

**CITY OF BALTIMORE
COUNCIL BILL 09-0313
(First Reader)**

Introduced by: President Rawlings-Blake

At the request of: Uplands Visionaries, LLC

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Introduced and read first time: March 30, 2009

Assigned to: Urban Affairs and Aging Committee

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

A BILL ENTITLED

1 AN ORDINANCE concerning

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

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

13 BY authority of

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

18 **Recitals**

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

21 An amendment to the Urban Renewal Plan for Uplands is necessary to revise the Land Use
22 Plan for residential uses permitted under a certain zoning district; to clarify certain references
23 and language; to amend Appendix B to provide that where there may be a conflict between the
24 provisions of the Renewal Plan and the provisions of any Planned Unit Development in the

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

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1 Renewal Area, the provisions of the Renewal Plan control; to modify certain design guidelines
2 of Appendix B; and to replace certain Exhibits.

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

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

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

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

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

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

16 (3) In the Plan, in the last line of the second sentence of C.5., delete “on September 9,
17 2004”.

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

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

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

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

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

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

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

- 34 • PORCHES AND STOOPS CREATE A TRANSITION BETWEEN INSIDE AND OUTSIDE,
35 AND BETWEEN PUBLIC AND PRIVATE SPACE.

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

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

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

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

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

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

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

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

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

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

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

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

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