



Legislation Text

File #: 23-0436, Version: 0

Explanation: Capitals indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

* **Warning:** This is an unofficial, introductory copy of the bill.
The official copy considered by the City Council is the first reader copy.

Introductory*

City of Baltimore Council Bill

Introduced by: Councilmember Porter

A Bill Entitled

An Ordinance concerning

Urban Renewal - Brooklyn-Curtis Bay - Renewal Area Designation and Urban Renewal Plan

For the purpose of repealing the existing Brooklyn-Curtis Bay Urban Renewal Plan and replacing it by designating as a "Renewal Area" an area situated in Baltimore City, Maryland known as Brooklyn-Curtis Bay, generally including both sides of Patapsco Avenue between the Harbor Tunnel Throughway and Pennington Avenue, both sides of Pennington Avenue between Patapsco Avenue and Ceddox Street, the west side of Curtis Avenue between Ceddox Street and Patapsco Avenue, both sides South Hanover Street between Jack Street and Chesapeake Avenue, and the south side of Potee Street between Patapsco Avenue and Frankfurst Avenue; establishing the objectives of the Urban Renewal Plan; establishing permitted land uses in the Renewal Area; providing that where there might be conflict between the provisions of the Urban Renewal Plan and the provisions of any Planned Unit Development, the provisions of the Planned Unit Development control; providing review requirements and controls for all plans for new construction; providing that the provisions of the Baltimore City Zoning Code apply to the properties in the Urban Renewal Area; establishing controls for off-street parking facilities; authorizing the conditions for acquisition of properties in the Urban Renewal Area; providing for review by the Department of Housing and Community Development of development or rehabilitation plans in the Urban Renewal Area with respect to their conformance with the provisions of the Urban Renewal Plan; providing for community notification of any permit application for the development or redevelopment of any property within the boundaries of the Urban Renewal Area; creating disposition lots and providing for specific controls on specific lots; providing for the term of the Urban Renewal Plan; providing for community review of all proposed amendments to the Urban Renewal Plan; making provisions of this Ordinance severable; approving appendices and exhibits to the Urban Renewal Plan; waiving certain content and procedural requirements; providing for the application of the 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 the Brooklyn Business Area was originally approved by the Mayor and City Council of Baltimore by Ordinance 852, dated December 21, 1982, as further amended by Ordinances 84-77, 03-503, and 04-863, at which time the Area was renamed as the Brooklyn-Curtis Bay Business Area, as further amended by Ordinances 06-314 and 11-568, and last amended by Ordinance 22-126, dated April 4, 2022.

The repeal and replacement of the Urban Renewal Plan for the Brooklyn-Curtis Bay Business Area is necessary to:

- (1) update the existing language to match the modernized Baltimore City Zoning Code;
- (2) remove antiquated language that no longer reflects actual neighborhood conditions; and
- (3) clarify land use provisions and design guidelines.

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 Ordinance 852, dated December 21, 1982, as amended by Ordinances 84-77, 03-503, 04-863, 06-314, 11-568, and last amended by Ordinance 22-126, dated April 4, 2022, is repealed.

Section 2. And be it further ordained, that the area known as Brooklyn-Curtis Bay, as more particularly described in Section 3 of this Ordinance, is established.

Section 3. And be it further ordained, That the Urban Renewal Area for Brooklyn-Curtis Bay is adopted to read as follows:

{Text begins on following page.}
URBAN RENEWAL PLAN

BROOKLYN-CURTIS BAY

A. Project Description.

1. *Brooklyn Curtis-Bay Boundary Description.*

The following area described shall be applied as the boundaries of Brooklyn-Curtis Bay.

Beginning for the same at the intersection of the south side of Cambria Street and the east side of an unnamed 30-foot alley; thence binding on the south side of Cambria Street to the west side of 7th Street; thence southerly on the west side of 7th Street; thence crossing 7th Street to the south side of Pontiac Street; thence easterly on the south side of Pontiac Street to the east side of 8th Street; thence northerly on the east side of 8th Street to the south side of a 10-foot alley; thence southeast to the west side of a 10-foot alley; thence

southeast to the west side of a 10-foot alley; thence south a distance of 10 feet to the south side of a 20-foot alley; thence east to the west side of 9th Street; thence northerly a distance of 10 feet to the south side of a 10-foot alley; thence east to the west side of a 15-foot alley; thence north a distance of 5 feet to the south side of a 15-foot alley; thence east to the east side of St. Victor Street; thence north to the south side of a 20-foot alley; thence east to the east side of a 15-foot alley east of St. Margaret Street; thence northeast along the rear property line of 3600 West Bay Avenue to the south side of a 15-foot alley; thence east to the west side of West Bay Avenue; thence south to the south side of Cambria Street; thence east to the west side of Fairhaven Avenue; thence east along the south property line of 3607 Fairhaven Avenue to the west side of a 15-foot alley; thence south to the south side of Sassafras Street; thence east to the west side of a 10-foot alley; thence south 60 feet; thence east to the west side of a 15-foot alley; thence south to the north side of Plum Street; thence west to the west side of a 15-foot alley; thence south to the south side of 20-foot alley; thence east a distance of 15 feet to the rear property line of 4112 Pennington Avenue; thence south to the north side of Olmstead Street; thence west 15 feet; thence south along the west side of a 15-foot alley to the south side of Locust Street; thence east to the west property line of 1531 Locust Street; thence south to the north side of a 20-foot alley south of Hazel Street; thence west to the rear property line of 4420-28 Pennington Avenue; thence south to the north side of Elmtree Street; thence west 32 feet; thence south along the rear property line of 4600 Pennington Avenue to the south side of a 20-foot alley; thence east to the west property line of 1524 Cypress Street; thence south to the north side of Cypress Street; thence west 50 feet; thence south to the north side of Church Street; thence west 41 feet; thence south along west side of a 10-foot alley to the south side of Ceddox Street; thence east along the south side of Ceddox Street to the center line of Curtis Avenue; thence north to the south side of Patapsco Avenue; thence west and along the south side of Patapsco Avenue a distance of 30 feet; thence south and along the west side of Curtis Avenue to the north side of Locust Street; thence west a distance of 102 feet; thence south along the west side of a 15-foot alley to the south side of Hazel Street; thence east to the west side of Curtis Avenue; thence south to the

north side of Filbert Street; thence west a distance of 102 feet; thence south along the west side of a 15-foot alley to the south side of a 10-foot alley south of Cereal Street; thence east a distance of 97 feet to the west property line of 1644 Ceddox Street; thence south to the north side of Ceddox Street; thence west a distance of 305 feet to the east side of a 15-foot alley; thence north along east side of alley to the north side of Filbert Street; thence west to the east side of Pennington Avenue; thence north to the south side of Locust Street; thence east a distance of 120 feet; thence north and along the east side of a 24-foot alley to the north side of Olmstead Street; thence west to the rear property line of 4115 Pennington Avenue; thence north to the south side of a 20-foot alley; thence east along 20-foot alley to the east side of a 15-foot alley; thence north along 15-foot alley to the north side of Spruce Street; thence west to the east side of Pennington Avenue; thence north to the south side of E. Patapsco Avenue; thence northeast a distance of 315 feet to a point located on the north side of E. Patapsco Avenue and 200 feet east of property known as 1200 E. Patapsco Avenue; thence west along the north side of E. Patapsco Avenue to the east side of 7th Street; thence northeast a distance of 188 feet; thence northwest along the north side of Freeman Street a distance of 201 feet; thence southwest and along the east side of a 22-foot alley to the south side of an 11-foot alley; thence northwest along alley to the west side of a 22-foot alley; thence northeast along alley to the north side of Freeman Street; thence northwest a distance of 148 feet; thence southwest and along the east side of a 4-foot alley a distance of 101 feet to the south side of a 4-foot alley; thence northwest to the west side of 6th Street; thence northeast to the north side of a 10-foot alley; thence northwest a distance of 75 feet; thence southwest to the south side of a 4-foot alley; thence west a distance of 50 feet; thence north to the north side of Freeman Street; thence west a distance of 25 feet; thence south to the south side of a 4-foot alley; thence west to the west side of a 3-foot alley; thence north to the north side of Freeman Street; thence west a distance of 100 feet; thence south a distance of 98 feet; thence west to the west side of a 2-foot alley; thence north a distance of 98 feet to the north side of Freeman Street; thence continuing westerly to intersect the west side of Helmstetter Street; thence binding on the west side of Helmstetter Street southerly to intersect the northern property line of Lot 58, Block 7075; thence binding on the northern property line of said Lot 58 westerly to intersect the east side of 4th Street; thence binding on the east side of 4th Street northerly to intersect a point on the east side of 4th Street formed by extending the north side of an unnamed 13-foot alley in a straight line across 4th Street; thence crossing 4th Street on said line and continuing on the north side of said unnamed 13-foot alley westerly and crossing 3rd Street to the west side of 3rd Street; thence binding on the west side of 3rd Street southerly to intersect the north side of E. Patapsco Avenue; thence binding on the north side of E. Patapsco Avenue westerly to intersect the east side of 2nd Street; thence binding on the east side of 2nd Street northerly to intersect the north side of Chesapeake Avenue; thence binding on the north side of Chesapeake Avenue southwesterly to intersect the west side of Hanover Street; thence binding on the west side of Hanover Street northerly to intersect the south side of Frankfur Avenue; thence binding on the south side of Frankfur Avenue westerly to intersect the southern property line of Lot 20, Block 7027; thence binding on the northern property line of said Lot 20 westerly to intersect the south side of Ritchie Highway; thence binding the south side of Ritchie Highway southerly to intersect the north side of Patapsco Avenue; thence binding on the north side of W. Patapsco Avenue northwesterly, to intersect the west side of Potee Street; thence binding on the west side of Potee Street northerly to intersect the southern right-of-way line of the Baltimore Harbor Tunnel Throughway; thence binding on said right-of-way of said Throughway southwesterly, northwesterly and southwesterly to intersect the southern boundary line of Baltimore City; thence binding on the southern boundary line of Baltimore City easterly to intersect the east side of Riverside Road; thence binding on the east and south sides of Riverside Road northerly and easterly to intersect the east side of Leadenhall Street; thence binding on the east side of Leadenhall Street northerly, crossing Talbott Street, to intersect the south side of the first 15-foot alley; thence binding on the

south side of said 15-foot alley easterly to intersect the east side of the first 10-foot alley; thence binding on the east side of said 10-foot alley northerly to intersect the south side of Washburn Avenue; thence binding on the south side of Washburn Avenue easterly to intersect the western property line of Lot 1/5, Block 7027-F; thence binding on said property line southerly and easterly to intersect the west side of an unnamed 14-foot alley; thence binding on the west side of said 14-foot alley southerly to intersect the north side of Bristol Avenue; thence binding on the north side of Bristol Avenue westerly to intersect the east side of Potee Street; thence binding on the east side of Potee Street southerly and southeasterly to a point on the east side of Potee Street formed by extending the southeastern property line of Lot 15, Block 7027-J in a straight line across Potee Street and South Hanover Street; continuing easterly on the centerline of Jack Street to intersect the east side of an unnamed 30 foot alley; thence binding on the east side of said 30 foot alley northerly to the point of beginning.

2. *Defined Terms applicable to the Brooklyn -Curtis Bay Urban Renewal Plan only.*

The following terms used in this Urban Renewal Plan (“URP”) are defined as follows:

- a. “Brooklyn-Curtis Bay” means the geographic area located in the City with its boundaries further described in Part A, Section 1 {“Brooklyn-Curtis Bay Boundary Description”} of this URP.
- b. “City” means the City of Baltimore, Maryland.
- d. “CHAP” means the Commission for Historical and Architectural Preservation for the City.
- e. “Community organization” means the following entities, or any successor entities:
 - i. Action Baybrook;
 - ii. Concerned Citizens for a Better Brooklyn;
 - iii. Curtis Bay Community Association; and
 - iv. Greater Baybrook Alliance.
- f. “Community organization board” means the board of directors, or other chief decision making body, of the community organization.
- g. “Community organization members” mean all individuals, business entities, and non-profit institutions considered by the community organization board to be a member of the community organization.
- h. “Day” or “days” mean a calendar day.
- i. “Department of Housing and Community Development” or “DHCD” means the Baltimore City Department of Housing and Community Development.
- j. “Department of Planning” means the Baltimore City Department of Planning.
- k. “Developer” means any individual, business entity, or academic institution proposing new development, rehabilitation of an existing structure, or a new use within Brooklyn-Curtis Bay under which the terms of this URP would apply.

- l. “Firearm Sales” mean any sale of firearms, such term to include the sale of any pistol, rifle, shotgun, or any other type of portable gun.
 - m. “Landmark Structure” means a specific structure identified as being an individual historically significant structure that is identified as: (i) associated with events that have made a significant contribution to the broad patterns of Baltimore history; (ii) associated with the lives of persons significant in Baltimore's past; (iii) embodying distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or (iv) having yielded or may be likely to yield information important in Baltimore history.
 - n. “Primary street” means any street directly adjacent to (but may be buffered with landscaping) a structure's exterior front and side walls. For a building located at the end of a block or any other angled block that has more than one side with a street directly adjacent to such structure's exterior front and side wall, each street in such scenario shall be treated as a primary street. No street directly adjacent to the rear wall of a structure shall be treated as a primary street.
 - o. “URP Area” means that area described as the Brooklyn-Curtis Bay Boundary Description in Part A, Section 1 {“Brooklyn-Curtis Bay Boundary Description”} of this URP.
 - p. “Zoning Code of Baltimore City” or “Zoning Code” means Article 32 of the Baltimore City Code, as enacted and corrected, effective June 5, 2017, by Ordinances 16-581 and 17-015, and as further amended from time to time hereafter.
3. *Plan Goals.*

The primary goal of this URP is to provide requirements and standards designed to ensure that any new uses and development proposed in Brooklyn-Curtis Bay enhance the viability, stability, attractiveness, and convenience for residents and businesses in Brooklyn-Curtis Bay and of the City as a whole. Additional goals of this URP include:

- a. Protecting the existing architectural and historic fabric of Brooklyn-Curtis Bay by ensuring that the design of new structures, the rehabilitation of existing structures, and new uses will be consistent with the scale and architectural design of Brooklyn-Curtis Bay;
- b. Establishing a positive and identifiable image for Brooklyn-Curtis Bay;
- c. Encourage a diversity of uses within Brooklyn-Curtis Bay; and
- d. Provide an opportunity for the community organization to provide commentary on certain renewal actions taking place within the project area.

B. Land Use Provisions.

1. *Allowable Uses.*

To meet the plan goals listed in Part A.3 of this URP, all land uses must follow the underlying zoning as listed in the Baltimore City Zoning Code unless expressly prohibited in Part B, Section 2 {“Prohibited Uses”}.

Note: In this URP, all zoning districts referenced herein use the same descriptive terms that are used for the zoning districts in the Zoning Code.

2. *Prohibited Uses.*

The following uses listed in Table 1 that would otherwise be permitted in the Baltimore City Zoning Code, either by right or by conditional use approval from the City, are not permitted within the Brooklyn-Curtis Bay URP boundary.

If a box is marked with an “X” in Table 1, the use listed in the far-left column is prohibited in the corresponding zoning category within the Brooklyn-Curtis Bay URP.

	R-6	R-7 R-8	C-1	C-2	C-3	C-4	OR-1	I-1
Animal Clin								
Bail Bond B			X	X				
Body Art E			X	X				
Day-Care C							X	
Fuel Station			X	X				
Health-Care	X	X	X	X	X	X	X	X
Kennel					X	X		
Lodge or So	X	X	X	X	X	X		X
Medical/De greater			X	X	X	X	X	X
Motor Vehi Minor (Fully				X				
Motor Vehi Minor (Outc				X				
Residential	X	X	X	X			X	
Retail: Big					X	X		
Retail Good Sales	X	X	X	X	X	X	X	X
Rooming H	X	X	X	X			X	
Taverns: Fi or more pers			X	X	X	X		X
Truck Repa			X	X				X
Video Lotte			X	X				

3. *Nonconforming Use.*

Legally established nonconforming uses will be allowed to continue under the provisions outlined in the Zoning Code of Baltimore City. A lawfully existing use of a building or other structure or of land that does not comply with the land use regulations of this Renewal Plan is allowed to continue.

Maritime Industrial Zoning District

The intent of the Maritime Industrial Zoning District, the boundaries of which are in close proximity with the Project Area, is to maintain and encourage a working waterfront in the Curtis

Bay area. Due consideration must be given by the Department for any plans presented as to new construction, rehabilitation, additions, demolition, or expansion in the Project Area as to the effect of these plans and their implementation on the continuation and expansion of the historic industrial waterfront uses and on the remediation of historical environmental inequity.

C. Review of Developer's Plans.

1. *City Review.*
 - a. The Department of Housing and Community Development and the Department of Planning specifically reserve the right to review and approve the Developer's plans and specifications for new development and rehabilitation (including parking lots) within the URP Area with respect to their conformance with the provisions of the URP and in order to achieve harmonious development of the URP Area. Such review and approval may take into consideration, but shall not be limited to, the suitability of the site plan, architectural treatment, building plans, elevations, materials and colors, construction details, access, parking, loading, landscaping, identification signs, exterior lighting, refuse collection details, streets, sidewalks, and the harmony of the plans with the surroundings.
 - b. If at any time any portion or all of the URP Area is designated as a local historic district by the Commission for Historical and Architectural Preservation ("CHAP"), any application for new construction or rehabilitation on any property located in the designated local historic district may no longer be subject to the design regulations set forth in this URP, but rather, subject to any and all guidelines established by CHAP for development within the local historic district.
2. *Design Objectives.*
 - a. Appendix B, attached hereto, provides guidelines intended to enhance, preserve, and protect the unique character of Brooklyn-Curtis Bay by respecting the integrity and architecture of each building and its setting.

All existing buildings and properties, and all new development must comply with the Design Standards set forth in Appendix B.

These design guidelines encourage rehabilitation and new construction projects to be compatible with the character of the neighborhood and specifically address:

- i. rehabilitation of existing structures;
 - ii. residential structures; and
 - iii. non-residential structures.
- b. These guidelines do not apply to any structure located within an industrial zoned area designated as such by the Zoning Code of Baltimore City. Any use of the term "historic" refers to any structure, material, design, or technique dating prior to 1960. Additionally, the following design objections shall apply to all new construction and renovation in the URP Area:
 - i. Each building unit, whether existing or proposed, must be an integral element of the overall site design and must reflect and complement the character of the surrounding area.
 - ii. Non-residential buildings must be located in a manner that is compatible with the surrounding living areas, and organized in a manner that incorporates both employee and

customer physical requirements. Building façades shall be complementary to those adjacent.

3. *Parking Design Objectives.*

- a. Off-street parking areas must be designed with careful regard given to orderly arrangement, landscaping, ease of access, and as an integral part of the total site design.
- b. All parking areas must be screened from adjacent streets. Screening shall consist of a masonry wall or durable fence, or combination thereof, not less than 4 feet in height. Instead of a wall or fence, a compact evergreen hedge of not less than 4 feet in height at the time of original planting may be used. Screening and landscaping shall be maintained at all times in good condition.
- c. Vehicular access to the parking areas must be direct and not in conflict with vehicular movement which serves the various uses within the site. Ingress and egress points must be well distanced from intersections to avoid congestion and interference with traffic.

4. *Landscape Design Objectives.*

A coordinated landscape program must be developed covering the URP Area to incorporate the landscape treatment for open space, streets, and parking areas into a coherent and integrated arrangement. Landscaping shall include trees, shrubbery and, planting in combination with related paving and surface treatment.

5. *Evaluation Criteria to Meet Design Objectives.*

When reviewing applications for new development or renovations to an existing structure, the following criteria must be evaluated by the URP administrator.

- a. Scale - The term “scale” in the context of this URP refers to a structure’s size in relationship to another structure. For the purposes of determining if the scale of a structure is acceptable or not, the URP administrator must compare the height and width of the subject construction/renovation with the height and width of all other structures along both sides of the primary street on the immediate block of the subject construction/renovation.
- b. Proportion - The term “proportion” in the context of this URP refers to the visual effect of the relationships of the various structures and spaces that make up an entire block within the URP Area. While scale looks at a structure’s size as compared to other structures, proportion looks at a structure’s size in comparison to the relevant block as a whole. For the purposes of determining if the proportion of a structure is acceptable or not, the URP administrator must review the subject construction/renovation in relation to the entire block in which it is located.
- c. Integration with building - The term “integration with building” in the context of this URP refers to the subject construction or renovation being successfully designed to integrate building systems, materials, and products to create a unified whole that achieves the desired functional purpose. For the purposes of determining if the integration of building is acceptable or not, the URP administrator must review Developer’s plans to determine if the structure’s design integrates building systems, materials, and products as effectively as possible while achieving the desired functional purpose.

d. Neighborhood context - The term “neighborhood context” in the context of this URP refers to the relation of a structure’s design within the context of the URP Area. For the purposes of determining if the neighborhood context is acceptable or not, the URP administrator must assess the components of the subject construction or renovation taking into consideration the physical, socio-economic, environmental, and institutional points of views of the community organization.

6. *Demolition.*

All applications for demolition permits must be submitted to the Department of Housing and Community Development. If DHCD finds the proposed demolition is consistent with this URP, the Housing Commissioner must authorize the issuance of the necessary permit. If the Housing Commissioner finds that the proposal is inconsistent with this URP and therefore denies the issuance of the permit, the Housing Commissioner must seek approval from the Board of Estimates to acquire for and on behalf of the Mayor and City Council of Baltimore, the subject property, in whole or in part, by purchase, lease, condemnation, gift, or other legal means for the renovation, rehabilitation, and disposition thereof. In the event that the Board of Estimates does not authorize the acquisition, the Housing Commissioner, must, without delay issue the demolition permit.

7. *Community Notification.*

Within 2 business days upon receipt of a permit application for significant exterior changes or new construction within the Brooklyn-Curtis Bay URP area, the permit reviewer shall make best efforts to notify the community organization, or a successor organization, of the permit number and description. The community organization may provide comments regarding the permit, but the comments provided do not have any bearing on the permit reviewer’s decision to approve or disapprove a permit.

8. *Developer’s Obligations.*

No Developer may enter into, execute, or be a party to any agreement that restricts the sale, lease, use, or occupancy of the property, or any part thereof, upon the basis of race, color, national origin, religion, sex (including pregnancy, sexual orientation, gender identity, or transgender status), age (over 40), disability, genetic information, marital status, political affiliation, or status as a parent. Rather, all such agreements must include a non-discrimination clause and the City of Baltimore must be named as a beneficiary of such covenant and be entitled to enforce it. The Developer must comply with all applicable laws, in effect from time to time, prohibiting discrimination or segregation. The Developer may not devote any property, in part or in whole, to those uses restricted by this URP.

9. *Waiver.*

The Commissioner of the Department of Housing and Community Development may, at any time, issue a waiver from any provision of the Renewal plan if, after consideration, a waiver is determined by the Commissioner to be in the best interest of the development or redevelopment of the land. Upon receipt of a waiver request the Commissioner shall provide written notice and a copy of the waiver request to the Charles North Community Association, or their successor organization. Before a waiver may be issued by the Commissioner the Charles North Community Association or any successor organizations shall have 3 weeks from the date of the notice to provide comments on the waiver request to the Commissioner. If the Charles North Community Association or any successor organization fails to provide comments on the waiver request within the 3 week term it shall be presumed that the waiver request is satisfactory.

D. Other Provisions Necessary to Meet Requirements of State and Local Laws.

All appropriate provisions of the Zoning Code of Baltimore City apply to all properties in the URP Area. In addition, the Design and Maintenance Guidelines contained in Appendices B and C, apply to all properties in the URP area.

E. URP Term.

The provisions and requirements of this Urban Renewal Plan, as it may be amended from time to time, are in full force and effect until December 31, 2030.

F. Procedures for Amendments to the URP.

Either the Department of Housing and Community Development or the Department of Planning must submit to the community organization, for its review and comments, all proposed amendments to the URP. Amendments to the URP must be submitted to the community organization no later than at the same time the proposed amendments are submitted to the Director of the Department of Planning and the Department of Housing and Community Development. The written comments and recommendations from the community organization must be submitted to the Department of Housing and Community Development no later than 3 weeks after the proposed amendments to the URP have been submitted to the community organization, otherwise, it is presumed the proposed amendments are satisfactory. Prior to passage of any ordinance amending the URP, a public hearing must be held. The community organization must receive, at least ten days prior to such hearing, written notice from the City of the time and place of the hearing.

G. Separability.

If any part in or of this URP is judicially determined to be invalid, the remaining provisions and the application of such provisions shall not be affected thereby, it being hereby declared that the remaining provisions of this URP without the invalid part, would have been adopted and approved.

H. Applicability.

If a Planned Unit Development is approved within the boundaries of the Brooklyn-Curtis Bay URP, the Planned Unit Development shall be the governing land-use document, and the terms of this URP shall no longer be applicable within the area of such Planned Unit Development. If a provision of this URP is in conflict with a provision of the Zoning Code of Baltimore City or any other applicable law regarding building, electrical, plumbing, health, fire or safety standards, the provision that establishes the higher standard for the protection of the public health and safety shall prevail. Nothing in this URP may be construed to supersede the requirements or procedures for public notices and public hearings, otherwise required by applicable law.

I. Compliance.

If there are delays obtaining permits from the City for necessary work, the time period for compliance will be extended from the date of the permit application. No work, alterations or improvements may be undertaken after enactment of this Renewal Plan that do not conform with the requirements herein. All work, alterations, or improvements undertaken under Renewal Plans previously enacted must continue to conform to the Renewal Plan then in effect as may be modified by this Renewal Plan so that conformity must be continuous.

{Appendices begin on the following page.}

APPENDIX A: Guidelines for Artistic Expression.

To promote arts-based revitalization and artistic expression within Brooklyn-Curtis Bay, the following general guidelines apply to all properties in Brooklyn-Curtis Bay that are not located within an R-8 or OR-1 zoning district. These general guidelines are in place to encourage and accomplish the preservation of structures while encouraging a dynamic artistic expression in new construction and renovation.

General Guidelines for Artistic Expression.

- a. Alterations made for arts-based projects should be reversible and should not damage original, historic architectural features.
- b. Paint colors and schemes should be reversible and allow for a broad range of colors and schemes as long as the paint scheme does not overwhelm the historic character of the immediate surrounding area.
- c. Architectural features that are part of primary facades should not be altered, covered over, or diminished by arts-based projects.
- d. Decorative details and appendages such as gargoyles, on facades should be according to their contribution or alignment with artistic expression objectives. These appendages should be affixed into mortar joints to avoid damage to masonry.
- e. New construction must be compatible with the historic character of Brooklyn-Curtis Bay; nevertheless, design that meets established artistic expression goals which include bold, dynamic, and contemporary architecture, features, and finishes which contribute to the fabric of the arts and entertainment component of Brooklyn-Curtis Bay is encouraged.

Sculpture.

- a. The use of sculpture throughout Brooklyn-Curtis Bay is encouraged.
- b. Avoid drilling into or removing historic masonry features.
- c. Attach sculpture to buildings through mortar joints.

Murals.

- a. Side facades of structures are appropriate for murals as long as they do not conceal historically significant architectural details such as cornices, bay windows, or decorative terracotta.
- b. Murals should be painted on previously painted surfaces to avoid the destruction of historic brickwork. Murals should be painted using materials that can be removed without using destructive methods such as sandblasting.

{End of Appendix A. Appendix B begins on the following page.}

APPENDIX B: Brooklyn-Curtis Bay Design Guidelines - General.

Purpose:

These design guidelines are meant to ensure sensible and harmonious design in both rehabilitation and new construction in the URP Area. These guidelines are designed to ensure that all new development in Brooklyn-Curtis Bay contributes to the overall quality, design, and historic character of the URP Area.

General Principles:

1. Rehabilitation should be consistent with the original character of the building and other structures on the street.
2. Generally, buildings should create a solid block face, reinforcing traditional block patterns and enhancing the urban character of streets and open spaces.
3. New buildings must be designed to enhance the public realm, with main entrances facing the street.
4. New buildings must be designed with well composed and articulated faces.
5. Alleys shall be intimate, well designed spaces for service needs, reinforcing the primary public role of the streets.

General Guidelines:

1. It is recommended that roof top equipment should be shielded from street views with screening that is integral to the building façade and does not appear to be roof top screening.
2. When practicable, utilities should be painted to blend into the background.
3. It is recommended that ancillary structures, such as trash enclosures, are to be integrated into the landscape and screened from public view with shrubs, hedges, fences, walls or a combination of those elements. Trash enclosures and screening should blend in with the landscape and surrounding environment. As practicable, trash enclosures should be installed in back yards or rear yards.
4. It is recommended that mechanical units, such as air conditioning and similar other mechanical equipment, should also be screened from public view using similar methods. It is recommended that air conditioning units should not be placed in front windows unless there is no other placement option.
5. Mobility impaired ramps: When mobility impaired ramps are necessary, it is recommended that they include the same architectural style as front porches. Two sets of rails should be provided: (a) a grab rail parallel to the ramp to assist the user and (ii) a level handrail to relate the addition to its context.
6. No vending machines may be installed outside.

Rehabilitation Guidelines - In General:

Front and side walls.

1. When possible original brick walls shall be retained. When possible, unpainted brick should remain unpainted. When repairing or repointing brick property owners must use those methods outlined in the NPS Preservation Brief. When repointing brick all new mortar must match the historic color, texture, composition, and tooling of the original mortar.
2. Painting formstone is permitted.
3. Vinyl siding, stucco, exposed concrete block, and exposed pressure treated wood are not appropriate

materials for facades. Façades that are not readily visible from the street may be covered in stucco or fiber cement board.

4. Unused elements on the front of a building, such as abandoned sign brackets, unused mechanical equipment, and empty electrical conduits, must be removed. If openings on the wall are created by such removal, infill material should match the existing wall material. If the existing wall is composed of more than one materials, painting is a recommended solution.
5. For structures located in either the OR-1 or the R-8 districts, facades should only be painted in areas already painted.

Cornices.

Cornice shape, size, profile and details such as dentils, brackets, modillions, should be retained. Replacement details should match the original design as closely as possible.

Front, side and rear yard fencing.

1. Rear yard fencing facing an alley for privacy or screening is permitted in rear yards to a maximum height as allowed per the Zoning Code of Baltimore City. Any area above 48 inches must incorporate a change in articulation and have a transparency of 30% or greater when facing public spaces. Acceptable materials include high quality wood, vinyl, plastic wood composite (i.e. trex), and masonry compatible with the architectural guidelines contained herein. Stockade fencing is not permitted.
2. It is recommended that paint or stain colors for rear yard fencing should be compatible with the color of the building to which it is attached, as well as with surrounding buildings and fences.
3. Front yard fencing may be: (i) constructed with wood or iron material; and (ii) no higher than 48 inches. Chain link fencing is not allowed in the front yard.

Additions or garages.

1. Additions and garages visible from any primary street must be designed to be compatible with the architecture of the existing residence through the same or similar incorporation of materials.
2. Garages shall be accessed from the rear alley when possible.

Windows and doors.

1. Retaining original windows, doors, and stained-glass transoms is encouraged.
2. Replacement windows and doors must be sized to fit the original opening.
3. The style of replacement windows and doors should be compatible with the original window and door style where possible or to other houses in the row.

Streets, Pedestrian Walkways and Open Space Objectives

Developers must provide adequate open space in combination with the proper siting of buildings and location of off-street parking areas. Streets, pedestrian walkways and open spaces including street furniture and signs, must be designed as an integral part of the overall design, properly related to adjacent existing and proposed buildings and pursuant to permit.

Building Fronts and Side Abutting Streets

Solid or permanently enclosed or covered storefronts are not permitted, unless treated as an integral part of the building facade using wall materials and window detailing compatible with the upper floors. To ensure interior visibility and safety no more than 10% of windows and doors on the first floors of buildings may be covered. Interior shelving and structures placed less than 3 feet from the interior surface of the window and decals and vinyl coverings are considered covering for purposes of this section.

Rehabilitation Guidelines - Residential Structures:

Building form and placement.

1. All residential buildings are to face the street.
2. Building setbacks shall follow the historic setback pattern on the street or allow adequate space for an individual stoop, steps, and plantings, as well as street trees. Additionally, building setbacks must align with all City and State zoning and housing law and regulations.
3. Mid-block gaps are not permitted within a row of townhouses.

Roofs.

1. The roofline of buildings should be compatible with other houses in the row and comply with the Baltimore City Zoning Code.
2. Front building walls should be capped with original or new cornices.
3. Roof decks, where permitted, should follow the Baltimore City Design Manual, as it may be amended from time to time.

Fenestration.

1. It is recommended that front entry doors should face the street or public open space. Front entry doors should be distinctive to enhance building façades.
2. A minimum of 30% of the linear horizontal dimension of the façade of each floor shall be windows or openings.
3. Openings: If residential buildings are designed in a traditional style, openings must be vertical in proportion and consistent with adjacent buildings.

Walls.

Front facades of attached houses must be consistent with the materials of the houses on the shared block.

Garages.

1. Garages visible from any primary street must be designed to be compatible with the architecture of the accompanying residence through the use of same or similar incorporation of materials.

2. Garages shall be accessed from the rear alley.

Rehabilitation Guidelines - Non-Residential Structures:

Building Façades.

1. All defective structural and decorative elements of building fronts and sides, including storefronts, windows, doors, and cornices, shall be repaired or replaced in a skilled manner. Original or matching materials should be used wherever possible
2. All brick walls and natural stone walls shall be kept clean, repaired, and repointed as required. Cleaning of masonry façades by means of sandblasting shall not be permitted. Brick walls that are not painted shall remain unpainted. Painted brick walls shall be painted a color that is compatible with the colors of the neighboring structures.
3. No new formstone, stucco, metal or wood siding, or exterior finishes shall be permitted over brick wall surfaces. All such existing siding and finishes that are defective over 10 percent of their area shall be repaired. If an existing covering is more than 50 percent defective, it shall be removed and the walls behind them restored.
4. Existing metal siding which is undamaged, structurally sound, and permissible under the Baltimore City Building Code may be retained.
5. All metal siding that remains shall be kept clean, in a state of good repair, and in a color compatible with the colors of the neighboring structures.
6. All miscellaneous elements on the exterior walls of the structures such as empty electrical boxes, conduits, pipes, unused sign brackets, etc., shall be removed.
7. Side walls shall be finished in a manner that is harmonious with the front of the building.

Storefronts.

1. New storefronts that project beyond the original property line of the commercial properties are not permitted.
2. Show windows, entrances, signs, lighting, sun protection, security grilles, etc., shall be compatible, harmonious and consistent with the original scale and character of the structures.
3. It is recommended that enclosures and housing for security grilles and screens shall be as inconspicuous as possible and compatible with other elements of the façade. Decorative artistic and custom security grilles.
4. All exposed portions, which require painting to preserve, protect, or renovate the surface shall be painted.
5. Unless a building is vacant or abandoned solid or permanently enclosed or covered storefronts shall not be permitted.

Windows.

All window openings shall have the same heights and width they did at the time that the wall in which the openings are located was originally built. Filling in these openings at the top, bottom, or sides is not

permitted. The following additional requirements shall apply:

1. All windows must be tight-fitting and have sashes of proper size and design. Sashes with rotten wood, broken joints or loose mullions or muntins shall be repaired or replaced with glass or other approved transparent material, and all exposed wood shall be repaired and painted.
2. Window openings in upper floors of the front of the building shall not be filled or boarded up on the exterior. Windows in unused area of the upper floors may be backed by a solid surface on the inside of the glass. Window panes shall not be painted.

Roofs.

1. Chimneys or any other auxiliary structures on roofs shall be kept clean and in good repair.
2. Roof mounted structures for the support of signs, billboards, etc., are not permitted.
3. Any mechanical equipment placed on a roof shall be so located as to be hidden from view from any primary street and to be as inconspicuous as possible from other viewpoints. Otherwise, it is recommended that such equipment shall be screened with suitable elements of a permanent nature and finish. Where such screening is unfeasible, equipment shall be installed in a neat, presentable manner, and shall be painted so as to minimize its visibility.

Maintenance Standards

1. *Standards for the Maintenance of Occupied Structures*

- a. Businesses and residents must keep their properties free of trash.
- b. Support mechanisms for signs and exterior electrical, plumbing, and mechanical equipment must be kept in good repair.
- c. All windows must be tight fitting and have sash of proper size and design. Sash with rotten wood, broken joints, or loose mullions or muntins must be replaced. All broken and missing windows and glass block must be replaced with glass or approved plastic glazing. All exposed wood must be repaired or painted.
- d. All trash must be placed in covered receptacles behind or at the rear of the property and picked up regularly by commercial trash services.
- e. Properties with flaking paint must be repainted or repaired within 30 days of being cited.
- f. Graffiti must be removed within 30 days of being cited.
- g. All fences and barriers must be maintained on a regular basis. Owners must repair or remove damaged fences within 60 days. Landscape barriers must be trimmed on a regular basis, and dead or damaged shrubbery must be replaced as needed.
- h. Defective structural and decorative elements on building walls that face primary and side streets must be repaired so that they closely resemble the original materials and design of the building. Damaged, sagging, or otherwise deteriorated storefronts, show windows, or entrances must be repaired or replaced.
- i. Cornices and windows above the first floor must be kept structurally sound and in good condition. Wood that is rotten or weak must be repaired or replaced in a way that matches the original design.

and construction as closely as possible. All exposed wood must be painted or stained or protected through other acceptable methods.

- j. Rear and interior side walls must be kept neat and repaired.
- k. Rear walls must be painted or stuccoed to cover up existing patched and in-filled areas.
- l. Chimneys, elevator housing, and other roof-top structures must be kept clean and repaired. Roofs must be kept clean and free of trash and debris.
- m. All storage lots and outdoor storage of any equipment and supplies otherwise permitted by this Plan must be maintained in good condition.

2. *Standards for the Maintenance of Vacant Structures and Properties*

- a. Grass and weeds must not exceed 8 inches in height. All other landscaping and shrubbery must be maintained on a regular basis.
- b. All windows must be tight fitting and have sash of proper size and design. Sashes with rotten wood, broken joints, or loose mullions or muntins must be replaced. All broken and missing windows and glass block must be replaced with glass or approved plastic glazing. All exposed wood must be repaired or painted.
- c. Broken windows or other forms of vandalism must be repaired within a 5-day period.
- d. Trash must be removed on a weekly basis and must be kept in a secured receptacle behind or at the rear of the property.
- e. Trash must be made available for regular commercial pick-ups.
- f. Buildings must be maintained to give the appearance that they are occupied and may not be boarded.

3. *Compliance with Maintenance Standards*

- 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 Curtis Bay Community Association, Action Baybrook, Inc. and/or the South Baltimore Business Alliance, Inc., or their successors 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 to the extent feasible.
- b. Structural repairs must be made within 60 days from the date of a violation notice from the Department.
- c. All maintenance and non-structural repairs must be made within 30 days from the date of a violation notice from the Department.
- d. Vandalized properties must be secured within a 5 business days. Property owners who require additional time to make a repair must notify the Department either in writing or by telephone and provide an extension of the completion date by no more than 30 days

Compliance.

No alteration or improvement work may be undertaken that does not conform with the requirements herein unless the requirements have been waived by the Department of Housing and Community Development.

Design Review and Approval.

Designs for all building improvement, modifications, repair, rehabilitation or painting concerning the exterior of the existing buildings, their show windows, and for all signs, must be submitted to the Department of Housing and Community Development and the Department of Planning. Approval by the Department of Planning required before proceeding with the work.

The Department of Housing and Community Development or the Department of Planning must submit to the community organization board, or its assignee, for its review and comment, the form and content of all plans and proposals to redevelop land, all property rehabilitation plans, and all work and occupancy permits. The community organization may advise the Department of Planning of its recommendation regarding the acceptability and priority of all plans, proposals, and permits. The Commissioner of the Department of Housing and Community Development retains the final authority to approve or disapprove all plans and permits, and to grant or withhold development priorities, disposing of redevelopment land through procedures established by the Department of Housing and Community Development.

{End of Appendix B. Exhibits begin on the following page.}

EXHIBIT 1: Project Boundary

Dated: September 22, 2021

EXHIBIT 2: Land Use Plan

Dated: December 21, 1982
Last revised: September 22, 2021

EXHIBIT 3: Contributing Structures Map

Dated: December 21, 1982
Last revised: September 22, 2021

EXHIBIT 4: Land Disposition

Dated: December 21, 1982
Last revised: September 22, 2021

EXHIBIT 5: Zoning Districts

Dated: December 21, 1982
Last revised: September 22, 2021

URBAN RENEWAL PLAN

Brooklyn-Curtis Bay

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{End of Brooklyn-Curtis Bay URP. Ordinance continues on following page.}

Section 4. And be it further ordained, That the Urban Renewal Plan for Brooklyn-Curtis Bay, identified as “Urban Renewal Plan, Brooklyn-Curtis Bay”, including Exhibit 1, “Project Boundary”, dated September 22, 2021; Exhibit 2, “Land Use Plan”, dated December 21, 1982, and last revised September 22, 2021; Exhibit 3 Acquisition”, dated December 21, 1982, and last revised September 22, 2021; Exhibit 4 “Land Disposition”, dated December 21, 1982, and last revised September 22, 2021; and Exhibit 5 “Zoning Districts”, dated December 21, 1982, and last revised September 22, 2021, and Appendices A and B, 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 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.