



## Legislation Text

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

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INTRODUCTORY\*

CITY OF BALTIMORE  
COUNCIL BILL

Introduced by: Councilmember Young

A BILL ENTITLED

AN ORDINANCE concerning  
**Urban Renewal - Oldtown - Amendment \_**

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

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

Recitals

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

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

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

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

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

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

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

2. Urban Renewal Plan Objectives

THE OBJECTIVES OF THE OLDTOWN URBAN RENEWAL PLAN (HEREINAFTER REFERRED TO AS "RENEWAL PLAN") AS DETERMINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE (HEREINAFTER REFERRED TO AS "CITY"), ACTING BY AND THROUGH THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (HEREINAFTER REFERRED TO AS "DEPARTMENT") AND THE COMMISSIONER THEREOF (HEREINAFTER REFERRED TO AS "COMMISSIONER") ARE AS FOLLOWS:

a. To achieve a good residential neighborhood, as determined by the residents of the Oldtown Project Area, for the residents of the Oldtown Project Area and people with similar economic and social characteristics as documented in the report, The People of Oldtown, dated 1969.

b. To remove and or rehabilitate substandard buildings and to eliminate blighting influences [upon the Oldtown Project Area and upon the surrounding area including Latrobe, Somerset and Douglas Homes].

c. To provide [a substantial number of] housing units at BOTH MARKET RATE AND low and moderate cost on land to be disposed of for residential purposes.

d. To provide maximum opportunities for home ownership through the use of all available programs.

e. To provide land for open space, recreation areas, educational and other public facilities.

f. To revitalize the Gay Street Shopping Area through rehabilitation of existing stores and new construction [and through the conversion of Gay Street to a shopping mall].

g. To maximize employment opportunities through redevelopment of land for retail commercial, wholesale/service commercial, and industrial purposes.

h. To channel through traffic onto arterial streets and to discourage through traffic from entering local streets.

i. To protect the neighborhood from future blighting influences.

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

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

3. Types of Proposed Renewal Action

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

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

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

C. Land Use Plan

1. Land Use Plan Map

A Land Use PLAN Map is attached as Exhibit 2.

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

2. Land Use Provisions and Standards

a. Permitted Uses

Only the use categories shown on the Land Use Plan, Exhibit 2, [shall be] ARE [permitted] ALLOWED within the [project area] PROJECT AREA. The use categories are Residential, BUSINESS (Retail Commercial, Wholesale/Service Commercial), Industrial, and Public. In addition, certain existing uses, identified as [non-conforming] NONCONFORMING on the Land Use Plan and in Appendix A, and [non-complying] NONCOMPLYING [land uses] STRUCTURES identified in Appendix B [will be permitted] ARE ALLOWED to continue operations subject to the provisions governing [non-conforming] NONCONFORMING uses set forth below in [section] SECTION C.2.a.(6) and [non-complying uses] NONCOMPLYING STRUCTURES set forth below in [section] SECTION C.2.a.(7) of this [plan] PLAN. The specific uses [permitted] ALLOWED ARE AS follows:

(1) Residential

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

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

(2) BUSINESS-Retail Commercial

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

(b) Antique shops; art galleries; art supply stores; automobile accessory stores (with no repair or installation services); bakeries (where baked goods prepared on the premises are sold on the premises); banks; barber and beauty shops; bicycle sales, rental and repair stores; blood donor centers(\*); blueprinting and photostating establishments; book stores; bowling establishments(\*); building and loan associations; subject to the approval of the Board of Municipal and Zoning Appeals, bus and transit passenger shelters; camera and photographic supply stores; candy and ice cream stores; card shops; carpet and rug stores, carry out food shops; check cashing agencies; china and glassware stores; clothes pressing establishments; clothing and costume rental stores; non-profit clubs and lodges(\*); coin and philatelic stores; communications systems (sales and services); data processing service(\*); department stores; delicatessens; display rooms for mail order sales; drive-through carry out restaurants; drug stores; dry cleaning establishments (engaged only in neighborhood retail trade); dry cleaning and laundry receiving stations; dwellings(\*); electrical stores; employment agencies(\*); exhibit rooms(\*); exterminators shops(\*); fabric shops; financial institutions; florist shops; food and grocery stores; furniture stores (including upholstering, when conducted as an accessory use); garden supply, tool, and seed stores; gift shops; hardware stores; hobby shops; household appliance stores; interior decorating shops (including upholstering and making of draperies, slip covers, and other similar articles, when conducted as an accessory use); jewelry stores (including watch repair); launderettes (not more than four employees on the premises in addition to one manager); leather goods and luggage stores; libraries; locksmith shops; lunch rooms; meat markets; medical and dental clinics(\*); medical appliance stores; meeting and banquet halls(\*); millinery shops; musical instrument sales and repair; newspaper distribution agencies; newsstands; novelty shops; offices (private and public); offices for philanthropic institutions not to include direct services; office supply stores; subject to the authorization of the Mayor and City Council, off-street parking facilities; optician sales; orthopedic stores; paint; pet shops; pharmacies; phonograph and sheet music stores; photocopying services; photographers; physical culture and health services (reducing salons, and gymnasiums)(\*); picture framing shops (when conducted for retail trade on the premises); pool halls and billiard parlors(\*); post offices; public facilities; radio and television sales and service; radio and television stations and studios(\*); recording studios(\*); restaurants without licenses to dispense alcoholic beverages, schools and studios (music, dance, and business)(\*); school supply stores; second-hand stores; secretarial and telephone answering services(\*); sewing machine sales and service (household appliances \* only); shoe and hat repair stores; shoe shine parlors; sporting and athletic goods stores; stationery stores; tailor or dressmaking shops, for custom work or repairs; telegraph offices; theaters; ticket agencies; tobacco shops; toy stores; trading stamp redemption centers; travel bureaus; variety stores; vending machine outlets (for the retail sale of ice and milk); venetian blind and window shade sales and services; video stores; wallpaper stores; watch and clock sales and repair services; wearing apparel shops; wig shops.]

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

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

FRATERNITY AND SORORITY HOUSES: OFF-CAMPUS  
LIQUOR STORES: PACKAGE GOODS  
MOTELS  
ROOMING HOUSES - WITH 11 OR MORE UNITS  
SKATING RINKS

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

CHECK CASHING AGENCIES  
CLINICS: MEDICAL AND DENTAL  
CLUBS AND LODGES: PRIVATE NONPROFIT  
HOTELS  
ROOMING HOUSES - UP TO 10 UNITS  
TAVERNS - NO LIVE ENTERTAINMENT OR DANCING

(D) IN THE AREA DESIGNATED RETAIL 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-2 ZONING DISTRICT. HOWEVER, THE FOLLOWING USES THAT ARE CONDITIONAL USES IN THE B-2 ZONING DISTRICT ARE PROHIBITED USES IN THIS PLAN:

COMMUNITY CORRECTION CENTERS  
DRY CLEANING ESTABLISHMENTS: DRIVE-IN  
FIREARM SALES, AMMUNITION SALES, OR BOTH - WHEN IN A  
BUSINESS ESTABLISHMENT THAT IS PERMITTED IN A BUSINESS DISTRICT AND LOCATED AT LEAST  
100 YARDS FROM THE BOUNDARY LINE OF A PARK, RELIGIOUS INSTITUTION, EDUCATIONAL  
INSTITUTION, PUBLIC BUILDING, OR OTHER PLACE OF PUBLIC ASSEMBLY  
GARAGES, OTHER THAN ACCESSORY, FOR STORAGE, REPAIR AND  
SERVICING OF MOTOR VEHICLES OVER 11/2-TONS CAPACITY - BUT NOT INCLUDING BODY REPAIR,  
PAINTING, AND ENGINE REBUILDING  
GASOLINE SERVICE STATIONS  
MASSAGE SALONS  
PAROLE AND PROBATION FIELD OFFICES  
PAWNSHOPS  
POULTRY - AND RABBIT KILLING ESTABLISHMENTS  
TRAVEL TRAILERS, RECREATIONAL VEHICLES, AND SIMILAR  
CAMPING EQUIPMENT: PARKING OR STORAGE

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

BLOOD DONOR CENTERS  
BOWLING ESTABLISHMENTS  
CLINICS: MEDICAL AND DENTAL  
CLUBS AND LODGES: PRIVATE NONPROFIT  
EXHIBIT ROOMS  
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) [(c)] 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

[(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 repair and installation services); automobile glass and mirror shops; subject to the approval of the Board of Municipal and Zoning Appeals, automobile laundries; automobile painting shops; automobile seat cover and convertible top establishments; subject to the approval of the Board of Municipal and Zoning Appeals, automobile service stations; awnings, storm windows, and doors sales and service establishments; bakeries (including the sale of bakery products to restaurants, hotels, clubs, and other similar establishments); battery and tire sales and service establishments; boat sales, rental, and repair establishments; bookbinding establishments; building material sales establishments; bus stations and terminals; carpet and rug cleaning establishments, cartage and express facilities; computer centers; dry cleaning establishments; feed stores; food commissaries; frozen food lockers; fuel and ice sales; furniture making shops (custom); subject to the approval of the Board of Municipal and Zoning Appeals, garages for storage, repair and servicing of motor vehicles; greenhouses; hiring halls and work distribution centers; industrial suppliers; laboratories; laundrettes; laundries; linen, diaper, and other similar supply establishments; lunch rooms; machinery sales, rental, and services establishments; mail order houses; meat markets (including the sale of meats to restaurants and other similar establishments); milk products processing and distribution establishments; model slot car racing centers, monument

sales establishments; motor vehicle rental establishments; moving and storage establishments; newspaper distribution agencies; off-street parking facilities; parcel collection and delivery stations; pay distribution centers; photographic printing and developing establishments; plumbing, heating, and electrical equipment showrooms and shops; printing and publishing establishments; religious institutions; repeater, transformer, pumping, booster, switching, conditioning, regulating stations, and other public utility installations; drive-in restaurants, subject to the approval of the Board of Municipal and Zoning appeals, and other restaurants with or without liquor licenses; schools (commercial and trade); sign painting shops; skating rinks; store fixture sales establishments; swimming pools; taverns; trailer sales and rental establishments; undertaking establishments and funeral parlors; union halls; upholstering shops; vending machines for the retail sale of products; warehousing and wholesale establishments; welding equipment suppliers; woodworking, custom shops.]

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

(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:

AFTER-HOURS ESTABLISHMENTS

AMUSEMENT ARCADES  
AMUSEMENT PARKS AND PERMANENT CARNIVALS  
GARAGES, OTHER THAN ACCESSORY, FOR STORAGE, REPAIR, AND  
SERVICING OF MOTOR VEHICLES NOT OVER 11/2-TONS CAPACITY - INCLUDING BODY REPAIR,  
PAINTING, AND ENGINE REBUILDING  
HELIPORTS  
RESTAURANTS: DRIVE-IN

(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 leather processing; galvanizing; garages, for storage and repair; gases, non-combustible and non-toxic, manufacturing and storage; gelatin and casein manufacturing; glass manufacturing; glass products manufacturing (from previously prepared materials); greenhouses; hardware and tool manufacturing; highway maintenance shops and yards; hiring halls and work distribution centers; ice manufacturing; ice cream manufacturing; ink manufacturing; inked products manufacturing; instruments manufacturing (professional, scientific and controlling); insulating materials manufacturing; jewelry manufacturing; laboratory apparatus manufacturing; laundries; leather products manufacturing; linen, diaper and similar supply establishments; lithographing; luggage manufacturing; lumber yards; machinery and machine manufacturing, sales, rental and service; machine shops; machine tools manufacturing; mail order distribution centers; malting; maritime suppliers and servicing; match manufacturing; mattress manufacturing; medical and dental clinics; medical equipment manufacturing; metal products manufacturing (medium and light); milk and dairy products processing and distribution; mirror manufacturing; monument works; motorcycles and similar motorized vehicles manufacturing; motor freight terminals; motor vehicle rental establishments; moving and storage establishments; musical instruments manufacturing; newsstands; non-profit clubs and lodges only; novelty products manufacturing; subject to the approval of the Board of Municipal and Zoning Appeals, offices (business and professional directly related to industrial activities); off-street parking facilities; optical equipment manufacturing; orthopedic and medical appliance manufacturing; paper products, manufactured from previously prepared materials; parcel collection and delivery stations; perfume manufacturing; pharmaceutical manufacturing; photocopying service; photoengraving; photographers; photography film

manufacturing and processing; pickling of metal; plastic products manufacturing (from previously prepared materials); polish manufacturing; porcelain enamel products manufacturing; porcelain enamels and glazes manufacturing; post offices; pottery and chinaware manufacturing; printing and publishing establishments; subject to the approval of the Board of Municipal and Zoning Appeals, public utility services (including electric distribution centers and substations; repeater, transformer, pumping, booster, switching, conditioning, regulating stations and other similar installations; and telephone exchanges); recording studios; restaurants and lunchrooms; rope manufacturing; rubber products manufacturing (from previously prepared materials); rug manufacturing; salt manufacturing and processing; schools (commercial and trade); serum, toxin and virus manufacturing and processing; ship chandlers; sign manufacturing sales and service; silverware manufacturing; sodium compound manufacturing and processing; spice manufacturing and processing; sporting and athletic goods manufacturing; starch manufacturing; statuary production; stone cutting; stone manufacturing (synthetic); sugar refineries; taverns; terra cotta manufacturing; textile products manufacturing; tile manufacturing; tire manufacturing; tobacco products manufacturing; toiletries manufacturing; tool, die or pattern making shop; toy manufacturing; trailer manufacturing; trucks and truck trailer sales and rental; umbrella manufacturing; union halls; upholstering shops; vending machines (for retail sale of ice and milk); warehouses; wax and wax products manufacturing; welding shops; wholesale establishments; window blinds, shades and awnings manufacturing; wire manufacturing; wood products manufacturing; wool processing.]

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

(5) Public

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

[(6) Non-Conforming Uses

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

(6) NONCONFORMING USE

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

[(7) Non-complying Land Uses

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

- (a) Any non-complying land use which is discontinued for a period exceeding 12 months shall not be reestablished.
- (b) No change in the permanent physical members of a structure, such as bearing walls, columns, beams, or girders, or no substantial change in the roof or in the exterior walls shall be made in or to a building or structure except those required by law or except to make the building and use thereof conform to the regulations of this plan.
- (c) No non-complying land use shall be changed to any other non-complying use.]

(7) NONCOMPLYING STRUCTURE

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

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

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

- (1) General provisions applicable to all land and property to be acquired[:]
  - (a) The Redeveloper [shall] MUST devote the land to those uses specified in [the] THIS Plan and to no other uses.
  - (b) The Department [of Housing and Community Development] specifically reserves the right to review and approve the Developer's plans and specifications for development or rehabilitation with respect to their conformance with the provisions of the Renewal Plan and in order to achieve harmonious development of the [project area] PROJECT AREA. The Department also reserves the right to refuse to approve any [such] drawings, plans, or specifications that are not suitable or desirable, in its opinion, for aesthetic or functional reasons; and in so passing upon [such] THE drawings, plans and specifications, it [shall have] HAS the right to take into consideration, but [shall] IS not [be] limited to, the suitability of the site plan, architectural treatment, building plans, elevations, materials and color, construction details, access, parking, loading, landscaping, identification signs, exterior lighting, refuse collection details, streets, sidewalks and the harmony of the plans with the surroundings. Approval of plans for residential development [shall be] IS based, upon an evaluation of the degree to which they

meet the following general criteria and any detailed standards that may, at a later time, be derived from them.

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

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

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

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

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

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

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

(a) General Provisions

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

ii. In computing building coverage, land occupied by open pavilions, cabanas, canopies, and covered or weatherproof walkways [shall] MUST not be included; however, all other structures, including accessory structure, [shall] MUST be included.

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

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

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

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

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

VII. [viii.] No signs other than those identifying the property where

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

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", [shall] MUST be as generally permitted for THE B-3 [zoning districts by 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] ZONING DISTRICT BY THE ZONING CODE OF BALTIMORE CITY.

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

The immediately foregoing restriction [shall] DOES not apply to Disposition Lot 29, that parcel bounded by Orleans

Street, N. Central Avenue, Millikin Street and Lewis Street, and known as 1241-1255 Orleans Street and 300-312 N. Central Avenue.

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

(b) Off-Street Parking Requirements

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

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

(c) Residential Disposition Lots

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

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

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

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

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

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

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

(c) Only [one] 1 exterior advertising sign is permitted for each establishment. No sign [shall] MAY project

more than [eight] 8 inches from the building, and no sign [shall] MAY exceed [three] 3 square feet in gross area, provided that the sign be non-illuminated or indirectly-illuminated.

V. [vi.] On Disposition Lot 26, a paved walkway [eight] 8 feet in width

shall be constructed by the redeveloper to connect a point on McElderry Street approximately 400 feet from the intersection of Forrest and McElderry Streets and a point on Aisquith Street opposite Jefferson Court of Somerset Homes.

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

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

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

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

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

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

(E') [v.] Signs

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

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

(d) Retail Commercial Disposition Lots

i. Disposition Lot 15C

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

(a) Permitted uses [shall be] ARE limited to offices for business, governmental, professional and related uses;

pharmacies; medical and dental clinics; and medical laboratories.

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

(c') A minimum setback of [ten] 10 feet [shall be] IS required from Monument Street, except when in the sole judgment 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. No signs other than a sign [six] 6 square feet or less in area identifying the occupant at the side or rear door [shall be] IS permitted on the side or rear facades of a building.

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

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

(e) Wholesale/Service Commercial and Industrial

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

I. [ii.] 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 high, solid fences, trees and shrubs planted at appropriate intervals, or a combination of these.

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

[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.]

III. [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.

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

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

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

ii. Schools

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

[iii. Disposition Lot 21 (Mall)

Kiosks, sales booths, display cases, and other commercial activities may be placed on Disposition Lot 21A with the permission of the Department of Housing and Community Development, the Department of Recreation and Parks,

and other applicable departments and agencies.

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

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

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

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

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

(a) Properties to be cleared and redeveloped

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

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

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

c. Duration of Provisions and Requirements

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

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

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

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

D. Project Proposals

1. Property Acquisition

A Property Acquisition Map is attached as Exhibit 3.

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

(1) Clearance and Redevelopment

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

(2) Rehabilitation

[Properties to be acquired for rehabilitation are identified on the Property Acquisition Map, Exhibit 3. 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.

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

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

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 designated for acquisition, in addition to those properties enumerated in Section D.1.b.(1) above, in order to carry out rehabilitation by the Department [of Housing and Community Development] because:

- (a) Rehabilitation on a structure-by-structure basis is infeasible, and assemblage of a group of properties is required to carry out the objectives set forth in this Plan[, and].
- (b) It is necessary to make residential structures available for use of low or moderate-income families.
- (c) Rehabilitation of individual, scattered properties is necessary in order to remove blighting influences from otherwise sound residential blocks.
- (D) IT IS NECESSARY TO MINIMIZE THE EFFECTS OF SLUM AND BLIGHTING INFLUENCES ON THE COMMERCIAL AREA.
- (E) REHABILITATION OF PROPERTIES WILL ENHANCE THE GOODS AND SERVICES BEING PROVIDED TO THE SURROUNDING RESIDENTIAL AREA.

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

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

- (1) Rehabilitate the property in conformance with the codes and ordinances of Baltimore City and the rehabilitation standards and objectives set forth in this Plan and dispose of property in accordance with applicable regulations. If sale cannot be consummated by the time rehabilitation is accomplished, units [shall] MAY be rented pending continuing sale efforts; or
- (2) Sell or lease the property subject to rehabilitation in conformance with the codes and ordinances of Baltimore City and the rehabilitation standards and objectives set forth in this Plan; or
- (3) Demolish the structure or structures thereon and dispose of land for redevelopment for uses in accordance with this Plan.

## 2. Rehabilitation

### a. Residential Rehabilitation Standards

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

- (1) Every dwelling unit [shall] MUST contain within a room which affords privacy, a bathtub or shower, water closet and lavatory basin in good working condition, which [shall] MUST be properly connected to the public sanitary sewer or to an approved sewage disposal system. The bathtub or shower and lavatory basin [shall] MUST be properly connected to both hot and cold water lines, and the water closet [shall] MUST be properly connected to

a cold water line. All facilities [shall] MUST be within and accessible from within the dwelling units.

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

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

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

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

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

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

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

b. Additional Residential Rehabilitation Standards[:]

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

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

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

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

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

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

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

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

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

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

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

(b) Building Fronts and Sides Abutting Streets

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

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

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

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

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

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

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

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

Show windows [shall] MAY not be painted for advertising purposes nor as identification of the place of business except as permitted under "Secondary Signs."

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

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

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

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

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

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

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

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

viii. In the case of front walls which have been wholly or partially resurfaced or built over with formstone, wood, structural glass veneer, or other materials, these surfacing materials [shall] MUST be removed, and the building front repaired in the manner described above. If restoration of the original materials is determined by the Commissioner [of the

Department of Housing and Community Development] to be unfeasible, the front [shall] MUST be improved in a manner acceptable to [him] the Commissioner.

- ix. Dormer windows on roofs sloping toward the shopping street [shall] MUST be treated in accordance with the same criteria as building fronts.
- x. Existing miscellaneous elements on the building fronts, such as empty electrical or other conduits, unused sign brackets, etc., [shall] MUST be eliminated.
- xi. Sheet metal gutters and downspouts [shall] MUST be repaired or replaced as necessary and [shall] MUST be neatly located and securely installed. Gutters and downspouts [shall] MUST be painted to harmonize with the other building front colors.

(c) Rear and Side Walls

- i. Rear and side walls [shall] MUST be repaired and painted to present a neat and fresh appearance. Rear walls [should] MUST be painted to cover evenly all miscellaneous patched and filled areas or be stuccoed to present an even and uniform surface.
- ii. Side walls, where visible from the mall, [shall] MUST be finished or painted so as to be harmonious with the front of the building.

(d) Roofs

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

(e) Auxiliary Structures

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

(f) Rear yards

Where a rear yard exists or is created through the demolition of structures, the owner [shall] MUST condition the

open area in one of the following ways as outlined below. The owner [shall] MUST submit his proposal for use of space to the Commissioner [of the Department of Housing and Community Development] for approval.

i. Enclosure of Yards

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

ii. Provision of Parking Area

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

(g) Signs

i. General

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

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

ii. Flat Signs

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

Lettering applied to ground-floor show windows or entrance doors [shall be] IS permitted, providing that THE characters do not exceed [two and one-half (2 1/2)] 2 1/2 inches in height[,], and the text is limited to identification of business. Signs identifying the occupant [shall be] ARE permitted at delivery entrance doors but [shall] MUST not exceed [six] 6 square feet in size.

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

iii. Projecting Signs

Projecting signs shall not extend more than 7 feet beyond the building surface. A projecting sign [shall] MAY not extend higher than 13 feet above grade level or below 10 feet above grade level. There [shall] MUST be no more than [one] 1 projecting sign for each establishment, and that sign [shall] MUST be perpendicular to the building face. No projecting sign [shall] MAY exceed 4 square feet in area or be within 3 feet of a side property line.

iv. Painted Signs and Cut-Out Letters

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

v. Secondary Signs

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

vi. [iv.] Roof Top Signs and Billboards

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

vii. Awning Signs

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

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

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

(i) Design Review and Approval

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

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

- Colors to be used on buildings and signs;
- Design of show windows and entrance area, including choice of materials and types of security devices;
- Design of signs, methods of illumination, colors, materials, methods of suspension;
- Conditioning of rear yard spaces; location of delivery signs.

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

(2) Wholesale/Service Commercial and Industrial Rehabilitation Standards

In areas designated as Wholesale/Service Commercial or Industrial on the Land Use Plan Map, Exhibit 2, 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 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 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 for residential uses, all dwelling units permitted by this Plan shall be for low and moderate income families. The Department of Housing and Community Development, in overseeing the development of this low and moderate income housing, shall utilize all applicable Federal programs for assisting in its construction.] FIFTEEN PERCENT OF ALL UNITS MUST BE PRICED TO BE AFFORDABLE TO HOUSEHOLDS WITH INCOMES BETWEEN 80 AND 120 PERCENT OF THE AREA MEDIAN INCOME IN THE YEAR IN WHICH UNITS ARE FIRST OFFERED TO THE PUBLIC, AS DEFINED BY THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT ADJUSTED FOR HOUSEHOLD SIZE. THE UNITS MUST INCLUDE A RANGE IN THE TENURE OF UNITS AND NUMBER OF BEDROOMS WITHIN EACH TENURE COMPARABLE TO THE REST OF THE DEVELOPMENT. SUCH AFFORDABILITY MUST BE MAINTAINED FOR A PERIOD OF 99 YEARS THROUGH A COVENANT RUNNING WITH THE LAND THAT SHALL SURVIVE SUBSEQUENT RE-SALE OR OTHER CHANGE IN OWNERSHIP OR OCCUPANCY.

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

### 4. Redeveloper's Obligations

a. No covenant, agreement, lease, conveyance or other instrument [shall] MAY be effected or executed by the Department [of Housing and Community Development] or by a Redeveloper or any of his successors or assigns, whereby land in the [Urban] Renewal Area is restricted by the Department, the Redevelopers or any successors and assigns upon the basis of race, creed, color, or national origin in the sale, lease, use or occupancy thereof. Appropriate covenants running with the land forever, which prohibit such restrictions, [shall] MUST be included in the disposition instruments, and the United States [shall be] IS deemed a beneficiary of such covenants and [shall be] IS entitled to enforce them.

b. The Redeveloper [shall] MUST agree to retain the interest he acquires in the property transferred to him until he has completed the improvements, construction, and development in the area required by this Plan and the disposition instruments, and he [shall] MUST further agree not to sell, lease or otherwise transfer the interest he acquires or any part thereof without the prior written consent of the Department [of Housing and Community Development] or until the Department [shall have] HAS certified in writing that the Redeveloper has completed the improvements, construction, and development in the area.

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

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

## 5. Priorities

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

[The Model Cities Council A; or its successor, shall] THE OLDTOWN COUNCIL "A" PAC AND THE OLDTOWN MERCHANTS' ASSOCIATION, OR THEIR SUCCESSORS, MUST advise the Department [of Housing and Community Development] of [its] THEIR recommendations regarding the acceptability and priority of all proposals.

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

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

neighborhood ownership.

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.

1. Land Disposition

a. Land and property interests acquired by the [Mayor and] City [Council] within the [project area] PROJECT AREA will be disposed of by sale, lease, conveyance, or transfer or other means available to the City, in accordance with Exhibit 4, Land Disposition Map.

b. The parcels shown on the Exhibit 4, Land Disposition Map, as available for disposition are schematic and approximate. The Department [of Housing and Community Development shall have] HAS the right, in its discretion, to fix their precise boundaries and size. For purposes of disposition, the parcels, or lots, as shown on Exhibit 4, Land Disposition Map, may be subdivided or combined.

2. Zoning

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

3. Reasons for the Various Provisions of this Plan

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

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

F. Procedures for Changes in Approved Plan

1. The Department [of Housing and Community Development shall] MUST submit to the [UrbanServices Council A, or its successor] OLDTOWN COUNCIL "A" PAC AND THE OLDTOWN MERCHANTS' ASSOCIATION, OR THEIR SUCCESSORS, for [its] THEIR review and comments all proposed amendments to the [urban renewal plan] RENEWAL PLAN no later than the time the proposed amendments are submitted to the City Planning Commission by the Department [of Housing and Community Development]. The written comments and recommendations from this review [shall] MUST be transmitted to the Department [of Housing and Community Development] no later than [three (3)] 3 weeks after they have been submitted to the [Urban Services Council A, or its successor] OLDTOWN COUNCIL "A" PAC AND THE OLDTON MERCHANTS' ASSOCIATION OR THEIR SUCCESSORS; otherwise, it is presumed the proposed changes are satisfactory. Prior to passage of any ordinance amending the [urban renewal plan] RENEWAL PLAN, a public hearing [shall] MUST be held, and the [Urban Services Council A, or its successor] OLDTOWN COUNCIL "A" PAC AND THE OLDTOWN MERCHANTS' ASSOCIATION, OR THEIR SUCCESSORS, [shall] MUST receive at least [ten (10)] 10 days prior to [such] THE hearing, written notice of the time and place of [such] THE hearing.

2. The [Urban] Renewal Plan may be amended from time to time upon compliance with the requirements of law, provided that, prior to passage of any ordinance amending the [Urban] Renewal Plan, a public hearing [shall] MUST be held, and providing further, that with respect to any land in the [project area] PROJECT AREA previously

disposed of by the Department for use in accordance with the [Urban] Renewal Plan, the then owner of [such] THE land [shall] MUST receive, at least [ten (10)] 10 days prior to [such] THE hearing, written notice of the time and place of [such] THE hearing and information as to where a copy of the proposed amendments may be inspected and providing further, that the Department [of Housing and Community Development shall] MUST receive the written consent of the then owner of [such] THE land whose interests therein are materially affected by [such] THE amendment.

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

G. Separability

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

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

Appendix A

[Non-conforming] NONCOMFORMING USES

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

Appendix B

[Non-complying Land Uses] NONCOMPLYING STRUCTURES

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

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

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

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

418 Oldtown Mall  
420 Oldtown Mall  
422 Oldtown Mall

424 Oldtown Mall  
425 Oldtown Mall  
426 Oldtown Mall  
427 Oldtown Mall  
428 Oldtown Mall  
429-31 Oldtown Mall  
430 Oldtown Mall  
432 Oldtown Mall  
433 Oldtown Mall  
434 Oldtown Mall  
436-38 Oldtown Mall  
437 Oldtown Mall  
439 Oldtown Mall  
440-42 Oldtown Mall  
441 Oldtown Mall  
444 Oldtown Mall  
447 Oldtown Mall  
450 Oldtown Mall  
501-03 Oldtown Mall  
505-07 Oldtown Mall  
509 Oldtown Mall  
511-13 Oldtown Mall  
515-17 Oldtown Mall  
519 Oldtown Mall

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

Forrest Street between Oldtown Mall and Orleans Street

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

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

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

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

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