
28 the codes and ordinances of Baltimore City and the rehabilitation
29 standards and objectives set forth in this Plan; or

30 (3) Demolish the structure or structures thereon and dispose of land for
31 redevelopment for uses in accordance with this Plan.

32 2. Rehabilitation

33 a. Residential Rehabilitation Standards

34 Over and above the codes and ordinances of the City of Baltimore, the
35 following additional standards [shall] MUST be applied to all residential
36 uses within the [project] PROJECT AREA other than those structures within
37 clearance areas:

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- 1 (1) Every dwelling unit [shall] MUST contain within a room [which] THAT
2 affords privacy, a bathtub or shower, water closet and lavatory basin in
3 good working condition, which [shall] MUST be properly connected to
4 the public sanitary sewer or to an approved sewage disposal system.
5 The bathtub or shower and lavatory basin [shall] MUST be properly
6 connected to both hot and cold water lines, and the water closet [shall]
7 MUST be properly connected to a cold water line. All facilities [shall]
8 MUST be within and accessible from within the dwelling units.
- 9 (2) Heat producing equipment [which] THAT requires venting [shall] MUST
10 be properly vented to the outdoors. Utility spaces containing unvented
11 heat producing equipment [shall] MUST be vented to the outdoors.
12 Natural ventilation of spaces such as attics and enclosed basementless
13 space [shall] MUST be provided by openings of sufficient size to
14 overcome dampness and minimize the effect of conditions conducive
15 to decay and deterioration of the structure. Exterior ventilation
16 openings [shall] MUST be effectively screened where needed.
- 17 (3) All lead base paint [shall] MUST be removed from interior surfaces of
18 dwellings before repainting. Good repair [shall] MUST include keeping
19 properly painted or wallpapered all interior surfaces [which] THAT are
20 painted or wallpapered in normal practice.
- 21 (4) All windows must be tight-fitting and have sashes of proper size and
22 design. Sashes with rotten wood, broken joints, or broken or loose
23 mullions or muntins [shall] MUST be replaced. Windows [shall] MUST
24 be equipped with proper cords, pulleys, and hardware and be
25 maintained in operating condition.
- 26 (5) Floors or floor covering in kitchen and bathrooms [shall] MUST be of
27 durable, waterproof, non-absorptive material, such as asphalt, vinyl-
28 asbestos, vinyl-plastic, rubber or ceramic tiles, terrazzo or linoleum.
29 Wood finish flooring for these rooms is not acceptable.
- 30 (6) Unvented, open flame gas space heaters [shall] ARE not [be] permitted.
- 31 (7) Every habitable room of every structure [shall] MUST contain at least
32 [two] 2 separate duplex convenience electrical outlets, except that any
33 room other than a sleeping room or dining room with a perimeter of
34 over 50 feet [shall] MUST contain at least [three] 3 separate duplex
35 convenience electrical outlets.
- 36 (8) All of the provisions set forth herein and in Ordinance No. 902,
37 approved December 22, 1966, [shall] MUST be complied with whether
38 the property is occupied or vacant.

39 b. Additional Residential Rehabilitation Standards[:]

40 In addition to the enforcement of the codes and ordinances of the City of
41 Baltimore and the required standards of this Plan, the personnel engaged
42 in inspectional, estimating and financing activities for all residential uses

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1 within the [project] PROJECT AREA and other than those structures within
2 clearance areas will be directed to seek the attainment of the objectives of
3 the following:

- 4 (1) A degree of privacy [shall] MUST be provided commensurate with
5 suitable living conditions by means of the proper location of exterior
6 openings to exterior conditions, and by the interior arrangement of
7 rooms, particularly with reference to access to bathrooms from
8 bedrooms.

9 Access to each dwelling unit [shall] MUST be provided without passing
10 any other dwelling unit and access to all parts of the dwelling unit
11 [shall] MUST be possible without passing through a public hall. A
12 bathroom [shall] MUST not be used as a passageway to a habitable
13 room, basement or to the exterior. In dwelling units having more than
14 one bedroom, the only access to a single bathroom is not acceptable
15 through any bedroom.

16 A bathroom [shall] MUST not be separated from all bedrooms of a
17 dwelling unit by locating it more than a full story above or below the
18 bedrooms. A bedroom [shall] MUST not be used as the only means of
19 access to another bedroom or habitable room.

- 20 (2) Existing required exterior stairways may be repaired in kind, or, if in
21 safe and sound condition, may continue to be used. Replacement or
22 new installation of [such] THE stairways must be accomplished by use
23 of non-combustible materials in accordance with the codes and
24 ordinances of the City of Baltimore.

25 c. Retail Commercial, Wholesale/Service Commercial and Industrial
26 Rehabilitation Standards

- 27 (1) In areas designated as Retail Commercial, Wholesale/Service
28 Commercial and Industrial on the Land Use Plan Map, Exhibit 2, the
29 following additional standards [shall] MUST be applied over and above
30 the codes and ordinances of the City of Baltimore to all structures
31 other than those which are to be acquired for demolition:

32 (a) Floors and floor covering in kitchen, toilet or wash rooms [shall]
33 MUST be durable, waterproof, non-absorptive material, such as
34 asphalt, vinyl-asbestos, vinyl-plastic, rubber or ceramic tiles,
35 terrazzo or linoleum. Finished wood flooring in these rooms is not
36 acceptable.

- 37 i. Windows in non-residential structures not in the front of
38 buildings [shall] MUST be kept properly repaired ,or, with Fire
39 Department approval, the openings may be closed, in which
40 case sills, lintels and frames must be removed and the opening
41 properly closed to match the materials, design and finish of the
42 adjacent wall.

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- 1 ii. All windows must be tight-fitting and have sashes of proper
2 size and design. Sashes with rotten wood, broken joints, or
3 broken or loose mullions or muntins [shall] MUST be replaced.
4 All broken and missing windows [shall] MUST be replaced with
5 glass or Plexiglas. All exposed wood [shall] MUST be repaired
6 and painted.
- 7 iii. Window openings in upper floors of the front of the building
8 [shall] MAY not be filled or boarded-up. Windows in unused
9 areas of the upper floors may be backed by a solid surface on
10 the inside of the glass. Window panes [shall] MUST not be
11 painted.

12 (b) Building Fronts and Sides Abutting Streets

- 13 i. All structural and decorative elements of building fronts and
14 sides abutting streets [shall] MUST be repaired or replaced in a
15 workmanlike manner to match as closely as possible the
16 original materials and construction techniques.
- 17 ii. All cornices [shall] MUST be made structurally sound, and
18 rotten or weakened portions [shall] MUST be removed and
19 repaired or replaced to match as closely as possible the original
20 patterns. All exposed wood [shall] MUST be painted.
- 21 iii. A show window as a part of the building façade [shall be] IS
22 defined to include the building face and the entrance area
23 leading to the door, the door and sidelights and transoms, and
24 all display platforms and devices including lighting and signing
25 designed to be viewed from the public right-of-way and/or the
26 areas visible to the public prior to entering the interior portion
27 of the structure.

28 Show windows, entrances, signs, lighting, sun protection,
29 security grilles, etc., [shall] MUST be designed to be compatible
30 and harmonious and consistent with the original scale and
31 character of the structures. All show windows elements must
32 be located within 13 feet of grade.

33 Enclosures and housings for security grilles and screens
34 [should] MUST be as inconspicuous as possible and compatible
35 with other elements of the facade.

36 All exposed portions of the grille, screen, or enclosure [which]
37 THAT are painted in normal practice and all portions [which]
38 THAT require painting to preserve, protect, or renovate the
39 surface [shall] MUST be painted.

40 All screens and grilles must be constructed so they can be
41 opened or removed.

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1 NEW SECURITY GRILLES MUST BE LOCATED ON THE INSIDE OF
2 THE WINDOWS AND LIGHT IN COLOR OR TRANSLUCENT.

3 Show windows [shall] MAY not be painted for advertising
4 purposes nor as identification of the place of business, except
5 as permitted under “Secondary Signs.”

6 Likewise, no temporary or permanent sign affixed or placed
7 against the inside surface of a show window [shall] MAY
8 exceed 20% of the area of that show window.

9 Decalcomanias [one] 1 square foot or less in area may be
10 affixed to show windows or entrance door windows when same
11 are supplied by national and local credit card companies and
12 carry no text or message other than the identification of [such]
13 THE companies.

- 14 iv. Solid or permanently enclosed or covered store fronts [shall]
15 ARE not be permitted, unless treated as an integral part of the
16 building façade using wall materials and window detailing
17 compatible with the upper floors.

18 All damaged, sagging, or otherwise deteriorated store fronts,
19 show windows, or entrances [shall] MUST be repaired or
20 replaced at the direction of the [Agency] DEPARTMENT.

- 21 v. Soft retractable awnings and rigid awnings or canopies are
22 permitted at the first floor only. Awnings [shall] ARE not [be]
23 permitted on the upper floors. Awnings must be flame
24 proofed. Awnings [shall] MAY not project more than [seven
25 (7)] 7 feet from the building front and [shall] MUST otherwise
26 conform with the provisions of City ordinances. Awnings
27 [shall] MUST terminate against the building at a height not to
28 exceed [thirteen (13)] 13 feet above the pavement, or [one] 1
29 inch below the second floor window sill, whichever is lower.

- 30 vi. Buildings or groups of buildings being used by a single tenant
31 [shall] MUST be rehabilitated in a unified and harmonious
32 manner.

33 Each building [shall] MUST be rehabilitated and repaired with
34 materials and in a manner consistent with the original
35 construction techniques where possible.

- 36 vii. All exterior front or side walls [which] THAT have not been
37 wholly or partially resurfaced or built over [shall] MUST be
38 repaired and cleaned or painted in an acceptable manner. Brick
39 walls [shall] MUST be pointed where necessary. Painted
40 masonry walls [shall] MUST have loose material removed and
41 be painted a single color except for trim [which] THAT may be

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1 another color. Patched walls [shall] MUST match the existing
2 adjacent surfaces as to materials, color, bond and joining.

3 viii. In the case of front walls [which] THAT have been wholly or
4 partially resurfaced or built over with formstone, wood,
5 structural glass veneer, or other materials, these surfacing
6 materials [shall] MUST be removed, and the building front
7 repaired in the manner described above. If restoration of the
8 original materials is determined by the Commissioner [of the
9 Department of Housing and Community Development] to be
10 unfeasible, the front [shall] MUST be improved in a manner
11 acceptable to [him] THE COMMISSIONER.

12 ix. Dormer windows on roofs sloping toward the shopping street
13 [shall] MUST be treated in accordance with the same criteria as
14 building fronts.

15 x. Existing miscellaneous elements on the building fronts, such as
16 empty electrical or other conduits, unused sign brackets, etc.,
17 [shall] MUST be eliminated.

18 xi. Sheet metal gutters and downspouts [shall] MUST be repaired or
19 replaced as necessary and [shall] MUST be neatly located and
20 securely installed. Gutters and downspouts [shall] MUST be
21 painted to harmonize with the other building front colors.

22 (c) Rear and Side Walls

23 i. Rear and side walls [shall] MUST be repaired and painted to
24 present a neat and fresh appearance. Rear walls [should] MUST
25 be painted to cover evenly all miscellaneous patched and filled
26 areas or be stuccoed to present an even and uniform surface.

27 ii. Side walls, where visible from the mall, [shall] MUST be
28 finished or painted so as to be harmonious with the front of the
29 building.

30 (d) Roofs

31 i. Chimneys, elevator penthouses or any other auxiliary
32 structures on the roofs [shall] MUST be repaired and cleaned as
33 required for rear and side walls. Any construction visible from
34 the street or from other buildings [shall] MUST be finished so as
35 to be harmonious with other visible building walls.

36 ii. Any mechanical equipment placed on a roof [shall] MUST be so
37 located as to be hidden from view from the shopping streets,
38 and to be as inconspicuous as possible from other viewpoints.
39 Equipment [shall] MUST be screened with suitable elements of
40 a permanent nature, finished so as to harmonize with the rest of
41 the building. Where [such] THE screening is impossible or

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1 impractical, equipment [shall] MUST be installed in a neat,
2 presentable manner and [shall] MUST be painted in such a
3 manner as to minimize its visibility.

4 iii. Television and radio antennae [shall] MUST be located so as to
5 be as inconspicuous as possible.

6 iv. Roofs [shall] MUST be kept free of trash, debris, or any other
7 element [which] THAT is not a permanent part of the building
8 or a functioning element of its mechanical or electrical system.

9 (e) Auxiliary Structures

10 Structures at the rears of buildings attached or unattached to the
11 principal commercial structure, which are found by the
12 Commissioner [of the Department of Housing and Community
13 Development] to be structurally deficient, [shall] MUST be properly
14 repaired or demolished.

15 (f) Rear yards

16 Where a rear yard exists or is created through the demolition of
17 structures, the owner [shall] MUST condition the open area in one
18 of the following ways as outlined below. The owner [shall] MUST
19 submit his proposal for use of space to the Commissioner [of the
20 Department of Housing and Community Development] for
21 approval.

22 i. Enclosure of Yards

23 A rear yard [shall] MUST be enclosed along side and rear
24 property lines by a masonry wall at least [five] 5 feet [six] 6
25 inches in height consistent and harmonious with the rear walls
26 of the building and solid doors or solid gates for access and
27 delivery to the extent necessary. Use of barbed wire or broken
28 glass on top of walls [shall] IS NOT [be] permitted.

29 ii. Provision of Parking Area

30 An unenclosed rear yard may be used as a parking or loading
31 area providing that is properly paved, illuminated, and
32 maintained. A sign not exceeding [six (6)] 6 square feet may
33 be used to identify and control parking and loading. Merchants
34 [shall be] ARE responsible for the maintenance of parking area
35 in a neat and clean manner. No storage of trash containers
36 [shall be] IS allowed in this area, except when housed in
37 permanent structures of acceptable design. The parking area
38 may terminate at the rear of the building[,] or at an enclosed
39 rear yard conforming with the provisions of (f)i. above.

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1 (g) Signs

2 i. General

3 No signs other than those identifying the property where they
4 are installed or identifying the use conducted therein [shall be]
5 ARE permitted. Advertising by material or product
6 manufacturers and suppliers [shall] IS not [be] permitted except
7 as primary identification of an establishment.

8 All lighting and electrical elements, such as wires, conduits,
9 junction boxes, transformers, ballasts, switches and panel
10 boxes, [shall] MUST be concealed from view as much as
11 possible.

12 ii. Flat Signs

13 Flat signs [shall] MUST be placed parallel to the building face
14 and [shall] MUST not project more than 12["'] INCHES from the
15 surface of the building. Signs on the front and side facades
16 [shall] MUST not exceed in area [three] 3 feet times the width in
17 feet of the frontage of the building[,], and [shall] MAY be placed
18 no higher than the bottom of the second story window where
19 windows exist or 13 feet above grade level whichever is lower.
20 In the case of corner properties, each facade is to be calculated
21 separately as to size allowed for each.

22 Lettering applied to ground-floor show windows or entrance
23 doors [shall be] IS permitted, providing that THE characters do
24 not exceed [two and one-half (2 ½)] 2½ inches in height[,], and
25 the text is limited to identification of business. Signs
26 identifying the occupant [shall be] ARE permitted at delivery
27 entrance doors but [shall] MUST not exceed [six] 6 square feet
28 in size.

29 Signs [shall be] ARE permitted on the rear of buildings [which]
30 THAT are not within 100 feet of a residential area. [Such] THE
31 signs [shall] MAY not exceed in area [three] 3 feet times the
32 length in feet of the rear façade unless a larger sign is approved
33 by the Commissioner [of the Department of Housing and
34 Community Development].

35 iii. Projecting Signs

36 Projecting signs [shall] MAY not extend more than 7 feet
37 beyond the building surface. A projecting sign [shall] MAY not
38 extend higher than 13 feet above grade level or below 10 feet
39 above grade level. There [shall] MUST be no more than [one] 1
40 projecting sign for each establishment, and that sign [shall]
41 MUST be perpendicular to the building face. No projecting sign

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1 [shall] MAY exceed 4 square feet in area or be within 3 feet of a
2 side property line.

3 iv. Painted Signs and Cut-Out Letters

4 Painted signs on building surfaces or use of separate cutout
5 letters [shall be] ARE permitted in accordance with the above
6 limits for flat signs.

7 v. Secondary Signs

8 Non-illuminated secondary signs [shall be] ARE permitted for
9 the identification of commercial tenants occupying the upper
10 floors of a building. [Such] THESE signs [shall] MAY not
11 exceed [one (1)] 1 square foot in area and [shall] MAY not
12 project more than [one] 1 inch beyond the surface of the
13 building, nor [shall] MAY they be placed higher than 13 feet
14 above grade level.

15 vi. [iv.] Roof Top Signs and Billboards

16 Roof top signs, signs above the parapet of a building,
17 billboards, or outdoor advertising signs painted or mounted on
18 structures other than billboards, except as otherwise herein
19 [provide] PROVIDED, [shall] ARE not [be] permitted.

20 vii. Awning Signs

21 Painted, flat, or inlaid signs, awnings and canopies are
22 permitted.

23 viii. Flashing or Moving Signs

24 Flashing or moving signs other than barber poles [shall] ARE
25 not [be] permitted.

26 ix. Non-conforming Signs

27 All signs not conforming to the above regulations [shall] MUST
28 be removed within [three] 3 years from THE date of enactment
29 of this Plan by the [Mayor and] City [Council of Baltimore],
30 except billboards larger than [sixty] 60 square feet, which
31 [shall] MUST be removed within [five] 5 years from the date of
32 enactment of the Plan.

33 All minor privilege permits for existing signs [shall] MUST be
34 rescinded by the Board of Estimates to take effect [three] 3
35 years from the date of enactment of this Plan, and no future
36 minor privilege permits for signs [shall] MAY be approved in
37 the [Oldtown Urban Renewal] Project [area] AREA, except
38 upon certification by the Commissioner [of the Department of

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1 Housing and community Development] that [such] THE signs
2 meet project design criteria.

3 x. All of the provisions set forth herein and in Ordinance No. 92,
4 approved June 10, 1968, [shall] MUST be complied with
5 whether the property is occupied or vacant. No private signs
6 [shall be] ARE permitted in the [Oldtown Urban Renewal]
7 Project Area, except herein provided or as otherwise permitted
8 by the Commissioner [of the Department of Housing and
9 Community Development] for temporary purposes not
10 exceeding [thirty] 30 days.

11 xi. Notwithstanding any other provision of this Plan to the
12 contrary, the standards for restaurant signage within
13 Disposition Lot 29, that parcel bounded by Orleans Street, N.
14 Central Avenue, Mullikin Street and Lewis Street, known as
15 1241-1255 Orleans Street and 300-312 N. Central Avenue,
16 reclassified herein as "Retail Commercial", [shall] MUST be as
17 generally permitted for THE B-3 [zoning districts] ZONING
18 DISTRICT by THE ZONING CODE OF BALTIMORE CITY [Article
19 30, Baltimore City Code (1983 Replacement Volume, as
20 amended), Sections 10.0-1 and 10.0-3, subject to Planning
21 Department approval of final designs for signage, landscaping
22 and screening and site access].

23 (h) Period of Compliance

24 [To the extent that rehabilitation requirements for commercial uses
25 are specifically applicable to the Oldtown Urban Renewal Project
26 and are not generally required elsewhere, the work necessary to
27 meet such requirements shall be undertaken within two (2) years
28 from the date of construction of the parking facility bounded by
29 Gay, Mott, Forrest and Ensor Streets, and shall be completed
30 promptly in accordance with notice from the Commissioner of the
31 Department of Housing and Community Development. However,
32 no] No work, alterations, or improvements [shall] MAY be
33 undertaken after enactment of this Plan [which] THAT do not
34 conform with the requirements herein.

35 Nothing herein [shall be] IS construed to permit any sign,
36 construction, alteration, change, repair, use, or any other matter
37 otherwise forbidden or restricted or controlled by any other public
38 law.

39 (i) Design Review and Approval

40 i. Designs for all building improvements, modifications, repair,
41 rehabilitation, or painting concerning the exterior of the
42 existing buildings, their yards or their show windows, and for
43 all signs[, shall] MUST be submitted to the Commissioner [of
44 the Department of Housing and Community Development],

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1 and written approval by the Department [shall be] is required
2 before proceeding the work.

3 ii. The Commissioner [of the Department of Housing and
4 Community Development shall be] is concerned with all
5 aspects of the designs affecting exterior appearance and in
6 particular with the following:

7 - Colors to be used on buildings and signs;

8 - Design of show windows and entrance area, including choice
9 of materials and types of security devices;

10 - Design of signs, methods of illumination, colors, materials,
11 methods of suspension;

12 - Conditioning of rear yard spaces; location of delivery signs.

13 iii. Prior to preparing designs, the owner [shall] MUST request an
14 inspection of the property by the Department [of Housing and
15 Community Development] to determine the minimum
16 improvements [which] THAT must be undertaken to provide
17 safe, sound and sanitary conditions. The Department [of
18 Housing and Community Development] will also advise the
19 owner of the necessary external improvements [which] THAT
20 will be required to attain compliance with the objectives of the
21 Renewal Plan.

22 (2) Wholesale/Service Commercial and Industrial Rehabilitation 23 Standards

24 In areas designated as Wholesale/Service Commercial or Industrial on
25 the Land Use Plan Map, Exhibit 2, the following modifications [shall]
26 apply to the Commercial Rehabilitation Standards above:

27 (a) Outdoor storage areas and loading areas [shall] MUST be
28 appropriately screened from all adjacent streets. Appropriate
29 screening [shall] MUST include, but is not necessarily limited to,
30 solid and perforated masonry walls at least [five] 5 feet [six] 6
31 inches in height, solid fences and trees, and shrubs planted at
32 appropriate intervals or a combination of these.

33 (b) Windows in the front of buildings, with Fire Department approval,
34 may be closed, provided the sills and frames are removed and the
35 opening is properly closed to match the material, design, and finish
36 of the adjacent wall. Permanent grills and screens are permitted.

37 (c) Flat signs may be placed at any location not covering window
38 openings.

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1 (d) A free standing sign entirely on private property not exceeding 18
2 feet above grade or a projecting sign not exceeding 18 feet above
3 grade [shall be] is permitted for each separate establishment, not to
4 exceed [forty] 40 square feet per face.

5 (e) Painted signs showing symbols of shapes representing the
6 establishment or the use conducted on the property, in existence
7 [one] 1 year prior to the [passage] ENACTMENT of this Plan by the
8 [Mayor and] City [Council of Baltimore shall], ARE not [be]
9 subject to the above area limitations.

10 (f) Delivery Signs

11 One or more signs [shall be] ARE permitted for the identification of
12 delivery entrances. Each delivery sign [shall be] MAY not BE more
13 than [six] 6 square feet in area.

14 Except as modified above, all requirements specified under RETAIL
15 COMMERCIAL AND WHOLESALE/SERVICE Commercial
16 Rehabilitation Standards [shall] apply to the entire [project area]
17 PROJECT AREA.

18 3. Statement of Proposals to Provide [Low and Moderate] MIXED-Income
19 Housing, INCLUDING HOUSING FOR LOW AND MODERATE-INCOME
20 FAMILIES[:]

21 a. [On project land to be disposed of for residential uses, all dwelling units
22 permitted by this Plan shall be for low and moderate income families. The
23 Department of Housing and Community Development, in overseeing the
24 development of this low and moderate income housing, shall utilize all
25 applicable Federal programs for assisting in its construction.] FIFTEEN
26 PERCENT OF ALL UNITS MUST BE PRICED TO BE AFFORDABLE TO
27 HOUSEHOLDS WITH INCOMES BETWEEN 80 AND 120 PERCENT OF THE AREA
28 MEDIAN INCOME IN THE YEAR IN WHICH UNITS ARE FIRST OFFERED TO THE
29 PUBLIC, AS DEFINED BY THE U.S. DEPARTMENT OF HOUSING AND URBAN
30 DEVELOPMENT ADJUSTED FOR HOUSEHOLD SIZE. THE UNITS MUST
31 INCLUDE A RANGE IN THE TENURE OF UNITS AND NUMBER OF BEDROOMS
32 WITHIN EACH TENURE COMPARABLE TO THE REST OF THE DEVELOPMENT.
33 SUCH AFFORDABILITY MUST BE MAINTAINED FOR A PERIOD OF 99 YEARS
34 THROUGH A COVENANT RUNNING WITH THE LAND THAT SHALL SURVIVE
35 SUBSEQUENT RE-SALE OR OTHER CHANGE IN OWNERSHIP OR OCCUPANCY.

36 b. [On project land to be disposed of for construction of new residential
37 units, approximately 60% of the new units provided should be offered to
38 low income families as public housing units through the combined use of
39 the leased public housing program, the conventional public housing
40 construction on scattered sites, or any other public housing program.]
41 THIS SECTION APPLIES TO ANY DEVELOPMENT, CREATED BY NEW
42 CONSTRUCTION, WITH 10 DWELLING UNITS OR MORE.

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4. Redeveloper's Obligations

- 1
- 2 a. No covenant, agreement, lease, conveyance or other instrument [shall]
3 MAY be effected or executed by the Department [of Housing and
4 Community Development] or by a Redeveloper or any of his successors or
5 assigns, whereby land in the [Urban] Renewal Area is restricted by the
6 Department, the Redevelopers, or any successors and assigns [upon] ON
7 the basis of race, creed, color, or national origin in the sale, lease, use or
8 occupancy thereof. Appropriate covenants running with the land forever,
9 which prohibit such restrictions, [shall] MUST be included in the
10 disposition instruments, and the United States [shall be] IS deemed a
11 beneficiary of [such] THESE covenants and [shall be] IS entitled to enforce
12 them.
- 13 b. The Redeveloper [shall] MUST agree to retain the interest he acquires in
14 the property transferred to him until he has completed the improvements,
15 construction, and development in the area required by this Plan and the
16 disposition instruments, and he [shall] MUST further agree not to sell, lease
17 or otherwise transfer the interest he acquires or any part thereof without
18 the prior written consent of the Department [of Housing and Community
19 Development] or until the Department [shall have] HAS certified in writing
20 that the Redeveloper has completed the improvements, construction, and
21 development in the area.
- 22 c. The Redeveloper [shall] MUST begin and complete the development of
23 land for the uses required in [the] THIS Plan and the construction of
24 improvements agreed upon in the disposition instruments within a
25 reasonable time as determined by [said] THE instruments.
- 26 [d. In implementing Section D.3. above, the Department of Housing and
27 Community Development, under procedures developed by it, in the
28 disposition of project land to redevelopers, will insure that all of the
29 housing is made available at a sales price or rental that low and moderate
30 income persons and families can afford.]

5. Priorities

- 31
- 32 a. The Department [of Housing and Community Development shall] MUST
33 submit to [Model Cities Council A, or its successor] THE OLDTOWN
34 COUNCIL "A" PAC AND THE OLDTOWN MERCHANTS' ASSOCIATION, OR
35 THEIR SUCCESSORS, for [its] THEIR review and comment, the form and
36 content of all proposals to redevelop land to be disposed of.
- 37 [The Model Cities Council A; or its successor, shall] THE OLDTOWN
38 COUNCIL "A" PAC AND THE OLDTOWN MERCHANTS' ASSOCIATION, OR
39 THEIR SUCCESSORS, MUST advise the Department [of Housing and
40 Community Development] of [its] THEIR recommendations regarding the
41 acceptability and priority of all proposals.
- 42 b. The written comments [shall] MUST be transmitted to the Department [of
43 Housing and Community Development] no later than 3 weeks after the

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1 proposals have been submitted to [Model Cities Council A, or its
2 successor] THE OLDTOWN COUNCIL “A” PAC AND THE OLDTOWN
3 MERCHANTS’ ASSOCIATION, OR THEIR SUCCESSORS; otherwise it is
4 presumed that the proposals are acceptable. The Commissioner [of the
5 Department of Housing and Community Development], however, retains
6 the final authority with respect to granting or withholding development
7 priorities and [shall] MUST dispose of redevelopment land through
8 procedures established by the Department based [upon] ON Federal
9 guidelines.

10 c. [The Model Cities Council A; or its successor,] THE OLDTOWN COUNCIL
11 “A” PAC AND OLDTOWN MERCHANTS’ ASSOCIATION, OR THEIR
12 SUCCESSORS, in reviewing commercial redevelopment proposals, [shall]
13 MUST give favorable consideration to businesses displaced because of the
14 requirements of this Plan[,] and to proposals [which] THAT will further the
15 objectives of neighborhood ownership of commercial enterprises. The
16 Department [of Housing and Community Development], when disposing
17 of land for new retail commercial, wholesale/service commercial and
18 industrial development wherever possible, [shall] MUST give priority to
19 neighborhood ownership.

20 d. Residents located within the Project Area, as of the date of approval of
21 this Plan, if displaced through the requirements of [the] THIS Plan, [shall]
22 MUST be given a priority by the Department [of Housing and Community
23 Development] under procedures developed by it in renting or purchasing
24 such residential living space as will become available within the Project
25 [area] AREA.

26 6. Relocation

27 [a.] The acquisition, demolition and construction of new facilities [shall] MAY
28 be undertaken in stages with an aim to minimize the disruption of the
29 population of the [Oldtown] Project Area.

30 [b. The Department of Housing and Community Development assures that
31 before individuals or families are displaced from their dwelling units due
32 to the requirements of the Plan, standard housing within the displacees'
33 financial means shall be provided. Such standard housing if it is desired
34 by the displacees shall be provided either within the Oldtown project or
35 within an area surrounding Oldtown as would be defined by
36 approximately a one mile distance from the project.

37 c. Except when specifically approved by the Commissioner of the
38 Department of Housing and Community Development after consultation
39 with Model Cities Council A, or its successor, initially no more than 80
40 households shall be required to relocate before new housing units are
41 available for relocation within the Oldtown Project Area.]

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7. New Construction in Rehabilitation Areas

All plans for new construction on any property located in rehabilitation areas and where [said] THE property is not to be acquired under the provisions of this Plan [shall] MUST be submitted to the Department [of Housing and Community Development] for review. Upon finding that the proposed plans are consistent with the objectives of the [Urban] Renewal Plan, the Commissioner [of the Department of Housing and Community Development shall] MUST authorize the processing of the plans for issuance of a building permit. The provisions of this section are in addition to and not in lieu of all other applicable laws and ordinances relating to new construction.

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

E. Other Provisions Necessary to Meet State and Local Requirements

The following information is required by Ordinance No. 152 of the Mayor and City Council of Baltimore, approved June 28, 1968.

1. Land Disposition

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

2. Zoning

All appropriate provisions of the Zoning [Ordinance] CODE of Baltimore City [shall] apply to [Properties] PROPERTIES in the [Oldtown] Project Area as shown on the Zoning Districts Map, Exhibit 5. In order to implement the [Urban] Renewal Plan, Zoning District changes as designated on Exhibit 5 will be required. These changes require AN amendment [o] TO the Zoning [Ordinance] CODE. Action to this effect will be initiated during the execution of [the] THIS Plan.

3. Reasons for the Various Provisions of this Plan

- a. Existing land use within the [project] PROJECT AREA is commercial and residential. Renewal objectives can best be achieved by the rehabilitation and redevelopment of the area [primarily] for COMMERCIAL AND residential use.

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- b. Clearance and redevelopment areas are proposed in order to remove concentrations of blight and to curtail deteriorating influences.
- c. Structures are proposed for rehabilitation where survey data have indicated that they are basically sound and in accordance with the Land Use Plan.
- d. Open space and recreational facilities within the [project] PROJECT AREA have been shown to be deficient. [The] THIS Plan proposes significant increases in public park land and, through coverage and landscaping requirements, will insure the provision of open space within disposition lots.
- e. Rehabilitation and new construction improvements are proposed for the shopping area to provide a strong commercial center [in the vicinity of the Belair Market].

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

F. Procedures for Changes in Approved Plan

1. The Department [of Housing and Community Development shall] MUST submit to the [UrbanServices Council A, or its successor] OLDTOWN COUNCIL “A” PAC AND THE OLDTOWN MERCHANTS’ ASSOCIATION, OR THEIR SUCCESSORS, for [its] THEIR review and comments all proposed amendments to the [urban renewal plan] RENEWAL PLAN no later than the time the proposed amendments are submitted to the City Planning Commission by the Department [of Housing and Community Development]. The written comments and recommendations from this review [shall] MUST be transmitted to the Department [of Housing and Community Development] no later than [three (3)] 3 weeks after they have been submitted to the [Urban Services Council A, or its successor] OLDTOWN COUNCIL “A” PAC AND THE OLDTOWN MERCHANTS’ ASSOCIATION OR THEIR SUCCESSORS; otherwise, it is presumed the proposed changes are satisfactory. Prior to passage of any ordinance amending the [urban renewal plan] RENEWAL PLAN, a public hearing [shall] MUST be held, and the [Urban Services Council A, or its successor] OLDTOWN COUNCIL “A” PAC AND THE OLDTOWN MERCHANTS’ ASSOCIATION, OR THEIR SUCCESSORS, [shall] MUST receive at least [ten (10)] 10 days prior to [such] THE hearing, written notice of the time and place of [such] THE hearing.
2. The [Urban] Renewal Plan may be amended from time to time upon compliance with the requirements of law, provided that, prior to passage of any ordinance amending the [Urban] Renewal Plan, a public hearing [shall] MUST be held, and providing further, that with respect to any land in the [project area] PROJECT AREA previously disposed of by the Department for use in accordance with the [Urban] Renewal Plan, the then owner of [such] THE land [shall] MUST receive, at least [ten (10)] 10 days prior to [such] THE hearing, written notice of the time and place of [such] THE hearing and information as to where a copy of the proposed amendments may be inspected and providing further, that the Department [of Housing and Community Development shall] MUST receive the written consent of the then owner of

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1 [such] THE land whose interests therein are materially affected by [such] THE
2 amendment.

3 (7) In the Plan, amend G. to read as follows:

4 G. Separability

5 In the event it be judicially determined that any word, phrase, clause, sentence,
6 paragraph, section or part in or of this Plan, or the application thereof to any
7 person or circumstances is invalid, the remaining provisions and the application
8 of such provisions to other persons or circumstances [shall] MUST not be affected
9 thereby, it being hereby declared that the remaining provisions of [the] THIS Plan
10 without the word, phrase, clause, sentence, paragraph, section or part, or the
11 application thereof, so held invalid would have been adopted and approved.

12 (8) In the Plan, amend the title of Appendix A to read as follows:

13 Appendix A

14 [Non-conforming] NONCOMFORMING Uses

15 (9) In the Plan, amend the title of Appendix B to read as follows:

16 Appendix B

17 [Non-complying Land Uses] NONCOMPLYING STRUCTURES

18 (10) In the Plan, delete Appendix C in its entirety.

19 **SECTION 2. AND BE IT FURTHER ORDAINED**, That Exhibit 2, “Land Use Plan”, Exhibit 3,
20 “Property Acquisition”, Exhibit 4, “Land Disposition”, and Exhibit 5, “Zoning Districts”, all
21 dated January 20, 2006, are amended to reflect the changes in the Renewal Plan.

22 **SECTION 3. AND BE IT FURTHER ORDAINED**, That the Urban Renewal Plan for Oldtown, as
23 amended by this Ordinance and identified as “Urban Renewal Plan, Oldtown, revised to include
24 Amendment __, dated July 10, 2006”, is approved. The Department of Planning shall file a copy
25 of the amended Urban Renewal Plan with the Department of Legislative Reference as a
26 permanent public record, available for public inspection and information.

27 **SECTION 4. AND BE IT FURTHER ORDAINED**, That it is necessary to acquire, by purchase or
28 by condemnation, for urban renewal purposes, the fee simple interest or any lesser interest in and
29 to the following properties or portions thereof, together with all right, title, interest and estate
30 that the owner or owners of the property interests may have in all streets, alleys, ways or lanes,
31 public or private, both abutting the whole area described and/or contained within the perimeter
32 of said area, situate in Baltimore City, Maryland, and described as follows:

- 33 418 Oldtown Mall
- 34 420 Oldtown Mall
- 35 422 Oldtown Mall
- 36 424 Oldtown Mall
- 37 425 Oldtown Mall

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- 1 426 Oldtown Mall
- 2 427 Oldtown Mall
- 3 428 Oldtown Mall
- 4 429-31 Oldtown Mall
- 5 430 Oldtown Mall
- 6 432 Oldtown Mall
- 7 433 Oldtown Mall
- 8 434 Oldtown Mall
- 9 436-38 Oldtown Mall
- 10 437 Oldtown Mall
- 11 439 Oldtown Mall
- 12 440-42 Oldtown Mall
- 13 441 Oldtown Mall
- 14 444 Oldtown Mall
- 15 447 Oldtown Mall
- 16 450 Oldtown Mall
- 17 501-03 Oldtown Mall
- 18 505-07 Oldtown Mall
- 19 509 Oldtown Mall
- 20 511-13 Oldtown Mall
- 21 515-17 Oldtown Mall
- 22 519 Oldtown Mall

23 East Street between Ensor and Orleans Street (excluding portion already closed for
24 Oldtown Mall)

25 Forrest Street between Oldtown Mall and Orleans Street

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

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

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

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