

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 06-0476

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

Committee Report: Favorable with amendments
Council action: Adopted
Read second time: August 13, 2007

AN ORDINANCE CONCERNING

**Urban Renewal – Oldtown –
Amendment 9**

1
2
3 FOR the purpose of amending the Urban Renewal Plan for Oldtown to authorize the acquisition
4 by purchase or by condemnation of certain properties for urban renewal purposes, close
5 certain rights-of-way, create new disposition lots, propose certain land use and zoning
6 changes, revise exhibits to reflect the changes in the Plan, making minor technical changes in
7 the Plan, delete and replace an existing Appendix, and revise and clarify land use categories;
8 waiving certain content and procedural requirements; making the provisions of this
9 Ordinance severable; providing for the application of this Ordinance in conjunction with
10 certain other ordinances; and providing for a special effective date.

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

Recitals

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

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

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

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.
Underlining indicates matter added to the bill by amendment.
~~Strike out~~ indicates matter stricken from the bill by
amendment or deleted from existing law by amendment.

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1 **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~~ TO PROMOTE GAY STREET AS THE SPINE OF
34 THE COMMERCIAL AND HISTORIC DISTRICT BY PRESERVING VIEWS AND
35 CREATING VEHICULAR ACCESS.
- 36 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~~ 1.

- 17 a. Residential, COMMUNITY BUSINESS, ~~Retail Commercial, BUSINESS-~~
18 ~~Wholesale/Service COMMUNITY Commercial, and Industrial, AND PUBLIC~~
19 uses are shown on the Land Use Plan Map, Exhibit ~~2~~ 1.
- 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~~ 1. All proposed public easements within the
23 [project area] PROJECT AREA are shown on Land Disposition Map, Exhibit
24 ~~3~~ 3.
- 25 c. Streets, all other public rights-of-way and vehicular access easements
26 proposed or existing to remain within the [project area] PROJECT AREA are
27 shown on Exhibit ~~2~~ 1.

28 2. Land Use Provisions and Standards

29 a. Permitted Uses

30 Only the use categories shown on the Land Use Plan, Exhibit ~~2~~ 1, [shall
31 be] ARE [permitted] ALLOWED within the [project area] PROJECT AREA.
32 The use categories are: Residential, COMMUNITY BUSINESS (~~Retail~~
33 ~~Commercial, Wholesale/Service Commercial~~), COMMUNITY
34 COMMERCIAL, Industrial, and Public. In addition, certain existing uses,
35 identified as [non-conforming] NONCONFORMING on the Land Use Plan

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

8 (1) Residential

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

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

20 (2) ~~BUSINESS-Retail-Commercial~~ COMMUNITY BUSINESS

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

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

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

34 ~~(A) IN THE AREA DESIGNATED RETAIL COMMERCIAL COMMUNITY~~
35 ~~BUSINESS ON THE LAND USE PLAN, USES INCLUDE THOSE AS~~
36 ~~ALLOWED IN THE UNDERLYING B-2 ZONING DISTRICT CATEGORY~~
37 ~~OF THE ZONING CODE OF BALTIMORE CITY-, WITH THE EXCEPTION~~
38 ~~OF THE FOLLOWING USES, WHICH ARE PROHIBITED:~~

39 ~~(B) THE FOLLOWING USES THAT ARE PERMITTED USES IN THE B-2~~
40 ~~ZONING DISTRICT ARE PROHIBITED IN THIS PLAN:~~

- 41 ~~FRATERNITY AND SORORITY HOUSES: OFF-CAMPUS~~
- 42 ~~LIQUOR STORES: PACKAGE GOODS~~
- 43 ~~MOTELS~~
- 44 ~~ROOMING HOUSES — WITH 11 OR MORE UNITS~~
- 45 ~~SKATING RINKS~~

46 ~~(C) ADDITIONALLY, THE FOLLOWING USES THAT ARE PERMITTED USES~~
47 ~~IN THE B-2 ZONING DISTRICT ARE CONDITIONAL USES THAT~~

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1 REQUIRE ~~BOARD OF MUNICIPAL AND ZONING APPEALS APPROVAL~~
2 ~~IN THIS PLAN:~~

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

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

15 ~~CHECK CASHING AGENCIES~~
16 ~~COMMUNITY CORRECTION CENTERS~~
17 ~~DRY CLEANING ESTABLISHMENTS: DRIVE-IN~~
18 ~~FIREARM SALES, AMMUNITION SALES, OR BOTH — WHEN IN A~~
19 ~~BUSINESS ESTABLISHMENT THAT IS PERMITTED IN A BUSINESS~~
20 ~~DISTRICT AND LOCATED AT LEAST 100 YARDS FROM THE~~
21 ~~BOUNDARY LINE OF A PARK, RELIGIOUS INSTITUTION,~~
22 ~~EDUCATIONAL INSTITUTION, PUBLIC BUILDING, OR OTHER~~
23 ~~PLACE OF PUBLIC ASSEMBLY~~
24 ~~GARAGES, OTHER THAN ACCESSORY, FOR STORAGE, REPAIR AND~~
25 ~~SERVICING OF MOTOR VEHICLES OVER 1½ TONS CAPACITY —~~
26 ~~BUT NOT INCLUDING BODY REPAIR, PAINTING, AND ENGINE~~
27 ~~REBUILDING~~
28 ~~FRATERNITY AND SORORITY HOUSES: OFF-CAMPUS~~
29 ~~GASOLINE SERVICE STATIONS~~
30 ~~HOTELS AND MOTELS~~
31 ~~LIQUOR STORES: PACKAGE GOODS~~
32 ~~MASSAGE SALONS~~
33 ~~PAROLE AND PROBATION FIELD OFFICES~~
34 ~~PAWNSHOPS~~
35 ~~POULTRY — AND RABBIT KILLING ESTABLISHMENTS~~
36 ~~ROOMING HOUSES~~
37 ~~SKATING RINKS~~
38 ~~TRAVEL TRAILERS, RECREATIONAL VEHICLES, AND SIMILAR~~
39 ~~CAMPING EQUIPMENT: PARKING OR STORAGE~~

40 (E) ~~THE FOLLOWING USES MUST NOT BE LOCATED ON THE GROUND~~
41 ~~LEVEL ALONG THE STREET FRONTAGE:~~

42 ~~BLOOD DONOR CENTERS~~
43 ~~BOWLING ESTABLISHMENTS~~
44 ~~CLINICS: MEDICAL AND DENTAL~~
45 ~~CLUBS AND LODGES: PRIVATE NONPROFIT~~
46 ~~EXHIBIT ROOMS~~

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~~EXTERMINATORS' SHOPS
MEETING AND BANQUET HALLS
POOL HALLS AND BILLIARD PARLORS
SECRETARIAL AND TELEPHONE ANSWERING SERVICES
SEWING MACHINES; SALES AND SERVICE—HOUSEHOLD APPLIANCES
ONLY~~

~~(F) Upon its rezoning to B-3 Community Commercial by separate ordinance, and subject to Planning Department approval of final designs for signage, landscaping and screening and site access, the following additional uses shall be permitted on Disposition Lot 29, that parcel bounded by Orleans Street, N. Central Avenue, Mullikin Street and Lewis Street, known as 1241-1255 Orleans Street and 300-312 N. Central Avenue, reclassified herein as "Retail Commercial": (i) "Restaurants, drive-in", with drive-through windows, if approved by AN ORDINANCE OF the Mayor and City Council pursuant to THE ZONING CODE OF BALTIMORE CITY [Article 30, Sections 6.3-1.d.3 and 11.0-6.d, Baltimore City Code (1983 Replacement Volume, as amended)]; (ii) "Outdoor table service where accessory to a restaurant use", if approved by the Baltimore City Board of Municipal and Zoning Appeals pursuant to THE ZONING CODE OF BALTIMORE CITY [Article 30, Sections 6.3-1.c. and 6-2-1.c.4b, Baltimore City Code (1983 Replacement Volume, as amended)]; and (iii), notwithstanding any other provision of this Plan to the contrary, restaurant signage as generally permitted for THE B-3 [zoning districts] ZONING DISTRICT by [Article 30, Baltimore City Code (1983 Replacement Volume, as amended), Sections 10.0-1 and 10.0-3.] THE ZONING CODE OF BALTIMORE CITY.~~

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

~~(H) Landscaping, loading facilities, and parking facilities related to the above listed retail commercial uses are also permitted. No use [shall be] IS permitted [which] THAT IS NOXIOUS OR OFFENSIVE BY reason of emission of odor, dust, smoke, gas fumes, vibrations or noise.~~

~~(3) BUSINESS Wholesale/Service Commercial COMMUNITY COMMERCIAL~~

~~[(a) With the exception of dwellings, all uses permitted in Retail Commercial areas shall be permitted in Wholesale/Service Commercial areas: such uses shall be permitted on the ground level or any other level. In addition, the following uses shall be permitted: Ambulance service; animal hospitals; artisans' and craft shops; auction rooms; automobile accessory stores (including~~

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

42 (A) IN THE AREA DESIGNATED WHOLESALE/SERVICE COMMUNITY
43 COMMERCIAL ON THE LAND USE PLAN, USES INCLUDE THOSE AS
44 ALLOWED IN THE UNDERLYING B-3 ZONING DISTRICT CATEGORY
45 OF THE ZONING CODE OF BALTIMORE CITY, WITH THE EXCEPTION
46 OF THE FOLLOWING USES, WHICH ARE PROHIBITED:—ALL USES
47 ALLOWED IN RETAIL COMMERCIAL AREAS IN THIS PLAN SHALL BE
48 ALLOWED IN WHOLESALE/SERVICE COMMERCIAL AREAS. ALL
49 WHOLESALE/SERVICE COMMERCIAL LAND USES ARE ALLOWED ON
50 THE GROUND LEVEL OR ANY OTHER LEVEL.

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

- ~~HIGHWAY MAINTENANCE SHOPS AND YARDS~~
- ~~MILK AND DAIRY PRODUCTS: PROCESSING AND DISTRIBUTION~~
- ~~MOBILE HOMES: SALES~~
- ~~MOVING AND STORAGE ESTABLISHMENTS~~
- ~~STABLES FOR HORSES~~

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

- ~~ANIMAL HOSPITALS~~
- ~~AUTOMOBILE PAINTING SHOPS~~
- ~~CARPET AND RUG CLEANING ESTABLISHMENTS~~
- ~~CONTRACTOR AND CONSTRUCTION SHOPS AND YARDS~~
- ~~HOSPITALS~~
- ~~MEAT MARKETS — INCLUDING SALE OF MEATS AND MEAT PRODUCTS TO RESTAURANTS, HOTELS, CLUBS, AND SIMILAR ESTABLISHMENTS~~
- ~~PALMISTS~~
- ~~REPEATER, TRANSFORMER, PUMPING, BOOSTER, SWITCHING, CONDITIONING, AND REGULATING STATIONS, AND SIMILAR INSTALLATIONS~~
- ~~TRAILERS: SALES AND RENTAL~~

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

ALL OF THOSE USES LISTED IN THE COMMUNITY BUSINESS SECTION ABOVE, PLUS:

- AFTER-HOURS ESTABLISHMENTS
- AMUSEMENT ARCADES
- AMUSEMENT PARKS AND PERMANENT CARNIVALS
- ANIMAL HOSPITALS
- AUTOMOBILE PAINTING SHOPS
- CARPET AND RUG CLEANING ESTABLISHMENTS
- CONTRACTOR AND CONSTRUCTION SHOPS AND YARDS
- GARAGES, OTHER THAN ACCESSORY, FOR STORAGE, REPAIR, AND SERVICING OF MOTOR VEHICLES NOT OVER 1½-TONS CAPACITY — INCLUDING BODY REPAIR, PAINTING, AND ENGINE REBUILDING
- HELIPORTS
- HIGHWAY MAINTENANCE SHOPS AND YARDS
- HOSPITALS

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MEAT MARKETS - INCLUDING SALE OF MEATS AND MEAT PRODUCTS
TO RESTAURANTS, HOTELS, CLUBS, AND SIMILAR
ESTABLISHMENTS

MILK AND DAIRY PRODUCTS: PROCESSING AND DISTRIBUTION

MOBILE HOME: SALES

MOVING AND STORAGE ESTABLISHMENTS

PALMISTS

REPEATER, TRANSFORMER, PUMPING, BOOSTER, SWITCHING,
CONDITIONING, AND REGULATING STATIONS, AND SIMILAR
INSTALLATIONS

RESTAURANTS - INCLUDING LIVE ENTERTAINMENT AND DANCING

RESTAURANTS: DRIVE-IN - INCLUDING PICK-UP DRIVES WITH
WINDOW SERVICE

STABLES FOR HORSES

TAVERNS - INCLUDING LIVE ENTERTAINMENT AND DANCING

TRAILERS: SALES AND RENTAL

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

(4) Industrial

[Subject to the approval of the Board of Municipal and Zoning Appeals, animal hospitals, antennas for microwave relay radio and television; apparel manufacturing; artisans and craftsmen’s workshops; automobile laundries; subject to the approval of the Board of Municipal and Zoning Appeals, automobile service stations; automotive parts manufacturing; bakeries; battery manufacturing and rebuilding; battery and tire sales and service; beverage manufacturing; blueprinting and photostating establishments; boat manufacturing and repairing; bookbinding; bottle manufacturing; bottling works; box manufacturing; broom manufacturing; brush manufacturing; building material sales establishments; bus and transit passenger stations and terminals; cameras and other photographic equipment manufacturing; candy manufacturing; canvas products manufacturing; carpet and rug cleaning establishments; carpet manufacturing; carry out food shops; catering establishments; cereal manufacturing; check cashing agencies; chemical apparatus manufacturing; coffee roasting; communications systems, sales and service; computer centers; confectionery manufacturing; contractor shops and yards; cosmetics manufacturing; cork products manufacturing and processing; cotton processing; data processing; die casting; distribution and sales of industrial supplies; drug manufacturing; dry cleaning establishments; dyeing establishments; electrical appliances manufacturing; electronic instruments manufacturing; electroplating; employment agencies; extracts manufacturing (food and flavor); fence manufacturing; fermented fruits and vegetable products processing; flour manufacturing; food commissaries; food products manufacturing and processing; fuel and ice sales; furniture and fixture manufacturing; fur and

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1 leather processing; galvanizing; garages, for storage and repair; gases,
2 non-combustible and non-toxic, manufacturing and storage; gelatin and
3 casein manufacturing; glass manufacturing; glass products manufacturing
4 (from previously prepared materials); greenhouses; hardware and tool
5 manufacturing; highway maintenance shops and yards; hiring halls and
6 work distribution centers; ice manufacturing; ice cream manufacturing;
7 ink manufacturing; inked products manufacturing; instruments
8 manufacturing (professional, scientific and controlling); insulating
9 materials manufacturing; jewelry manufacturing; laboratory apparatus
10 manufacturing; laundries; leather products manufacturing; linen, diaper
11 and similar supply establishments; lithographing; luggage manufacturing;
12 lumber yards; machinery and machine manufacturing, sales, rental and
13 service; machine shops; machine tools manufacturing; mail order
14 distribution centers; malting; maritime suppliers and servicing; match
15 manufacturing; mattress manufacturing; medical and dental clinics;
16 medical equipment manufacturing; metal products manufacturing
17 (medium and light); milk and dairy products processing and distribution;
18 mirror manufacturing; monument works; motorcycles and similar
19 motorized vehicles manufacturing; motor freight terminals; motor vehicle
20 rental establishments; moving and storage establishments; musical
21 instruments manufacturing; newsstands; non-profit clubs and lodges only;
22 novelty products manufacturing; subject to the approval of the Board of
23 Municipal and Zoning Appeals, offices (business and professional directly
24 related to industrial activities); off-street parking facilities; optical
25 equipment manufacturing; orthopedic and medical appliance
26 manufacturing; paper products, manufactured from previously prepared
27 materials; parcel collection and delivery stations; perfume manufacturing;
28 pharmaceutical manufacturing; photocopying service; photoengraving;
29 photographers; photography film manufacturing and processing; pickling
30 of metal; plastic products manufacturing (from previously prepared
31 materials); polish manufacturing; porcelain enamel products
32 manufacturing; porcelain enamels and glazes manufacturing; post offices;
33 pottery and chinaware manufacturing; printing and publishing
34 establishments; subject to the approval of the Board of Municipal and
35 Zoning Appeals, public utility services (including electric distribution
36 centers and substations; repeater, transformer, pumping, booster,
37 switching, conditioning, regulating stations and other similar installations;
38 and telephone exchanges); recording studios; restaurants and lunchrooms;
39 rope manufacturing; rubber products manufacturing (from previously
40 prepared materials); rug manufacturing; salt manufacturing and
41 processing; schools (commercial and trade); serum, toxin and virus
42 manufacturing and processing; ship chandlers; sign manufacturing sales
43 and service; silverware manufacturing; sodium compound manufacturing
44 and processing; spice manufacturing and processing; sporting and athletic
45 goods manufacturing; starch manufacturing; statuary production; stone
46 cutting; stone manufacturing (synthetic); sugar refineries; taverns; terra
47 cotta manufacturing; textile products manufacturing; tile manufacturing;
48 tire manufacturing; tobacco products manufacturing; toiletries
49 manufacturing; tool, die or pattern making shop; toy manufacturing; trailer
50 manufacturing; trucks and truck trailer sales and rental; umbrella
51 manufacturing; union halls; upholstering shops; vending machines (for

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1 retail sale of ice and milk); warehouses; wax and wax products
2 manufacturing; welding shops; wholesale establishments; window blinds,
3 shades and awnings manufacturing; wire manufacturing; wood products
4 manufacturing; wool processing.]

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

8 (5) Public

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

12 [(6) Non-Conforming Uses

13 A non-conforming uses is any legally existing use of land, buildings or
14 structures that does not conform to the regulations for the use district of
15 the Zoning Ordinance of Baltimore City. The non-conforming uses listed
16 in Appendix A are existing non-conforming uses or are uses which will
17 become non-conforming as a result of the enactment of an Ordinance
18 adopting the Zoning proposals contained in this Plan. The non-
19 conforming uses listed in Appendix A, and other non-conforming uses
20 which may be established between the date of the survey on which the list
21 in appendix A is based and the date of the approval of this Plan by the
22 Mayor and City Council of Baltimore shall be permitted to continue
23 operations subject to the provisions of the Zoning Ordinance of Baltimore
24 City governing non-conforming uses.]

25 (6) NONCONFORMING USE

26 A LAWFULLY EXISTING USE OF A BUILDING OR OTHER STRUCTURE OR OF
27 LAND THAT DOES NOT CONFORM TO THE APPLICABLE USE REGULATIONS OF
28 THE ZONING CODE OF BALTIMORE CITY MAY BE CONTINUED AS A
29 “NONCONFORMING USE” ONLY AS PROVIDED IN TITLE 13 OF THE ZONING
30 CODE. A LAWFULLY EXISTING USE OF A BUILDING OR OTHER STRUCTURE
31 OF LAND THAT DOES NOT COMPLY WITH THE LAND USE REGULATIONS OF
32 THIS RENEWAL PLAN IS ALLOWED TO CONTINUE FOR AN INDEFINITE PERIOD
33 OF TIME. THE NONCONFORMING USES LISTED IN APPENDIX A ARE
34 PERMITTED TO CONTINUE, SUBJECT TO ALL OF THE PROVISIONS OF TITLE 13
35 OF THE ZONING CODE OF BALTIMORE CITY ENTITLED
36 “NONCONFORMANCE”.

37 [(7) Non-complying Land Uses

38 A non-complying land use is any existing use of land that, although it
39 conforms to the Zoning Ordinance of Baltimore City, does not comply to
40 the land use regulations of this Plan. A list of non-complying land uses is
41 contained in appendix B. The non-complying land uses listed in
42 Appendix B, and non-complying land uses which may be established

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1 between the date of the survey on which the list in Appendix B is based
2 and the date of the approval of this Plan by the Mayor and City Council of
3 Baltimore shall be permitted to continue for an indefinite period of time,
4 except that:

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

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

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

14 (7) NONCOMPLYING STRUCTURE

15 A LAWFULLY EXISTING STRUCTURE THAT DOES NOT COMPLY WITH THE
16 BULK REGULATIONS OF THE ZONING CODE OF BALTIMORE CITY MAY BE
17 CONTINUED AS A “NONCOMPLYING STRUCTURE” ONLY AS PROVIDED IN
18 TITLE 13 OF THE ZONING CODE. THE NONCOMPLYING STRUCTURES LISTED
19 IN APPENDIX B ARE PERMITTED TO CONTINUE, SUBJECT TO THE PROVISIONS
20 REGULATED BY TITLE 13 OF THE ZONING CODE OF BALTIMORE CITY.

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

22 The following regulations, controls, and restrictions will be implemented
23 where applicable by covenants or other provisions in the agreements for land
24 disposition and instruments of conveyance executed pursuant thereto.[, Such]
25 THE regulations, controls, and restrictions are for the benefit of the City of
26 Baltimore and [shall be] ARE enforced solely by the City of Baltimore, except
27 as noted in sub-section C.2.b.(1)(d) below:

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

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

31 (b) The Department [of Housing and Community Development]
32 specifically reserves the right to review and approve the Developer’s
33 plans and specifications for development or rehabilitation with respect
34 to their conformance with the provisions of the Renewal Plan and in
35 order to achieve harmonious development of the [project area]
36 PROJECT AREA. The Department also reserves the right to refuse to
37 approve any [such] drawings, plans, or specifications that are not
38 suitable or desirable, in its opinion, for aesthetic or functional
39 reasons; and in so passing upon [such] THE drawings, plans and
40 specifications, it [shall have] HAS the right to take into consideration,
41 but [shall] IS not [be] limited to, the suitability of the site plan,

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1 architectural treatment, building plans, elevations, materials and color,
2 construction details, access, parking, loading, landscaping,
3 identification signs, exterior lighting, refuse collection details, streets,
4 sidewalks and the harmony of the plans with the surroundings.
5 Approval of plans for residential development [shall be] IS based, upon
6 an evaluation of the degree to which they meet the following general
7 criteria and any detailed standards that may, at a later time, be derived
8 from them.

9 i. All residential units [shall] MUST be designed so as to provide a
10 reasonable degree of protection from visual intrusion and noise
11 between one unit and another and between each unit and its
12 immediate environment. Such protection should be achieved while
13 maintaining an acceptable standard of internal lighting and
14 ventilation wherever possible.

15 ii. All residential units [shall] MUST be provided with access to an
16 area for the storage of garbage. This area [should] MUST be
17 suitable for [such] THE use and appropriately located in relation to
18 surrounding uses. Access [shall] MUST be reasonably direct and
19 entirely within the boundaries of a single site. The storage area
20 [shall] MUST be large enough to contain the garbage can and a
21 reasonable amount of additional space for bulky items and
22 spillage. Storage areas in new construction and multiple dwelling
23 units [should] MUST be permanently screened from general view.

24 iii. All residential sites [shall] MUST be developed in toto for uses
25 permitted in this [plan] PLAN, and any division of space for
26 separate functions [should] MUST be shown on the development
27 plans. This refers not only to space within the dwelling unit, but
28 also to open areas of the plans (for example, access path, storage
29 area, drying yard, play lot, garden,) together with proposals for
30 effective site modification (for example, paving, screening,
31 planting, terracing). Functional areas [should] MUST be suitable
32 for the uses proposed on the basis of location, site development,
33 access, size, visibility and relationship to adjoining uses.

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

38 (c) The Department [of Housing and Community Development shall]
39 MUST submit to [Model Cities Council A, or its successor] THE
40 OLDTOWN COUNCIL "A" PAC AND THE OLDTOWN MERCHANTS'
41 ASSOCIATION, OR THEIR SUCCESSORS, for [its] THEIR review and
42 comment the Preliminary Plans and the Proposed Final Construction
43 Plans for each Disposition Lot designated in this Plan. The written
44 comments and recommendations from this review [shall] MUST be
45 transmitted to the Department [of Housing and Community
46 Development] no later than three weeks after the plans have been

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1 submitted to [Model Cities Council A,] THE OLDTOWN COUNCIL “A”
2 PAC AND THE OLDTOWN MERCHANTS’ ASSOCIATION; otherwise it is
3 presumed that the plans are acceptable. The Commissioner [of the
4 Department of Housing and Community Development] retains final
5 authority to [approved] APPROVE or disapprove all plans.

6 (d) The Redeveloper will not enter into, execute, or be a party to any
7 covenant, agreement, lease, deed, assignment, conveyance, or any
8 other written instrument, which restricts the sale, lease, use or
9 occupancy of the [Property] PROPERTY, or any part thereof, or any
10 [Improvements] IMPROVEMENTS placed thereon, upon the basis of
11 ~~national origin, race, religion, sex or color~~ RACE, COLOR, RELIGION,
12 ANCESTRY, NATIONAL ORIGIN, SEX, GENDER IDENTITY, SEXUAL
13 ORIENTATION, MARITAL STATUS, AGE, OR PHYSICAL OR MENTAL
14 DISABILITY. The Redeveloper [will] MUST comply with all State and
15 local laws, in effect from time to time, prohibiting discrimination or
16 segregation, and will not discriminate, by reason of national origin,
17 race, religion, sex or color in the sale, lease, use or occupancy of the
18 [Property] PROPERTY.

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

21 (a) General Provisions

- 22 i. No building, structure, or parking area [shall] MAY be constructed
23 over an easement within the [project area] PROJECT AREA without
24 the prior written consent of the Commissioner [of the Department
25 of Housing and Community Development] and the Director of the
26 Department of Public Works.
- 27 ii. In computing building coverage, land occupied by open pavilions,
28 cabanas, canopies, and covered or weatherproof walkways [shall]
29 MUST not be included; however, all other structures, including
30 accessory structure, [shall] MUST be included.
- 31 iii. All land not covered by structures; paved parking, loading, or
32 related service areas; paved areas for pedestrian circulation; or
33 decorative surfacing treatments [shall] MUST be provided with
34 landscape treatment. Landscape treatment includes planting any,
35 all, or a combination of the following: trees, shrubs, ground cover,
36 grass, flowers. The amount of landscape treatment [should] MUST
37 be determined by the nature of the development[;], and [should]
38 MUST serve to improve the utility of the site, soften and relieve the
39 effects of structure and pavement and provide a visual harmony.
40 All landscaping is to be maintained in good condition by the
41 property owner as specified by disposition instruments.
- 42 iv. Off-street loading spaces [shall] MUST not be less than 12 feet
43 wide, [and] 40 feet deep, and 14 feet high. This space, plus
44 adequate maneuvering space, [shall] MUST be provided entirely

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1 within lot lines. Except as specified below in subsections
2 C.2.b.(2)(d)iv. and C.2.b.(2)(e)iii., no loading spaces [shall be] ARE
3 required.

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

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

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

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

28 Notwithstanding any other provision of this Plan to the contrary,
29 the standards for restaurant signage within Disposition Lot 29, that
30 parcel bounded by Orleans Street, N. Central Avenue, Mullikin
31 Street and Lewis Street, known as 1241-1255 Orleans Street and
32 300-312 N. Central Avenue, reclassified herein as “Retail
33 Commercial”, [shall] MUST be as generally permitted for THE B-3
34 [zoning districts by Article 30, Baltimore City Code (1983
35 Replacement Volume, as amended), Sections 10.0-1 and 10.0-3,
36 subject to Planning Department approval of final designs for
37 signage, landscaping and screening and site access] ZONING
38 DISTRICT BY THE ZONING CODE OF BALTIMORE CITY.

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

41 The immediately foregoing restriction [shall] DOES not apply to
42 Disposition Lot 29, that parcel bounded by Orleans Street, N.
43 Central Avenue, Millikin Street and Lewis Street, and known as
44 1241-1255 Orleans Street and 300-312 N. Central Avenue.

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

3 (b) Off-Street Parking Requirements

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

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

11 (c) Residential Disposition Lots

12 i. Within the areas designated Residential on the Land Use Plan
13 Map, Exhibit 2 1, residential uses [shall be] ARE limited to the
14 following types of dwellings: Row houses, Walk-up apartments,
15 and Elevator apartments. Standards are set forth in the schedule
16 below. If a combination of types of dwellings is constructed, each
17 portion of the Disposition Lot [shall be] IS governed by the specific
18 requirements applicable to each type of dwelling.

19 ii. Except where in the sole judgment of the Commissioner [of the
20 Department of Housing and Community Development] a lesser
21 setback or no setback is justified, a minimum setback of 15 feet
22 [shall be] IS required from Orleans Street, and a minimum setback
23 of 10 feet [shall be] IS required from Ensor, Madison and
24 Monument Streets and Central and Greenmount Avenues. No
25 setback [shall be] IS required from other streets.

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

32 III. [iv.] The [commissioner] COMMISSIONER [of the Department of
33 Housing and Community Development] may authorize the sale of
34 individual house lots [which] THAT exceed the maximum density
35 or the maximum building coverage or both, provided that the
36 Disposition Lot of which the individual house lot is a portion
37 [shall] DOES not exceed the density and building coverage
38 standards, and, provided further, that no codes or ordinances of
39 Baltimore City [shall be] ARE violated.

40 IV. [v.] On Disposition Lot 15, the predominant residential use [shall
41 be] IS elevator apartments for the elderly; however, row houses and
42 walk-up apartments are also permitted. Commercial uses

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1 customarily accessory to elevator apartments are also permitted
2 provided:

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

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

9 (c') Only [one] 1 exterior advertising sign is permitted for each
10 establishment. No sign [shall] MAY project more than
11 [eight] 8 inches from the building, and no sign [shall] MAY
12 exceed [three] 3 square feet in gross area, provided that the
13 sign be non-illuminated or indirectly-illuminated. A MINOR
14 PRIVILEGE PERMIT IS REQUIRED FOR PROJECTING SIGNS AND
15 AWNINGS.

16 v. [vi.] On Disposition Lot 26, a paved walkway [eight] 8 feet in width
17 shall be constructed by the redeveloper to connect a point on
18 McElderry Street approximately 400 feet from the intersection of
19 Forrest and McElderry Streets and a point on Aisquith Street
20 opposite Jefferson Court of Somerset Homes.

21 vi. [vii.] Within Disposition Lots 3 and 26, Disposition Lots 3A and
22 26A for Public Parks [shall] MUST be delineated by the Department
23 [of Housing and Community Development] in cooperation with
24 redevelopers of the remainder of Disposition Lots 3 and 26. The
25 approximate size of the Disposition Lots for Public PARKS [Park
26 shall] MUST be 10,000 square feet in [disposition] DISPOSITION Lot
27 3 and 15,000 square feet in Lot 26.

28 vii. [viii.] Disposition Lots 15A and 16 and 27

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

31 (B') [ii] Maximum height of the main structures [shall] MUST be
32 [twenty-five] 25 feet [(25')], except for 15A – [thirty-five]
33 35 feet [(35')].

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

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(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. A MINOR PRIVILEGE PERMIT IS REQUIRED FOR PROJECTING SIGNS AND AWNINGS.

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 ON LOT 49, ACCESS IS NOT PERMITTED FROM MOTT STREET OR STIRLING STREET.~~

(d) Retail COMMUNITY BUSINESS AND COMMUNITY 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 of the Commissioner [of the Department of Housing and Community Development] a lesser or no setback is justified.

ii. On Disposition Lot 13A, no setback [shall be] IS required. Subject to the approval of the Board of Municipal and Zoning Appeals, no rear yard [shall be] IS required. No projecting signs and no flat signs [which] THAT exceed in area [three] 3 feet times the width in feet of the frontage of a building [shall be] ARE permitted. A MINOR PRIVILEGE PERMIT IS REQUIRED FOR PROJECTING SIGNS AND AWNINGS. No signs other than a sign [six] 6 square feet or less in

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1 area identifying the occupant at the side or rear door [shall be] IS
2 permitted on the side or rear facades of a building.

3 iii. The Floor Area Ratio [shall] MUST not exceed 2.5 subject to
4 required setbacks, parking and proper vehicle sight distances.

5 ~~iv. On Lot 49, access [shall] is not [be] permitted from Mott Street or~~
6 ~~Stirling Street.~~

7 (e) Wholesale/Service COMMUNITY Commercial and Industrial
8 DISPOSITION LOTS

9 fi. [The Floor Area Ratio shall not exceed 2.5 in Wholesale/Service
10 Commercial areas or 8.0 in Industrial areas; subject to required
11 setbacks, parking, and proper vehicle sight distance.] ON
12 DISPOSITION LOTS 25A AND 25B, DEVELOPMENT MUST ESTABLISH
13 PEDESTRIAN AND VEHICULAR CONNECTIVITY WITH THE OLDTOWN
14 HISTORIC DISTRICT. FURTHERMORE, NEW DEVELOPMENT IS
15 ENCOURAGED TO ESTABLISH GAY STREET AS AN ACTUAL
16 THOROUGHFARE. GAY STREET MUST ALSO BE MAINTAINED AS A
17 VIEW CORRIDOR IN ORDER TO PRESERVE VIEWS OF BOTH CITY HALL
18 AND THE OLDTOWN HISTORIC DISTRICT. THE VIEW CORRIDOR
19 MUST BE UNOBSTRUCTED, WITH THE EXCEPTION OF AWNINGS,
20 SIGNAGE, LIGHT FIXTURES, OTHER SIMILAR BUILDING FEATURES,
21 AND MINOR STRUCTURAL COMPONENTS THAT MAY PROJECT INTO
22 THE VIEW CORRIDOR, SUBJECT TO INTERPRETATION BY THE
23 DEPARTMENT OF PLANNING. NEW DEVELOPMENT ON THESE LOTS
24 IS ALSO ENCOURAGED TO FACE THE VIEW CORRIDOR AND PROVIDE
25 ENTRANCES, WINDOWS, AND VISUAL ARTICULATION ALONG THE
26 BUILDING WALL.

27 ~~fi.~~ [ii.] 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 high, solid
31 fences, trees and shrubs planted at appropriate intervals, or a
32 combination of these.

33 ~~fi.~~ [iii.] One off-street loading space [shall be] IS required for any
34 establishment [which] THAT exceeds 10,000 square feet of gross
35 floor area. Existing establishments [which] THAT redevelop [one]
36 1 or more Disposition Lots [shall] MUST provide an off-street
37 loading space only if a building is constructed on a Disposition Lot
38 [which] THAT exceeds 10,000 square feet of gross floor area.

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[iv. Signs

(a') Flat signs not extending more than twelve inches from the primary surface of the building and painted signs shall not exceed in area three times the frontage in feet of the building provided that in no case shall total area of such signs exceed 200 square feet.

(b') Each establishment shall be permitted one projecting sign or one free standing sign not to exceed forty square feet per face.

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

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

(e') Delivery Signs

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

(f') Secondary Signs

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

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

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

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

(f) Public Disposition Lots

i. Parks and Plazas

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

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1 (b') Only maintenance structures, equipment and ornamental
2 structures and other structures appropriate to park and
3 recreation use [shall] MAY be constructed in areas
4 designated for Public Parks on the Land Use Plan Map,
5 Exhibit 2 1. No parking or loading facilities [shall be] ARE
6 required for Public [parks] PARKS.

7 (c') As specified above in subsection C.2.b.(2)(c)viii.,
8 Disposition Lots 3A and 26A for Public Parks [shall] MUST
9 be delineated by the Department [of Housing and
10 Community Development] in cooperation with
11 redevelopers of the remainder of Disposition Lots 3 and 26.
12 The approximate size of the Disposition Lots for Public
13 Parks shall be 10,000 square feet in Disposition Lot 3 and
14 15,000 square feet in Disposition Lot 26.

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

17 ii. Schools

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

24 [iii. Disposition Lot 21 (Mall)]

25 Kiosks, sales booths, display cases, and other commercial
26 activities may be placed on Disposition Lot 21A with the
27 permission of the Department of Housing and Community
28 Development, the Department of Recreation and Parks, and other
29 applicable departments and agencies.

30 Signs for the identification of the shopping area and the
31 occupants of kiosks, directories, bulletin boards, directional signs
32 and other signs which may be approved by the Department of
33 Housing and Community Development shall be permitted.]

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

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

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

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1 (3) Provisions applicable to land to be acquired within rehabilitation
2 areas[:]

3 (a) Properties to be cleared and redeveloped

4 Certain properties in rehabilitation areas may be found to contain
5 structures in such poor condition that they can be treated feasibly only
6 by clearance and redevelopment rather than by rehabilitation. [Such]
7 THESE properties may be acquired by the [Mayor and] City [Council
8 of Baltimore] and sold to private redevelopers for redevelopment for
9 uses in accordance with [the] THIS Plan.

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

11 For properties acquired by the [Mayor and] City [Council of
12 Baltimore] for resale for rehabilitation, the rehabilitation standards in
13 this [plan] PLAN for the use category of [such] THE properties as
14 designated on the Land Use Plan Map, Exhibit 2 1, will apply.

15 c. Duration of Provisions and Requirements

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

23 d. Applicability of Provisions and Requirements to Property Not to Be
24 Acquired[:]

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

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

33 D. Project Proposals

34 1. Property Acquisition

35 A Property Acquisition Map is attached as Exhibit 3 2.

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

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(1) Clearance and Redevelopment

Properties to be acquired for clearance and redevelopment are identified on the Property Acquisition Map, Exhibit 3 2.

(2) Rehabilitation

[Properties to be acquired for rehabilitation are identified on the Property Acquisition Map, Exhibit 3 2. Definitive] A DEFINITIVE determination as to acquisition of [other] properties for rehabilitation will be made during execution in accordance with the provisions of this Plan.

(3) Public Facilities

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

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

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

(a) It may be necessary to acquire by purchase or by condemnation for Urban Renewal purposes the fee simple interest or any lesser interest in and to such of the remaining properties or portions thereof in the [Oldtown] Project AREA not specifically designated for acquisition on the Property Acquisition Map, Exhibit 3 2, as may be deemed necessary and proper by the Commissioner [of the Department of Housing and Community Development] to effect the proper implementation of [the Project] THIS PLAN. This may include:

- i. Any property in the [project area] PROJECT AREA containing a non-salvable structure, i.e., a structure [which] THAT in the opinion of the Commissioner [of the Department of Housing and Community Development] cannot be economically rehabilitated.
- ii. Any property the owner of which is unable or unwilling to comply or conform to the Property Rehabilitation Standards set forth in this [Urban Renewal] Plan within 12 months from the date of written notice of the required improvements, the Department, [of Housing and Community Development] after due consideration that the property owner has failed to achieve substantial conformity with the Property Rehabilitation Standards, may acquire [such] THE property pursuant to the Eminent Domain Law of this State as if the property has originally been planned for acquisition after 90 days written notice to the owner. The Department of [Housing and Community Development] reserves the right to acquire [any

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1 such non-complying] THE NONCOMPLYING property for a
2 period of [two (2)] 2 years from the date of [said] THE written
3 90 days notice by the Department [of Housing and Community
4 Development].

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

7 It may be necessary to acquire by purchase or by condemnation for
8 Urban Renewal purposes the fee simple interest, or any lesser interest,
9 in and to such of the remaining properties or portions thereof in the
10 [Oldtown] Project AREA not designated for acquisition, in addition to
11 those properties enumerated in Section D.1.b.(1) above, in order to
12 carry out rehabilitation by the Department [of Housing and
13 Community Development] because:

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

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

19 (c) Rehabilitation of individual, scattered properties is necessary in
20 order to remove blighting influences from otherwise sound
21 residential blocks.

22 ~~(D) IT IS NECESSARY TO MINIMIZE THE EFFECTS OF SLUM AND~~
23 ~~BLIGHTING INFLUENCES ON THE COMMERCIAL AREA.~~

24 ~~(E) REHABILITATION OF PROPERTIES WILL ENHANCE THE GOODS AND~~
25 ~~SERVICES BEING PROVIDED TO THE SURROUNDING RESIDENTIAL~~
26 ~~AREA.~~

27 ~~{(3) Properties to be acquired will be listed in Appendix C, "Properties for~~
28 ~~Acquisition and Disposition" for Residential Rehabilitation}~~

29 c. Actions to be Followed by the Department of Housing and Community
30 Development Upon Acquisition of Properties for Residential
31 Rehabilitation

32 (1) Rehabilitate the property in conformance with the codes and
33 ordinances of Baltimore City and the rehabilitation standards and
34 objectives set forth in this Plan and dispose of property in accordance
35 with applicable regulations. If sale cannot be consummated by the
36 time rehabilitation is accomplished, units [shall] ~~MAY~~ MUST be rented
37 pending continuing sale efforts; or

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

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1 (3) ~~Demolish the structure or structures thereon and dispose of land for~~
2 ~~redevelopment for uses in accordance with this Plan. PROPERTIES TO~~
3 ~~BE ACQUIRED WILL BE LISTED IN APPENDIX C, “PROPERTIES FOR~~
4 ~~ACQUISITION AND DISPOSITION”.~~

5 2. Rehabilitation

6 a. Residential Rehabilitation Standards

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

11 (1) Every dwelling unit [shall] MUST contain within a room [which] THAT
12 affords privacy, a bathtub or shower, water closet and lavatory basin in
13 good working condition, which [shall] MUST be properly connected to
14 the public sanitary sewer or to an approved sewage disposal system.
15 The bathtub or shower and lavatory basin [shall] MUST be properly
16 connected to both hot and cold water lines, and the water closet [shall]
17 MUST be properly connected to a cold water line. All facilities [shall]
18 MUST be within and accessible from within the dwelling units.

19 (2) Heat producing equipment [which] THAT requires venting [shall] MUST
20 be properly vented to the outdoors. Utility spaces containing unvented
21 heat producing equipment [shall] MUST be vented to the outdoors.
22 Natural ventilation of spaces such as attics and enclosed basementless
23 space [shall] MUST be provided by openings of sufficient size to
24 overcome dampness and minimize the effect of conditions conducive
25 to decay and deterioration of the structure. Exterior ventilation
26 openings [shall] MUST be effectively screened where needed.

27 (3) All lead base paint [shall] MUST be removed from interior surfaces of
28 dwellings before repainting. Good repair [shall] MUST include keeping
29 properly painted or wallpapered all interior surfaces [which] THAT are
30 painted or wallpapered in normal practice.

31 (4) All windows must be tight-fitting and have sashes of proper size and
32 design. Sashes with rotten wood, broken joints, or broken or loose
33 mullions or muntins [shall] MUST be replaced. Windows [shall] MUST
34 be equipped with proper cords, pulleys, and hardware and be
35 maintained in operating condition.

36 (5) Floors or floor covering in kitchen and bathrooms [shall] MUST be of
37 durable, waterproof, non-absorptive material, such as asphalt, vinyl-
38 asbestos, vinyl-plastic, rubber or ceramic tiles, terrazzo or linoleum.
39 Wood finish flooring for these rooms is not acceptable.

40 (6) Unvented, open flame gas space heaters [shall] ARE not [be] permitted.

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1 (7) Every habitable room of every structure [shall] MUST contain at least
2 [two] 2 separate duplex convenience electrical outlets, except that any
3 room other than a sleeping room or dining room with a perimeter of
4 over 50 feet [shall] MUST contain at least [three] 3 separate duplex
5 convenience electrical outlets.

6 (8) All of the provisions set forth herein and in Ordinance No. 902,
7 approved December 22, 1966, [shall] MUST be complied with whether
8 the property is occupied or vacant.

9 b. Additional Residential Rehabilitation Standards[:]

10 In addition to the enforcement of the codes and ordinances of the City of
11 Baltimore and the required standards of this Plan, the personnel engaged
12 in inspectional, estimating and financing activities for all residential uses
13 within the [project] PROJECT AREA and other than those structures within
14 clearance areas will be directed to seek the attainment of the objectives of
15 the following:

16 (1) A degree of privacy [shall] MUST be provided commensurate with
17 suitable living conditions by means of the proper location of exterior
18 openings to exterior conditions, and by the interior arrangement of
19 rooms, particularly with reference to access to bathrooms from
20 bedrooms.

21 Access to each dwelling unit [shall] MUST be provided without passing
22 any other dwelling unit and access to all parts of the dwelling unit
23 [shall] MUST be possible without passing through a public hall. A
24 bathroom [shall] MUST not be used as a passageway to a habitable
25 room, basement or to the exterior. In dwelling units having more than
26 one bedroom, the only access to a single bathroom is not acceptable
27 through any bedroom.

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

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

37 c. Retail Commercial, Wholesale/Service COMMUNITY BUSINESS,
38 COMMUNITY Commercial and Industrial Rehabilitation Standards

39 (1) In areas designated as Retail Commercial, Wholesale/Service
40 Commercial and Industrial on the Land Use Plan Map, Exhibit 2 1, the
41 following additional standards [shall] MUST be applied over and above

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1 the codes and ordinances of the City of Baltimore to all structures
2 other than those which are to be acquired for demolition:

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

8 i. Windows in non-residential structures not in the front of
9 buildings [shall] MUST be kept properly repaired ,or, with Fire
10 Department approval, the openings may be closed, in which
11 case sills, lintels and frames must be removed and the opening
12 properly closed to match the materials, design and finish of the
13 adjacent wall.

14 ii. All windows must be tight-fitting and have sashes of proper
15 size and design. Sashes with rotten wood, broken joints, or
16 broken or loose mullions or muntins [shall] MUST be replaced.
17 All broken and missing windows [shall] MUST be replaced with
18 glass or Plexiglas. All exposed wood [shall] MUST be repaired
19 and painted.

20 iii. Window openings in upper floors of the front of the building
21 [shall] MAY not be filled or boarded-up. Windows in unused
22 areas of the upper floors may be backed by a solid surface on
23 the inside of the glass. Window panes [shall] MUST not be
24 painted.

25 (b) Building Fronts and Sides Abutting Streets

26 i. All structural and decorative elements of building fronts and
27 sides abutting streets [shall] MUST be repaired or replaced in a
28 workmanlike manner to match as closely as possible the
29 original materials and construction techniques.

30 ii. All cornices [shall] MUST be made structurally sound, and
31 rotten or weakened portions [shall] MUST be removed and
32 repaired or replaced to match as closely as possible the original
33 patterns. All exposed wood [shall] MUST be painted.

34 iii. A show window as a part of the building façade [shall be] IS
35 defined to include the building face and the entrance area
36 leading to the door, the door and sidelights and transoms, and
37 all display platforms and devices including lighting and signing
38 designed to be viewed from the public right-of-way and/or the
39 areas visible to the public prior to entering the interior portion
40 of the structure.

41 Show windows, entrances, signs, lighting, sun protection,
42 security grilles, etc., [shall] MUST be designed to be compatible

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1 and harmonious and consistent with the original scale and
2 character of the structures. All show windows elements must
3 be located within 13 feet of grade.

4 Enclosures and housings for security grilles and screens
5 [should] MUST be as inconspicuous as possible and compatible
6 with other elements of the facade.

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

11 All screens and grilles must be constructed so they can be
12 opened or removed.

13 NEW SECURITY GRILLES MUST BE LOCATED ON THE INSIDE OF
14 THE WINDOWS AND, BE LIGHT IN COLOR OR TRANSLUCENT, AND
15 WINDOWS MUST ALSO BE LIGHT IN COLOR OR TRANSLUCENT.

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

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

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

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

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

- 34 v. Soft retractable awnings and rigid awnings or canopies are
35 permitted at the first floor only. Awnings [shall] ARE not [be]
36 permitted on the upper floors. Awnings must be flame
37 proofed. Awnings [shall] MAY not project more than [seven
38 (7)] 7 feet from the building front and [shall] MUST otherwise
39 conform with the provisions of City ordinances. A MINOR
40 PRIVILEGE PERMIT IS REQUIRED FOR PROJECTING SIGNS AND
41 AWNINGS. Awnings [shall] MUST terminate against the

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1 building at a height not to exceed [thirteen (13)] 13 feet above
2 the pavement, or [one] 1 inch below the second floor window
3 sill, whichever is lower.

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

7 Each building [shall] MUST be rehabilitated and repaired with
8 materials and in a manner consistent with the original
9 construction techniques where possible.

- 10 vii. All exterior front or side walls [which] THAT have not been
11 wholly or partially resurfaced or built over [shall] MUST be
12 repaired and cleaned or painted in an acceptable manner. Brick
13 walls [shall] MUST be pointed where necessary. Painted
14 masonry walls [shall] MUST have loose material removed and
15 be painted a single color except for trim [which] THAT may be
16 another color. Patched walls [shall] MUST match the existing
17 adjacent surfaces as to materials, color, bond and joining.

- 18 viii. In the case of front walls [which] THAT have been wholly or
19 partially resurfaced or built over with formstone, wood,
20 structural glass veneer, or other materials, these surfacing
21 materials [shall] MUST be removed, and the building front
22 repaired in the manner described above. If restoration of the
23 original materials is determined by the Commissioner [of the
24 Department of Housing and Community Development] to be
25 unfeasible, the front [shall] MUST be improved in a manner
26 acceptable to [him] THE COMMISSIONER.

- 27 ix. Dormer windows on roofs sloping toward the shopping street
28 [shall] MUST be treated in accordance with the same criteria as
29 building fronts.

- 30 x. Existing miscellaneous elements on the building fronts, such as
31 empty electrical or other conduits, unused sign brackets, etc.,
32 [shall] MUST be eliminated.

- 33 xi. Sheet metal gutters and downspouts [shall] MUST be repaired or
34 replaced as necessary and [shall] MUST be neatly located and
35 securely installed. Gutters and downspouts [shall] MUST be
36 painted to harmonize with the other building front colors.

37 (c) Rear and Side Walls

- 38 i. Rear and side walls [shall] MUST be repaired and painted to
39 present a neat and fresh appearance. Rear walls [should] MUST
40 be painted to cover evenly all miscellaneous patched and filled
41 areas or be stuccoed to present an even and uniform surface.

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- 1 ii. Side walls, where visible from the mall, [shall] MUST be
2 finished or painted so as to be harmonious with the front of the
3 building.

4 (d) Roofs

- 5 i. Chimneys, elevator penthouses or any other auxiliary
6 structures on the roofs [shall] MUST be repaired and cleaned as
7 required for rear and side walls. Any construction visible from
8 the street or from other buildings [shall] MUST be finished so as
9 to be harmonious with other visible building walls.
- 10 ii. Any mechanical equipment placed on a roof [shall] MUST be so
11 located as to be hidden from view from the shopping streets,
12 and to be as inconspicuous as possible from other viewpoints.
13 Equipment [shall] MUST be screened with suitable elements of
14 a permanent nature, finished so as to harmonize with the rest of
15 the building. Where [such] THE screening is impossible or
16 impractical, equipment [shall] MUST be installed in a neat,
17 presentable manner and [shall] MUST be painted in such a
18 manner as to minimize its visibility.
- 19 iii. Television and radio antennae [shall] MUST be located so as to
20 be as inconspicuous as possible.
- 21 iv. Roofs [shall] MUST be kept free of trash, debris, or any other
22 element [which] THAT is not a permanent part of the building
23 or a functioning element of its mechanical or electrical system.

24 (e) Auxiliary Structures

25 Structures at the rears of buildings attached or unattached to the
26 principal commercial structure, which are found by the
27 Commissioner [of the Department of Housing and Community
28 Development] to be structurally deficient, [shall] MUST be properly
29 repaired or demolished.

30 (f) Rear yards

31 Where a rear yard exists or is created through the demolition of
32 structures, the owner [shall] MUST condition the open area in one
33 of the following ways as outlined below. The owner [shall] MUST
34 submit his proposal for use of space to the Commissioner [of the
35 Department of Housing and Community Development] for
36 approval.

37 i. Enclosure of Yards

38 A rear yard [shall] MUST be enclosed along side and rear
39 property lines by a masonry wall at least [five] 5 feet [six] 6
40 inches in height consistent and harmonious with the rear walls

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1 of the building and solid doors or solid gates for access and
2 delivery to the extent necessary. Use of barbed wire or broken
3 glass on top of walls [shall] IS not [be] permitted.

4 ii. Provision of Parking Area

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

15 (g) Signs

16 i. General

17 No signs other than those identifying the property where they
18 are installed or identifying the use conducted therein [shall be]
19 ARE permitted. Advertising by material or product
20 manufacturers and suppliers [shall] IS not [be] permitted except
21 as primary identification of an establishment.

22 All lighting and electrical elements, such as wires, conduits,
23 junction boxes, transformers, ballasts, switches and panel
24 boxes, [shall] MUST be concealed from view as much as
25 possible.

26 ii. Flat Signs

27 Flat signs [shall] MUST be placed parallel to the building face
28 and [shall] MUST not project more than 12['] INCHES from the
29 surface of the building. A MINOR PRIVILEGE PERMIT IS
30 REQUIRED FOR PROJECTING SIGNS AND AWNINGS. Signs on the
31 front and side facades [shall] MUST not exceed in area [three] 3
32 feet times the width in feet of the frontage of the building[,]
33 and [shall] MAY be placed no higher than the bottom of the
34 second story window where windows exist or 13 feet above
35 grade level whichever is lower. In the case of corner
36 properties, each facade is to be calculated separately as to size
37 allowed for each.

38 Lettering applied to ground-floor show windows or entrance
39 doors [shall be] IS permitted, providing that THE characters do
40 not exceed [two and one-half (2 ½)] 2½ inches in height[,] and
41 the text is limited to identification of business. Signs
42 identifying the occupant [shall be] ARE permitted at delivery

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1 entrance doors but [shall] MUST not exceed [six] 6 square feet
2 in size.

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

9 iii. Projecting Signs

10 Projecting signs [shall] MAY not extend more than 7 feet
11 beyond the building surface. A MINOR PRIVILEGE PERMIT IS
12 REQUIRED FOR PROJECTING SIGNS AND AWNINGS. A projecting
13 sign [shall] MAY not extend higher than 13 feet above grade
14 level or below 10 feet above grade level. There [shall] MUST
15 be no more than [one] 1 projecting sign for each establishment,
16 and that sign [shall] MUST be perpendicular to the building
17 face. No projecting sign [shall] MAY exceed 4 square feet in
18 area or be within 3 feet of a side property line.

19 iv. Painted Signs and Cut-Out Letters

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

23 v. Secondary Signs

24 Non-illuminated secondary signs [shall be] ARE permitted for
25 the identification of commercial tenants occupying the upper
26 floors of a building. [Such] THESE signs [shall] MAY not
27 exceed [one (1)] 1 square foot in area and [shall] MAY not
28 project more than [one] 1 inch beyond the surface of the
29 building, nor [shall] MAY they be placed higher than 13 feet
30 above grade level. A MINOR PRIVILEGE PERMIT IS REQUIRED
31 FOR PROJECTING SIGNS AND AWNINGS.

32 VI. [iv.] Roof Top Signs and Billboards

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

37 vii. Awning Signs

38 Painted, flat, or inlaid signs, awnings and canopies are
39 permitted. A MINOR PRIVILEGE PERMIT IS REQUIRED FOR
40 PROJECTING SIGNS AND AWNINGS.

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viii. Flashing or Moving Signs

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

ix. Non-conforming Signs

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

All minor privilege permits for existing signs [shall] MUST be rescinded by the Board of Estimates to take effect [three] 3 years from the date of enactment of this Plan, and no future minor privilege permits for signs [shall] MAY be approved in the [Oldtown Urban Renewal] Project [area] AREA, except upon certification by the Commissioner [of the Department of Housing and community Development] that [such] THE signs meet project design criteria.

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

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

(h) Period of Compliance

[To the extent that rehabilitation requirements for commercial uses are specifically applicable to the Oldtown Urban Renewal Project and are not generally required elsewhere, the work necessary to meet such requirements shall be undertaken within two (2) years

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1 from the date of construction of the parking facility bounded by
2 Gay, Mott, Forrest and Ensor Streets, and shall be completed
3 promptly in accordance with notice from the Commissioner of the
4 Department of Housing and Community Development. However,
5 no] NO work, alterations, or improvements [shall] MAY be
6 undertaken after enactment of this Plan [which] THAT do not
7 conform with the requirements herein.

8 Nothing herein [shall be] IS construed to permit any sign,
9 construction, alteration, change, repair, use, or any other matter
10 otherwise forbidden or restricted or controlled by any other public
11 law.

12 (i) Design Review and Approval

13 i. Designs for all building improvements, modifications, repair,
14 rehabilitation, or painting concerning the exterior of the
15 existing buildings, their yards or their show windows, and for
16 all signs[, shall] MUST be submitted to the Commissioner [of
17 the Department of Housing and Community Development],
18 and written approval by the Department [shall be] IS required
19 before proceeding the work.

20 ii. The Commissioner [of the Department of Housing and
21 Community Development shall be] IS concerned with all
22 aspects of the designs affecting exterior appearance and in
23 particular with the following:

24 - Colors to be used on buildings and signs;

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

27 - Design of signs, methods of illumination, colors, materials,
28 methods of suspension;

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

30 iii. Prior to preparing designs, the owner [shall] MUST request an
31 inspection of the property by the Department [of Housing and
32 Community Development] to determine the minimum
33 improvements [which] THAT must be undertaken to provide
34 safe, sound and sanitary conditions. The Department [of
35 Housing and Community Development] will also advise the
36 owner of the necessary external improvements [which] THAT
37 will be required to attain compliance with the objectives of the
38 Renewal Plan.

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(2) ~~Wholesale/Service~~ COMMUNITY Commercial and Industrial Rehabilitation Standards

In areas designated as ~~Wholesale/Service~~ COMMUNITY Commercial or Industrial on the Land Use Plan Map, Exhibit ~~2~~ 1, the following modifications [shall] apply to the Commercial Rehabilitation Standards above:

- (a) Outdoor storage areas and loading areas [shall] **MUST** be appropriately screened from all adjacent streets. Appropriate screening [shall] **MUST** include, but is not necessarily limited to, solid and perforated masonry walls at least [five] 5 feet [six] 6 inches in height, solid fences and trees, and shrubs planted at appropriate intervals or a combination of these.
- (b) Windows in the front of buildings, with Fire Department approval, may be closed, provided the sills and frames are removed and the opening is properly closed to match the material, design, and finish of the adjacent wall. Permanent grills and screens are permitted.
- (c) Flat signs may be placed at any location not covering window openings.
- (d) A free standing sign entirely on private property not exceeding 18 feet above grade or a projecting sign not exceeding 18 feet above grade [shall be] is permitted for each separate establishment, not to exceed [forty] 40 square feet per face.
- (e) Painted signs showing symbols of shapes representing the establishment or the use conducted on the property, in existence [one] 1 year prior to the [passage] **ENACTMENT** of this Plan by the [Mayor and] City [Council of Baltimore shall], **ARE** not [be] subject to the above area limitations.
- (f) **Delivery Signs**
One or more signs [shall be] **ARE** permitted for the identification of delivery entrances. Each delivery sign [shall be] **MAY** not **BE** more than [six] 6 square feet in area.

Except as modified above, all requirements specified under ~~RETAIL COMMERCIAL AND WHOLESALE/SERVICE COMMUNITY BUSINESS AND COMMUNITY~~ COMMUNITY BUSINESS AND COMMUNITY Commercial Rehabilitation Standards [shall] apply to the entire [project area] **PROJECT AREA**.

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

- a. ~~{~~On project land to be disposed of BY THE CITY for residential uses, [all dwelling units permitted by this Plan shall be for low and moderate

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1 income families. The Department of Housing and Community
2 Development, in overseeing the development of this low and moderate
3 income housing, shall utilize all applicable Federal programs for assisting
4 in its construction.] ~~FIFTEEN~~ FIFTEEN PERCENT OF ALL UNITS MUST BE
5 PRICED TO BE AFFORDABLE TO HOUSEHOLDS WITH INCOMES BETWEEN 80
6 AND 120 PERCENT OF THE AREA MEDIAN INCOME IN THE YEAR IN WHICH
7 UNITS ARE FIRST OFFERED TO THE PUBLIC, AS DEFINED BY THE U.S.
8 DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT ADJUSTED FOR
9 HOUSEHOLD SIZE. THE UNITS MUST INCLUDE A RANGE IN THE TENURE OF
10 UNITS AND NUMBER OF BEDROOMS WITHIN EACH TENURE COMPARABLE TO
11 THE REST OF THE DEVELOPMENT. SUCH AFFORDABILITY MUST BE
12 MAINTAINED FOR A PERIOD OF 99 YEARS THROUGH A COVENANT RUNNING
13 WITH THE LAND THAT SHALL SURVIVE SUBSEQUENT RE-SALE OR OTHER
14 CHANGE IN OWNERSHIP OR OCCUPANCY. THE HOUSING COMMISSIONER
15 SHALL HAVE THE AUTHORITY TO AMEND THE COVENANTS TO ACCOUNT FOR
16 CHANGES IN AREA MEDIAN INCOME.

- 17 b. [On project land to be disposed of for construction of new residential
18 units, approximately 60% of the new units provided should be offered to
19 low income families as public housing units through the combined use of
20 the leased public housing program, the conventional public housing
21 construction on scattered sites, or any other public housing program.]
22 THIS SECTION APPLIES TO ANY DEVELOPMENT, CREATED BY NEW
23 CONSTRUCTION, WITH 10 DWELLING UNITS OR MORE. THIS SECTION
24 APPLIES TO TOWN HOUSES, ROW HOUSES, SINGLE FAMILY UNITS, AND
25 MULTI-FAMILY UNITS.

26 4. Redeveloper's Obligations

- 27 a. No covenant, agreement, lease, conveyance or other instrument [shall]
28 MAY be effected or executed by the Department [of Housing and
29 Community Development] or by a Redeveloper or any of his successors or
30 assigns, whereby land in the [Urban] Renewal Area is restricted by the
31 Department, the Redevelopers, or any successors and assigns [upon] ON
32 the basis of ~~race, creed, color, or national origin~~ RACE, COLOR, RELIGION,
33 ANCESTRY, NATIONAL ORIGIN, SEX, GENDER IDENTITY, SEXUAL
34 ORIENTATION, MARITAL STATUS, AGE, OR PHYSICAL OR MENTAL
35 DISABILITY in the sale, lease, use or occupancy thereof. Appropriate
36 covenants running with the land forever, which prohibit such restrictions,
37 [shall] MUST be included in the disposition instruments, and the United
38 States [shall be] is deemed a beneficiary of [such] THESE covenants and
39 [shall be] is entitled to enforce them.
- 40 b. ~~The Redeveloper [shall] MUST agree to retain the interest he acquires in~~
41 ~~the property transferred to him until he has completed the improvements,~~
42 ~~construction, and development in the area required by this Plan and the~~
43 ~~disposition instruments, and he [shall] MUST further agree not to sell, lease~~
44 ~~or otherwise transfer the interest he acquires or any part thereof without~~
45 ~~the prior written consent of the Department [of Housing and Community~~
46 ~~Development] or until the Department [shall have] HAS certified in writing~~

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1 ~~that the Redeveloper has completed the improvements, construction, and~~
2 ~~development in the area.~~

3 B. ~~c.~~ The Redeveloper [shall] MUST begin and complete the development of
4 land for the uses required in [the] THIS Plan and the construction of
5 improvements agreed upon in the disposition instruments within a
6 reasonable time as determined by [said] THE instruments.

7 [d. In implementing Section D.3. above, the Department of Housing and
8 Community Development, under procedures developed by it, in the
9 disposition of project land to redevelopers, will insure that all of the
10 housing is made available at a sales price or rental that low and moderate
11 income persons and families can afford.]

12 5. Priorities

13 a. The Department [of Housing and Community Development shall] MUST
14 submit to [Model Cities Council A, or its successor] THE OLDTOWN
15 COUNCIL “A” PAC AND THE OLDTOWN MERCHANTS’ ASSOCIATION, OR
16 THEIR SUCCESSORS, for [its] THEIR review and comment, the form and
17 content of all proposals to redevelop land to be disposed of.

18 [The Model Cities Council A; or its successor, shall] THE OLDTOWN
19 COUNCIL “A” PAC AND THE OLDTOWN MERCHANTS’ ASSOCIATION, OR
20 THEIR SUCCESSORS, MUST advise the Department [of Housing and
21 Community Development] of [its] THEIR recommendations regarding the
22 acceptability and priority of all proposals.

23 b. The written comments [shall] MUST be transmitted to the Department [of
24 Housing and Community Development] no later than 3 weeks after the
25 proposals have been submitted to [Model Cities Council A, or its
26 successor] THE OLDTOWN COUNCIL “A” PAC AND THE OLDTOWN
27 MERCHANTS’ ASSOCIATION, OR THEIR SUCCESSORS; otherwise it is
28 presumed that the proposals are acceptable. The Commissioner [of the
29 Department of Housing and Community Development], however, retains
30 the final authority with respect to granting or withholding development
31 priorities and [shall] MUST dispose of redevelopment land through
32 procedures established by the Department based [upon] ON Federal
33 guidelines.

34 c. [The Model Cities Council A; or its successor,] THE OLDTOWN COUNCIL
35 “A” PAC AND OLDTOWN MERCHANTS’ ASSOCIATION, OR THEIR
36 SUCCESSORS, in reviewing commercial redevelopment proposals, [shall]
37 ~~MUST~~ MAY give favorable consideration to businesses displaced because
38 of the requirements of this Plan[,] and to proposals [which] THAT will
39 further the objectives of neighborhood ownership of commercial
40 enterprises. The Department [of Housing and Community Development],
41 when disposing of land for new retail commercial, wholesale/service
42 commercial and industrial development wherever possible, [shall] MUST
43 give priority to neighborhood ownership. NEIGHBORHOOD OWNERSHIP

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MEANS A BUSINESS THAT IS AT LEAST 51% OWNED BY AN INDIVIDUAL WHO LIVES IN THE OLDTOWN URBAN RENEWAL PLAN AREA.

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

6. Relocation

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

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

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

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.

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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 3, Land Disposition Map.
- b. The parcels shown on the Exhibit 4 3, 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 3, 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 4. In order to implement the [Urban] Renewal Plan, Zoning District changes as designated on Exhibit 5 4 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.
- 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].

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

2 F. Procedures for Changes in Approved Plan

- 3 1. The Department [of Housing and Community Development shall] MUST
4 submit to the [UrbanServices Council A, or its successor] OLDTOWN COUNCIL
5 “A” PAC AND THE OLDTOWN MERCHANTS’ ASSOCIATION, OR THEIR
6 SUCCESSORS, for [its] THEIR review and comments all proposed amendments
7 to the [urban renewal plan] RENEWAL PLAN no later than the time the
8 proposed amendments are submitted to the City Planning Commission by the
9 Department [of Housing and Community Development]. The written
10 comments and recommendations from this review [shall] MUST be transmitted
11 to the Department [of Housing and Community Development] no later than
12 [three (3)] 3 weeks after they have been submitted to the [Urban Services
13 Council A, or its successor] OLDTOWN COUNCIL “A” PAC AND THE OLDTOWN
14 MERCHANTS’ ASSOCIATION OR THEIR SUCCESSORS; otherwise, it is presumed
15 the proposed changes are satisfactory. Prior to passage of any ordinance
16 amending the [urban renewal plan] RENEWAL PLAN, a public hearing [shall]
17 MUST be held, and the [Urban Services Council A, or its successor] OLDTOWN
18 COUNCIL “A” PAC AND THE OLDTOWN MERCHANTS’ ASSOCIATION, OR THEIR
19 SUCCESSORS, [shall] MUST receive at least [ten (10)] 10 days prior to [such]
20 THE hearing, written notice of the time and place of [such] THE hearing.
- 21 2. The [Urban] Renewal Plan may be amended from time to time upon
22 compliance with the requirements of law, provided that, prior to passage of
23 any ordinance amending the [Urban] Renewal Plan, a public hearing [shall]
24 MUST be held, and providing further, that with respect to any land in the
25 [project area] PROJECT AREA previously disposed of by the Department for
26 use in accordance with the [Urban] Renewal Plan, the then owner of [such]
27 THE land [shall] MUST receive, at least [ten (10)] 10 days prior to [such] THE
28 hearing, written notice of the time and place of [such] THE hearing and
29 information as to where a copy of the proposed amendments may be inspected
30 and providing further, that the Department [of Housing and Community
31 Development shall] MUST receive the written consent of the then owner of
32 [such] THE land whose interests therein are materially affected by [such] THE
33 amendment.

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

35 G. Separability

36 In the event it be judicially determined that any word, phrase, clause, sentence,
37 paragraph, section or part in or of this Plan, or the application thereof to any
38 person or circumstances is invalid, the remaining provisions and the application
39 of such provisions to other persons or circumstances [shall] MUST not be affected
40 thereby, it being hereby declared that the remaining provisions of [the] THIS Plan
41 without the word, phrase, clause, sentence, paragraph, section or part, or the
42 application thereof, so held invalid would have been adopted and approved.

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

2 Appendix A

3 [Non-conforming] NONCOMFORMING Uses

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

5 Appendix B

6 [Non-complying Land Uses] NONCOMPLYING STRUCTURES

7 (10) In the Plan, delete Appendix C in its entirety: and replace with new Appendix C to
8 read as follows:

9 APPENDIX C

10 PROPERTIES FOR ACQUISITION AND DISPOSITION

11 BLOCK 1272 LOT 1, 426 OLDTOWN MALL
12 LOT 2, 428 OLDTOWN MALL
13 LOT 3, 430 OLDTOWN MALL
14 LOT 4, 432 OLDTOWN MALL
15 LOT 5, 434 OLDTOWN MALL
16 LOT 6, 436-38 OLDTOWN MALL
17 LOT 7, 440-42 OLDTOWN MALL
18 LOT 8, 444 OLDTOWN MALL
19 LOT 9, 450 OLDTOWN MALL

20 BLOCK 1286 LOT 2, 425 OLDTOWN MALL
21 LOT 3, 427 OLDTOWN MALL
22 LOT 4, 429/31 OLDTOWN MALL
23 LOT 5/6, 433 OLDTOWN MALL
24 LOT 7, 437 OLDTOWN MALL
25 LOT 8, 439 OLDTOWN MALL
26 LOT 9, 441 OLDTOWN MALL
27 LOT 10, 447 OLDTOWN MALL
28 LOT 19, 418 OLDTOWN MALL
29 LOT 20, 420 OLDTOWN MALL
30 LOT 21, 422 OLDTOWN MALL
31 LOT 22, 424 OLDTOWN MALL

32 BLOCK 1288 LOT 94/95, 501-03 OLDTOWN MALL
33 LOT 92/93, 505-07 OLDTOWN MALL
34 LOT 91, 509 OLDTOWN MALL
35 LOT 88/90, 511-513½ OLDTOWN MALL
36 LOT 87, 515-17 OLDTOWN MALL
37 LOT 86, 519 OLDTOWN MALL

38 LOTS THAT HAVE ALREADY BEEN ACQUIRED AND DISPOSED OF ARE INCLUDED AS REFERENCE
39 ONLY ON EXHIBITS 2 AND 3.

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1 **SECTION 2. AND BE IT FURTHER ORDAINED**, That Exhibit 2 1, “Land Use Plan”, Exhibit 3 2,
2 “Property Acquisition”, Exhibit 4 3, “Land Disposition”, and Exhibit 5 4, “Zoning Districts”, all
3 dated ~~January 20~~ July 10, 2006, are amended to reflect the changes in the Renewal Plan.

4 **SECTION 3. AND BE IT FURTHER ORDAINED**, That the Urban Renewal Plan for Oldtown, as
5 amended by this Ordinance and identified as “Urban Renewal Plan, Oldtown, revised to include
6 Amendment 9, dated July 10, 2006”, is approved. ~~The Department of Planning~~ Baltimore
7 Development Corporation shall file a copy of the amended Urban Renewal Plan with the
8 Department of Legislative Reference as a permanent public record, available for public
9 inspection and information.

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

- 16 418 Oldtown Mall
- 17 420 Oldtown Mall
- 18 422 Oldtown Mall
- 19 424 Oldtown Mall
- 20 425 Oldtown Mall
- 21 426 Oldtown Mall
- 22 427 Oldtown Mall
- 23 428 Oldtown Mall
- 24 429-31 Oldtown Mall
- 25 430 Oldtown Mall
- 26 432 Oldtown Mall
- 27 433 Oldtown Mall
- 28 434 Oldtown Mall
- 29 436-38 Oldtown Mall
- 30 437 Oldtown Mall
- 31 439 Oldtown Mall
- 32 440-42 Oldtown Mall
- 33 441 Oldtown Mall
- 34 444 Oldtown Mall
- 35 447 Oldtown Mall
- 36 450 Oldtown Mall
- 37 501-03 Oldtown Mall
- 38 505-07 Oldtown Mall
- 39 509 Oldtown Mall
- 40 511-13 Oldtown Mall
- 41 515-17 Oldtown Mall
- 42 519 Oldtown Mall

43 East Street between Ensor and Orleans Street (excluding portion already closed for
44 Oldtown Mall)

45 Forrest Street between Oldtown Mall and Orleans Street

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

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

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

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

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

President, Baltimore City Council

Certified as duly delivered to Her Honor, the Mayor,

this _____ day of _____, 20__

Chief Clerk

Approved this _____ day of _____, 20__

Mayor, Baltimore City