



City of Baltimore

City Council
City Hall, Room 408
100 North Holliday Street
Baltimore, Maryland 21202

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: The Council President
At the request of: The Administration (Department of Housing and Community Development)

A BILL ENTITLED

AN ORDINANCE concerning
Urban Renewal - Brooklyn-Curtis Bay Business Area - Amendment _

FOR the purpose of amending the Urban Renewal Plan for Brooklyn-Curtis Bay Business Area to modify a Plan objective, amend and clarify certain land uses and delete a use category, delete from the Plan certain regulations, controls, and restrictions on land acquired by the City, modify certain standards for the development of new buildings in non-industrially zoned areas, delete standards for mixed use development in the Plan, delete a certain obligation of a Developer, amend certain Exhibits to the Plan to reflect the changes to the Plan, modify the duration of the Plan, add additional names of the community organizations to whom the Department must submit significant development proposals for review and comment, change the name of the Panel that the Department of Planning uses to review developers' projects, and conform certain language; 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 Brooklyn-Curtis Bay Business Area was originally approved by the Mayor and City Council of Baltimore by Ordinance 82-852 and last amended by Ordinance 06-314.

An amendment to the Urban Renewal Plan for Brooklyn-Curtis Bay Business Area is necessary to modify a Plan objective, amend and clarify certain land uses and delete a use category, delete from the Plan certain regulations,

controls, and restrictions on land acquired by the City, modify certain standards for the development of new buildings in non-industrially zoned areas, delete standards for mixed use development in the Plan, delete a certain obligation of a Developer, amend certain Exhibits to the Plan to reflect the changes to the Plan, modify the duration of the Plan, add additional names of the community organizations to whom the Department must submit significant development proposals for review and comment, change the name of the Panel that the Department of Planning uses to review developers' projects, and conform certain language.

Under Article 13, § 2-6 of the Baltimore City Code, no 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 Brooklyn-Curtis Bay Business Area are approved:

- (1) In the Plan, amend A.2.c. to read as follows:
 - A. Project Description
 - 2. Plan Objectives
 - c. Establishing minimum, comprehensive design and rehabilitation standards that will encourage pedestrian-safe and attractive streets and commercial development in balance with adjacent commercial, industrial, AND residential uses [and encourage pedestrian-friendly, attractive commercial development].

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

- B. Land Use Plan
 - 2. Land Use Provisions and Standards
 - a. Permitted Uses

Only the use categories shown on the Land Use Plan, Exhibit 1, are permitted within the Project Area. These are Residential, OFFICE-RESIDENTIAL, Industrial, Community Business, Community Commercial, AND Park[, and Mixed Use]. Accessory uses including landscaping, off-street parking and loading will be permitted. In addition, certain uses will be permitted to continue subject to the provisions governing [non-conforming] NONCONFORMING USES and [non-complying uses] NONCOMPLYING STRUCTURES set forth below.

(1) Residential

In the areas designated Residential on the Land Use Plan, uses are limited to those permitted under the R-6, [and] R-7, AND O-R-1 categories of the Zoning Code of Baltimore City, EXCEPT FOR THE FOLLOWING USES THAT ARE PROHIBITED:

COMMUNITY CORRECTION CENTERS
ROOMING AND BOARDING HOUSES

(2) Industrial
.....

(3) Community Business

In the areas designated as Community Business on the Land Use Plan, uses are limited to those permitted OR ALLOWED AS CONDITIONAL USES under the B-2 category of the Zoning Code of Baltimore City. STREET-FACING GROUND FLOOR USES MUST BE PRIMARILY RETAIL OR SERVICE ESTABLISHMENTS THAT DEAL DIRECTLY WITH CONSUMERS, RELY HEAVILY ON WALK-IN BUSINESS, AND HAVE REGULAR DAILY HOURS. However, the following B-2 [permitted] uses are prohibited in this Renewal Plan:

ADULT ENTERTAINMENT, INCLUDING PEEP SHOWS AND ADULT
BOOK STORES
AMUSEMENT ARCADES
Automotive accessory stores - but not including repair or
installation services
Bail bondsmen
Liquor stores: package goods

[Additionally, the following B-2 uses that are conditional uses in the Zoning Code are prohibited in this Plan:]

Automobile accessory stores - including related repair and
installation services
Beverages: manufacturing
CHECK CASHING ESTABLISHMENTS
COMMUNITY CORRECTION CENTERS
DANCE HALLS OR NIGHT CLUBS
Firearm sales - when in a business establishment permitted in a
Business District
Garages, other than accessory, for storage, repair, and servicing of
motor vehicles, not over 1 ½ tons capacity - but not including body repair, painting, or engine rebuilding
Gasoline services stations
HOTELS AND MOTELS
Pawnshops
POOL HALLS
RENT-TO-OWN STORES
Restaurants: drive-in but not including pick-up drives with window
service
ROOMING AND BOARDING HOUSES
Tobacco products: manufacturing
Travel trailers, recreational vehicles, and similar camping
equipment: parking or storage

(4) Community Commercial

In the areas designated as Community Commercial on the Land Use Plan, uses are limited to those permitted OR ALLOWED AS CONDITIONAL USES under the B-3 category of the Zoning Code of Baltimore City[.], EXCEPT FOR THE FOLLOWING USES THAT ARE PROHIBITED:

ADULT ENTERTAINMENT, INCLUDING PEEP SHOWS AND ADULT
BOOK STORES
AMUSEMENT ARCADES

BAIL BONDS OFFICES

- BLOOD BANKS
- CHECK CASHING ESTABLISHMENTS
- FIREARM SALES
- GASOLINE STATIONS
- HOTELS AND MOTELS
- LIQUOR STORES: PACKAGE GOODS
- MOTOR VEHICLE SALES
- MOTOR VEHICLE SERVICE AND REPAIR, MAJOR OR MINOR
- MOVING AND STORAGE ESTABLISHMENTS
- OUTDOOR STORAGE AND DISPLAY
- PALMISTS
- POOL HALLS
- DANCE HALLS
- RENT-TO-OWN STORES

(5) Park

...

[(6) Mixed Use

In the area designated Mixed Use on the Land Use Plan, uses are limited to those in the Community Business category; however, retail or office uses are required on the first floor of buildings in these areas.]

...

and, in the Plan, B.2. a.(7), (8), and (9), respectively, are renumbered to be B.2.a.(6), (7), and (8), respectively.

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

B. Land Use Plan

2. Land Use Provisions and Standards

b. Applicability of Provisions and Requirements to Property Not to be Acquired

The provisions of Section B.2.a. (Permitted Uses) above apply to all properties not to be acquired by this Renewal Plan. [The provisions of Section B.2.c. apply as appropriate to properties not currently proposed to be acquired by this Renewal Plan if the owners of the properties acquire adjacent project land made available by the Department under the provisions of this Renewal Plan.]

(4) In the Plan, delete B.2.c. in its entirety; and delete Section C. Techniques for Plan Objectives in its entirety.

(5) In the Plan, amend D.2.a.(2) to read as follows:

D. Review of Development

2. Standards for the Development of New Buildings in Non-Industrially Zoned Areas

a. General

(2) For buildings located in the B-2, B-3, and O-R zoning districts not on Patapsco Avenue, the building height at the property lines facing public streets must be a minimum of 20 feet and A maximum of 35 feet. [Ground floors must be a minimum of 12 feet high, except for parking structures that are not required to include first floor retail.] For buildings located in the B-2, B-3, or O-R zoning districts on Patapsco Avenue, the building height at property lines facing public streets must be a minimum of 20 feet and A maximum of 45 feet.

(6) In the Plan, delete D.3. in its entirety.

(7) In the Plan, delete D.4.g. in its entirety, and, renumber D.4., 5., and 6., respectively, to be D.3, 4., and 5., respectively.

(8) In the Plan, delete E.1.b. in its entirety.

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

The Brooklyn-Curtis Bay BUSINESS AREA Urban Renewal Plan, as it may be amended from time to time, remains in full force and effect for a period of [20] 10 years from the date the Renewal Plan is last amended by the Mayor and City Council of Baltimore.

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

G. Procedures for Changes in Approved Plan

The Department must submit to certain community organizations within the Project Area for their review and comment the form and content of all significant development proposals, as defined by the Department, within the Project Area. The community organizations to which these plans must be submitted are as follows:

CONCERNED CITIZENS FOR A BETTER BROOKLYN, INC.
COMMUNITY OF CURTIS BAY ASSOCIATION
Brooklyn and Curtis Bay Coalition, Inc.[, and]
South Baltimore Business [Association] ALLIANCE, Inc., AND
ANY OTHER ORGANIZATIONS LISTED IN THE COMMUNITY ASSOCIATION
DIRECTORY

The above community organizations must advise the Department of their recommendations regarding the acceptability and/or priority of all plans and proposals. The written comments of the community organizations must be transmitted to the Department no later than 4 weeks after the proposals or plans have been submitted to the appropriate community associations; otherwise, it is presumed that the proposals and/or plans are acceptable. Prior to passage of any ordinance amending the Renewal Plan, two public hearings, one before the Planning Commission and one before the City Council must be held. The CONCERNED CITIZENS FOR A BETTER BROOKLYN, INC., THE COMMUNITY OF CURTIS BAY ASSOCIATION, THE Brooklyn and Curtis Bay Coalition, Inc., THE South Baltimore Business Alliance, Inc., AND ANY OTHER ORGANIZATIONS LISTED IN THE COMMUNITY ASSOCIATION DIRECTORY or their successors must receive, at least 10 days prior to the hearing, written notice of the time and place of the hearing. With respect to any land in the Project Area previously disposed of by the City for use in accordance with the Renewal Plan, the then owner of the land whose interests are materially affected by the changes must receive at least 10 days prior to the hearing, written notice of the time and place of the hearing and information as to where a copy of the proposed amendments may be inspected.

(11) In the Plan, amend I.4.b. to read as follows:

I. Design Review and Approval

4. City Review

b. Planning will fully utilize its [Design Advisory] URBAN DESIGN AND ARCHITECTURAL REVIEW Panel to work with Developers in the achievement of high quality site, building, and landscape design.

(12) In the Plan, renumber Sections D., E., F., G., H., I., and J., respectively, to be Sections C., D., E., F., G., H., and I., respectively.

(13) In the Plan, amend Appendix B.II.A. to read as follows:

Appendix B

Maintenance Standards

II. Compliance

A. These maintenance standards are enforced by the Department. Complaints about violations of these standards may be made to the Department by any individual or organization. Issues identified and complaints collected by CONCERNED CITIZENS FOR A BETTER BROOKLYN, INC., THE COMMUNITY OF CURTIS BAY ASSOCIATION, the Brooklyn and Curtis Bay Coalition, Inc., and/OR THE South Baltimore Business Alliance, Inc., OR OTHER ORGANIZATIONS LISTED IN THE COMMUNITY ASSOCIATION DIRECTORY, will be coordinated and prioritized by these groups before they are transmitted to the Department for enforcement.

(14) Replace current Exhibit 1, "Land Use Plan", dated October 5, 2006, with amended Exhibit 1, "Land Use Plan", dated August 2, 2011, and replace current Exhibit 4, "Zoning Districts", dated October 5, 2006, with amended Exhibit 4, "Zoning Districts", dated August 2, 2011 to reflect the changes in the Plan.

SECTION 2. AND BE IT FURTHER ORDAINED, That the Urban Renewal Plan for Brooklyn-Curtis Bay Business Area, as amended by this Ordinance and identified as "Urban Renewal Plan, Brooklyn-Curtis Bay Business Area, revised to include Amendment __, dated August 15, 2011", 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 3. 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 4. 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 5. 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 6. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

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