

URBAN RENEWAL PLAN  
SOUTH BALTIMORE BUSINESS AREA

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URBAN RENEWAL PLAN  
SOUTH BALTIMORE BUSINESS AREA

ORIGINALLY APPROVED BY  
THE MAYOR AND CITY COUNCIL OF BALTIMORE  
BY ORDINANCE NO. 930  
JUNE 24, 1975

ORIGINALLY APPROVED BY  
THE PLANNING COMMISSION OF BALTIMORE CITY  
MAY 15, 1975

RE-ADOPTED WITH AMENDMENTS BY  
THE MAYOR AND CITY COUNCIL OF BALTIMORE  
BY ORDINANCE NO. 327  
JUNE 22, 1998

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT  
BALTIMORE, MARYLAND

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URBAN RENEWAL PLAN  
SOUTH BALTIMORE BUSINESS AREA

A. PROJECT DESCRIPTION

1. BOUNDARY DESCRIPTION

Beginning at the point formed by the intersection of the northern right-of-way line of East Ostend Street and the eastern right-of-way line of Light Street; thence running in an easterly direction and binding on the northern right-of-way line of said Ostend Street to a point of intersection with the western right-of-way line of Wall Street; thence running in a northerly direction and binding on the western right-of-way line of said Wall Street to a point of intersection with the southern right-of-way line of East West Street; thence running in a westerly direction and binding on the southern right-of-way line of said East West Street to a point of intersection with an extended straight line of the westernmost boundary of Lot 52A, Block 951; thence running in a northerly direction crossing said East West Street and binding on the westernmost boundary of said Lot 52A to a point of intersection with the southern boundary of lot 46/47, Block 951; thence running in an easterly direction to a point of intersection with the eastern boundary of said Lot 46/47; thence running in a northerly direction and continuing on an extended straight line crossing Weber Street to a point of intersection with an extended straight line from the northern right-of-way line of said Weber Street; thence running in an easterly direction and binding on said extended straight line and the northern right-of-way line of said Weber Street to a point of intersection with the eastern boundary of Lot 53/58, Block 951; thence running in a northerly direction and binding on the eastern boundary of said Lot 53/58 to a point of intersection with the northern boundary of said Lot 53/58; thence running in a westerly direction and binding on the northern boundary of said Lot 53/58, continuing in a straight line to a point of intersection with the eastern boundary of Lot 26, Block 951; thence running in a northerly direction and binding on the eastern boundary of said Lot 26 to a point of intersection with the southern boundary of Lot 25, Block 951; thence running in an easterly direction and binding on the southern boundary of said Lot 25, continuing in a straight line to a point of intersection with the southeastern most point of Lot 23, Block 951; thence running in a northerly direction and binding on a line parallel to the western boundary of said Lot 23 to a point of intersection with a straight line formed by the southern boundaries of Lot 21, 22 and a portion of 23, Block 951; thence running in an easterly direction and binding on said straight line to a point of intersection with the eastern boundary of Lot 21, Block 951; thence running in a northerly direction and binding on the eastern boundary of said Lot 21 to a point of intersection with the southern right-of-way line of East Cross Street; thence running in a westerly direction and binding on the southern right-of-way line of said East Cross Street to a point of intersection with the eastern right-of-way line of Light Street; thence running in a northerly direction crossing East Cross Street and binding on the eastern right-of-way line of said Light Street to a point of intersection with the southern boundary of Lot 71/131, Block 936; thence running in an easterly direction and binding on the southern boundary of said Lot 71/131 to a point of intersection with the eastern boundary of Lot 71/131; thence running in a northerly direction and binding on the eastern boundary of Lot 71/131 to a point of intersection with the

southern boundary of Lot 70, Block 936; thence running in an easterly direction and binding on the southern boundary of said Lot 70 to a point of intersection with the eastern boundary of Lot 70; thence running in a northerly direction and binding on the eastern boundaries of Lots 70 and 69, Block 936, to a point of intersection with the northern boundary of said Lot 69; thence running in a westerly direction and binding on the northern boundary of Lot 69 to a point of intersection with the eastern right-of-way line of VanHorns Court; thence running in a northerly direction and binding on the eastern right-of-way line of said VanHorns Court to a point of intersection with the southern right-of-way line of East Hamburg Street, continuing in a straight line crossing said East Hamburg Street to a point of intersection with the northern right-of-way line of East Hamburg Street; thence running in a westerly direction and binding on the northern right-of-way line of East Hamburg Street, crossing the first four foot alley to a point of intersection with the western right-of-way line of said four foot alley; thence running in a northerly direction and binding on the eastern right-of-way line of the four foot alley to a point of intersection with the southeastern most point of Lot 27, Block 919, then continuing in a straight line and binding on the eastern boundaries of Lots 27 and 28, Block 919 to a point of intersection with the southern right-of-way line of East Wheeling Street continuing on an extended straight line crossing said East Wheeling Street to a point of intersection with the northern right-of-way line of East Wheeling Street; thence running in a westerly direction and binding on the northern right-of-way line of East Wheeling Street to a point of intersection with the eastern boundary of Lot 29, Block 919; thence running in a northerly direction and binding on the eastern boundary of said Lot 29 to a point of intersection with the southern right-of-way line of Warren Avenue; thence running in a westerly direction and binding on the southern right-of-way line of said Warren Avenue to a point of intersection with the eastern right-of-way line of Light Street; thence running in a northerly direction and binding on an extended straight line of the eastern right-of-way line of said Light Street to a point to intersection with an extended straight line of the southern right-of-way line of East Henrietta Street; thence running in a westerly direction and binding on said extended straight line crossing Light Street, continuing said southern right-of-way line of East Henrietta Street, crossing a ten foot alley, Harden Court and Charles Street to a point of intersection with the line formed by the intersection of a point 65'9" west of the intersection of the northern and eastern boundary lines of lot 26/28 and a point 35'61/2" west of the intersection of the southern and eastern boundary lines of lot 26/28, Block 917; thence running in a southerly direction and binding on said line to a point of intersection with a point 35'61/2" west of the intersection of the eastern and southern boundary lines of lot 26/28, Block 917; thence running in a westerly direction and binding on the southern boundary of Lots 26/28, Block 917, to a point of intersection with the eastern boundary line of Lot 29/30, Block 917; thence running in a southerly direction and binding on said eastern boundary line of lot 29/30 to a point of intersection with the northern right-of-way line of West Wheeling Street, continuing in a straight line and crossing said West Wheeling Street to a point of intersection with the southern right-of-way line of West Wheeling Street; thence running in a westerly direction and binding on the eastern right-of-way line of Olive Street; thence running in a southerly direction crossing a two foot alley to a point of intersection with the northern right-of-way line of Kronmillers Court; thence running in an easterly direction to a point of intersection with an extended straight line of the western boundary of Lot 3, Block 917; thence running in a southerly direction and binding on said extended straight line crossing Kronmillers Court and continuing on the western boundary of said Lot 3 to a point of intersection with the northern right-of-way line of West Hamburg Street; thence running in an easterly direction and binding on the northern right-of-way line of said West Hamburg Street,

crossing a three foot alley to a point of intersection with an extended straight line of the eastern right-of-way line of Olive Street; thence running in a southerly direction and binding on said extended straight line crossing Hamburg Street, continuing on the eastern right-of-way line of said Olive Street, crossing West Cross Street to a point of intersection with a point 27' east of the westernmost boundary of Lot 10/13, Block 949; thence running in a westerly direction and binding on a line formed by the intersection of an extended straight line of the northern property boundary of Lot 34, Block 949; and the westernmost property boundary of Lot 10/13, Block 949; thence binding in a southerly direction along the westernmost boundary of Lot 10/13, Block 949; to a point of intersection with the eastern right-of-way line of Olive Street; thence running in a southerly direction and binding on the eastern right-of-way line of said Olive Street crossing a four foot alley to a point of intersection with the northern boundary of Lot 48/52, Block 949; thence running in an easterly direction and binding on the northern boundary of said Lot 48/52 to a point of intersection with the western boundary of Lot 4, Block 949; thence running in a southerly direction and binding on the western boundary of said Lot 4 to a point of intersection with the northern boundary of Lot 3, Block 949; thence running in a westerly direction and binding on the northern boundary of said Lot 3 and continuing in a straight line across the northern boundary of a three foot, seven inch alley to a point of intersection with the western right-of-way line of said three foot, seven inch alley; thence running in a southerly direction and binding on the western right-of-way line of said three foot, seven-inch alley to a point of intersection with the northern right-of-way line of West West Street continuing in a straight line crossing said West West Street to a point of intersection with the southern right-of-way line of West West Street; thence running in a westerly direction and binding on the southern right-of-way line of West West Street to a point of intersection with the eastern right-of-way line of Goodman alley; thence running in a southerly direction and binding on the eastern right-of-way line of said Goodman Alley to a point of intersection with the northern right-of-way line of Ropewalk Lane, continuing in a straight line crossing said Ropewalk Lane to a point of intersection with the southern right-of-way line of Ropewalk Lane; thence running in a westerly direction and binding on the southern right-of-way line of Ropewalk Lane to a point of intersection with the eastern right-of-way line of Goodman Alley; thence running in a southerly direction and binding on the eastern right-of-way line of said Goodman Alley to a point of intersection with the northern right-of-way line of a two foot alley, thence running in an easterly direction and binding on the northern right-of-way line of said two foot alley to a point of intersection with the eastern right-of-way line of a three foot alley; thence running in a southerly direction and binding on the eastern right-of-way line of said three foot alley to a point of intersection with the northern right-of-way line of West Ostend Street; thence running in an easterly direction and binding on the northern right-of-way line of said West Ostend Street crossing South Charles Street, Patapsco Street, Marshall Street and Light Street to a point of intersection with the eastern right-of-way line of said Light Street; thence running in a southerly direction and binding on the southern right-of-way line of Light Street to the point of beginning.

## 2. Plan Objectives

- a. To bring about a general physical improvement in the South Baltimore Business Area through the rehabilitation of existing buildings;
- b. To eliminate deterioration and blight by repairing or replacing exterior surfaces;

- c. To increase the economic viability of the area through the increased health, safety and attractiveness of commercial properties;
- d. To encourage harmonious redevelopment throughout the area;
- e. To provide for a process of review of all plans for properties in the South Baltimore Business Area to insure harmonious and orderly rehabilitation and development.

## B. LAND USE PLAN

### 1. Permitted Land Uses

Only the use categories shown on the Land Use Plan Map, Exhibit 1, shall be permitted within the project area. These are Residential, Community Business, and Community Commercial. Accessory uses, including landscaping and off-street parking and loading, will be permitted. In addition, certain uses will be permitted to continue subject to the provisions governing non-conforming and non-complying uses set forth in Sections B.1.d. and B.1.e. below.

#### a. Residential

Residential uses are limited to those uses permitted under the R-8 category of the Zoning Ordinance of Baltimore City, except for: fraternity and sorority houses; rooming and boarding houses for three or more roomers; homes for the rehabilitation of non-bedridden alcoholic persons and for the care and custody of homeless persons; drug abuse rehabilitation and treatment centers; community correction centers.

#### b. Community Business

In the area designated as Community Business on the Land Use Plan, uses are limited to those uses permitted under the B-2 category of the Zoning Ordinance of Baltimore City, except for poultry and rabbit killing establishments; fraternity and sorority houses; rooming and boarding houses for more than three roomers; homes for the rehabilitation of non-bedridden alcoholic persons and for the care and custody of homeless persons; drug abuse rehabilitation and treatment centers; community correction centers; auditoriums and concert halls; dance halls; meeting and banquet halls.

#### c. Community Commercial

In the area designated as Community Commercial on the Land Use Plan, the uses permitted are those uses permitted under the B-3 category of the Zoning Ordinance of Baltimore City, except for homes for the rehabilitation of non-bedridden alcoholic persons and for the care and custody of homeless persons; drug abuse rehabilitation and treatment centers; community correction centers; auditoriums and concert halls; dance halls; meeting and banquet halls; taverns-including live entertainment and dancing.



d. Non-Conforming

A non-conforming use is any lawfully existing use of a building, structure, or of land that does not conform to the applicable use regulations of the district in which it is located, according to Article 30 of the Baltimore City Code, titled "Zoning." Non-conforming uses are permitted to continue subject to the provisions of Chapter 8 of Article 30, titled "Non-Conformance."

e. Non-Complying

A non-complying use, as set forth in Chapter 8 of Article 30 of the Baltimore City Code, titled, "Zoning," is any lawfully existing structure that does not comply with the bulk regulations of the zoning district in which it is located. These non-complying uses are permitted to continue subject to the provisions of Chapter 8. In addition, a non-complying use, when that term is used in the Plan, is any lawfully existing use of a building, structure, or of land that does not comply with the land use regulations of the Plan. These non-complying uses are permitted to continue for an indefinite period of time, except that:

- (1) any non-complying land use which is discontinued for a period exceeding 12 months may not be reestablished;
- (2) no change in the permanent physical members of a structure, such as bearing walls, columns, beams, or girders, and no substantial change in the roof or in the exterior walls may be made in or to a building or structure except those required by law or except to make the building and its use conform to the regulations of the Plan; and
- (3) a non-complying land use may not be changed to any other non-complying land use.

2. Zoning

All appropriate provisions of the Zoning Ordinance of Baltimore City shall apply to properties in the South Baltimore Business Area. Any change in the Zoning Ordinance embodied in the Urban Renewal Plan and designated on Exhibit 2, Zoning Districts, shall be approved by ordinance in accordance with the procedural requirements of the Zoning Ordinance and Article 66-B of the Annotated Code of Maryland, 1957 edition, as amended. The approval of the Urban Renewal Plan for the South Baltimore Business Area should not be construed as an enactment of such amendments to the Zoning Ordinance.

C. TECHNIQUES USED TO ACHIEVE PLAN OBJECTIVES

1. Rehabilitation

Within the project area certain rehabilitation standards over and above the codes and ordinances of the city shall be applied to all properties, whether occupied or vacant. The South Baltimore Business Area Rehabilitation Standards are as follows:

a. Windows

- (1) Windows not visible from the street shall be kept properly repaired or, with Fire Department approval, may be closed, in which case sills, lintels and frames must be removed and the opening properly closed to match the material, design and finish of the adjacent wall.
- (2) 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 must be replaced. All broken and missing windows and glass blocks must be replaced with glass or other approved glazing. All exposed wood must be repaired and painted.
- (3) Window openings in upper floors of the front or sides of the building facing streets 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 may not be painted. Replacement windows, frames, or sashes must fit existing or historic masonry openings.
- (4) Shutters may be provided on windows above the first floor level on the front of buildings. They must be fixed to the wall by either a metal latch or a wood device or be held permanently “open” (fastened to the wall).

b. Building Fronts and Sides Abutting Streets

- (1) All defective structural and decorative elements of building fronts and sides abutting streets must be repaired or replaced in a workmanlike manner to match as closely as possible the original materials and construction of that building. All damaged, sagging, or otherwise deteriorated store fronts, show windows, or entrances must be repaired or replaced.
- (2) All cornices, upper floor windows, and all other portions of a building containing wood trim must be made structurally sound. Rotten or weakened portions must be removed, repaired, or replaced to match as closely as possible the original patterns. All exposed wood must be painted or stained, or otherwise treated for protection.
- (3) Store fronts
  - (a) A store front, as a part of the building façade, includes:
    - i. the building face, windows, and the entrance area leading to the door;
    - ii. the door, sidelights, transoms, display platforms, and devices including lighting and signing designed to be viewed from the public right-of-way or visible to the public prior to entering the interior portion of the structure.

- (b) Store front windows, entrances, signs, lighting, sun protection, security grilles, etc., must be compatible, harmonious, and consistent with the original scale and character of the structure. All store front elements must be located below the second floor window sills.
  - (c) Enclosures and housings for security grilles and screens must be as inconspicuous as possible and compatible with other elements of the façade.
  - (d) All exposed portions of the grille, screen, or enclosure that are normally painted and all portions that require painting to preserve, protect, or renovate the surface must be painted. Nonmetal grilles and screens are prohibited.
  - (e) All screens and grilles protecting entrances and store front windows must be constructed so they can be opened or removed. Screens and grilles must be opened or removed during the normal business hours of that business.
  - (f) No temporary or permanent sign affixed or placed against the inside surface of a store front window may exceed 40% of the area of that store front window.
  - (g) Decals one square foot or less in area may be affixed to store front windows or entrance door windows.
- (4) Solid or permanently enclosed or covered store fronts are not permitted, unless treated as an integral part of the building façade using wall materials and window detailing compatible with the upper floors.
- (5) Awnings
- (a) Soft awnings of appropriate material are permitted over the first floor. They must be appropriately scaled and located to compliment the building façade.
  - (b) Adjacent store fronts of different businesses and owners may not share the same awning.
  - (c) Fixed awnings may not project more than  $\frac{3}{4}$  of the sidewalk width from the building front, may not rest on the sidewalk, and must otherwise conform with the provisions of City ordinances.
  - (d) Signage applied to awnings is restricted to business name or logo and street numbers. Lettering must be sized and located to compliment the awning.
  - (e) Awning colors and lighting must compliment the colors of the building façade.
  - (f) Awnings must terminate against the building at a height not to exceed one inch below the second floor window sill.

- (6) Adjoining buildings used by the same occupant must be rehabilitated in a unified and harmonious manner. Where feasible, each building must be rehabilitated and repaired with similar materials and in a manner consistent with the original construction techniques.
- (7) All exterior front or side walls that have not been wholly or partially resurfaced or built over must be repaired and cleaned or painted in an acceptable manner. Brick walls must be pointed where necessary. Painted masonry walls must have loose material removed and be painted a single color except for trim, which may be other colors. Day-glo and fluorescent colors are not permitted. Patched walls must match the existing adjacent surfaces as to materials, color, bond, and joining.
- (8) Any applied facing material or resurfacing material are not permitted. Examples are siding, formstone, stucco, or wood paneling.
- (9) Dormer windows on roofs sloping toward the shopping street must be treated in accordance with the same criteria as building fronts.
- (10) Existing miscellaneous elements on the building fronts, such as empty electrical or other conduits, unused sign brackets, etc., must be removed.
- (11) Gutters and downspouts must be repaired or replaced as necessary and must be neatly located and securely installed. Gutters and downspouts must be painted to harmonize with the other building front colors.

c. Rear and Side Walls

Rear and side walls, whether new or existing, must be repaired and painted or cleaned and repainted to present a neat and fresh appearance. Walls must be painted to cover evenly all miscellaneous patched and filled areas or be stuccoed to present an even and uniform surface.

d. Roofs

- (1) Chimneys, elevator penthouses, or any other auxiliary structures on the roofs must be repaired and cleaned as required for rear and side walls. Any construction visible from the street or from other buildings must be finished so as to be consistent with other visible building walls.
- (2) Any new mechanical equipment placed on a roof must be located so as to be hidden from view from the streets and to be as inconspicuous as possible from all viewpoints. New equipment must be screened with suitable elements of a permanent nature and finished so as to harmonize with the rest of the building. Where screening is infeasible, equipment must be installed in a neat, presentable manner and must be painted in such a manner as to minimize its visibility.

- (3) Television and radio antennae must be located so as to be as inconspicuous as possible.
- (4) Roofs must be kept free of trash, debris, or any other element that is not a permanent part of the building or a functioning element of its mechanical or electrical system.
- (5) Roof decks and other related structures must be set back from the front edges so as not to be seen from sight lines directly across the street at street level.

e. Auxiliary Structures

Structures at the rear of buildings, attached or unattached to the principal structure, that are structurally deficient, must be properly repaired or demolished.

f. Rear Yards

Where a rear yard exists, the owner must condition the open area in one of two ways:

(1) Enclosure of yards:

A rear yard may be enclosed along side and rear property lines by a finished masonry wall, wood or picket fence, or coated chain-linked fence. Solid doors or solid gates may be used to the extent necessary for access and delivery. Walls or fences may not be more than 6 feet in height. Use of barbed wire or broken glass on top of walls is not permitted.

(2) Provision of parking area:

An unenclosed rear yard may be used as a parking or loading area if it is properly paved, illuminated, and maintained. A sign not exceeding 6 square feet may be used to identify and control parking and loading. The building occupant is responsible for maintenance of the parking area in a neat and clean manner. No storage of trash containers is allowed in this area, except when housed in permanent structures of acceptable design.

g. Exterior Signs

- (1) All lighting and electrical elements such as wires, conduits, junction boxes, transformers, ballasts, switches, and panel boxes must be concealed from view as much as possible.
- (2) One overhanging sign, up to 6 square feet in size, is permitted per building. It may not project more than 4 feet from the building face. The sign must be mounted lower than the second floor window sills or 13 feet above grade, whichever is lower. Discreet spotlighting is permitted, but internal illumination is prohibited.

- (3) Flat signs must be placed parallel to the building face, may not project more than 12 inches from the surface of the building, and may not exceed in area 3 times the width in feet of the frontage of the building. In the case of corner properties, each façade is to be calculated separately as to size allowed for each. Flat signs must be placed no higher than the bottom of the second story window where windows exist or 13 feet above grade level, whichever is lower.
- (4) Signs painted on vertical building surfaces or use of separate cutout letters are permitted in accordance with the above limits for flat signs. Existing signs may remain.
- (5) Non-illuminated secondary signs are permitted for the tenants occupying the upper floors of a building. These signs may not exceed 2 square feet in area, may not project more than 1 inch beyond the surface of the building, and may not be placed higher than 13 feet above grade level.
- (6) Roof top signs, signs above the parapet of a building, billboards, or outdoor advertising signs painted or mounted on structures other than billboards are not permitted.
- (7) Painted or inlaid signs on cloth awnings are permitted, as per subsection b.(5)(d) of this section.
- (8) Flashing or moving signs other than barber poles are not permitted.
- (9) All temporary signs, including streamers, banners, pennants, bunting, etc., are not permitted except as provided in this Plan or as otherwise authorized by the Department of Housing and Community Development for temporary purposes not exceeding thirty days.
- (10) No free standing signs are permitted.

#### h. Outdoor Seating

Outdoor table service, when accessory to a principal use, is a conditional use in the B-2 and B-3 Zoning Districts requiring the review and approval of the Board of Municipal and Zoning Appeals (BMZA). A minor privilege permit may also be required. The BMZA has the authority to impose certain conditions for the approval of such seating. For the purposes of this Plan, the following guidelines and criteria must be used to evaluate all conditional use and minor privilege applications as to their conformance with the objectives of this Plan.

- (1) A plan and elevation showing layout and design of seating area must be submitted to the Department of Housing and Community Development and the Department of Public Works along with all applications for permits.

- (2) A 6-foot public walkway must be maintained, and all tables and chairs must be at sidewalk level.
- (3) The extension of side property lines must be adequately defined so as not to permit encroachment on adjoining property. The defining material may not be any higher than 4 feet.
- (4) Sight lines to adjoining properties must be preserved.

i. Walk-up Windows

Walk-up windows are not permitted unless otherwise authorized by the Department of Housing and Community Development.

j. Screening of Private Parking Lots

If the parking area is greater than 4 spaces, the area must be effectively screened with fencing, landscaping or a combination thereof. Uncoated chain link fencing is not acceptable. The height of the screening must be between 2 and 4 feet.

k. Period of Compliance

- (1) All work necessary to meet the rehabilitation standards applicable to the South Baltimore Business Area must be completed within 2 years from the effective date of this Plan. After enactment of this Plan, no work, alterations, or improvements may be undertaken that do not conform with its requirements. However, the Commissioner of the Department of Housing and Community Development may waive compliance with one or more of the standards if the waiver is determined by the Commissioner not to adversely affect the Plan objectives for the South Baltimore Business Area.
- (2) With regard to waiver decisions affecting business properties within the Plan's boundaries, the Commissioner may be advised by the South Baltimore/Federal Hill Marketplace Business Association or its successor. In making decisions regarding the granting of waivers for residential properties within the Plan's boundaries, the Commissioner may be advised by the appropriate neighborhood organizations in the area. All recommendations to the Commissioner must be made within 30 days of the filing of the waiver request with the Department of Housing and Community Development.
- (3) Nothing in the Plan may be 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.
- (4) Any person violating the provisions of this ordinance is subject to a fine not exceeding One Hundred Dollars (\$100.00), and each day's violation constitutes a separate offense.

## 1. Design Review and Approval

- (1) Designs for all building improvements, modifications, repair, rehabilitation, or painting concerning the exterior of the existing buildings, their yards, their store fronts, or their outside seating, and for all signs and awnings, must be submitted to the Commissioner of the Department of Housing and Community Development and the Department of Public Works, and written approval by the Department of Housing and Community Development is required before proceeding with the work.
- (2) The Commissioner of the Department of Housing and Community Development and the Director of the Department of Public Works shall be concerned with all aspects of the designs affecting exterior appearance and in particular with the following:
  - (a) Design of store front and entrance area, including choice of materials and types of security devices;
  - (b) Design of signs, methods of illumination, colors, materials, methods of suspension;
  - (c) Conditioning of rear yard spaces; location of delivery signs;
  - (d) Design of awnings, canopies, and outside seating;
  - (e) All other exterior materials and colors; and
  - (f) Compatibility of new construction as to scale, color, materials, and signing.
- (3) The Commissioner's review must be guided by the property rehabilitation standards which, in general, provide that the original design of buildings must be retained or restored, and that new elements must be harmonious with existing elements of the same property and with adjacent properties.

## 2. Acquisition

### a. Conditions Under Which Properties May be Acquired

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 properties in the project area not specifically designated for acquisition as may be deemed necessary and proper by the Commissioner of the Department of Housing and Community Development to affect the proper implementation of the project. These properties may include:

#### (1) Non-salvables

Any property in areas designated for rehabilitation 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.



(2) Properties not in compliance with Property Rehabilitation Standards

Any property in the project area may be acquired by the Mayor and City Council of Baltimore if 12 months have elapsed since receipt by the owner of the property of any initial notice from the Health Department of Baltimore City, Fire Department of Baltimore City, or the Department of Housing and Community Development requiring, with respect to the property, compliance with the provisions of any ordinance or regulation of the City of Baltimore or with the property rehabilitation standards set forth in Section 4 of this Ordinance, and the requirements set forth in the notice have not been met.

b. Actions to be followed by the Department of Housing and Community Development Upon Acquisition of Property

Upon the acquisition of such property, the Department of Housing and Community Development must do one of the following:

- (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 must be rented pending continuing sale efforts.
- (2) Sell or lease the property subject to rehabilitation in conformance with the codes and ordinances of Baltimore City and the property rehabilitation standards and objectives set forth in this Plan.
- (3) Demolish the structure or structures and dispose of land for redevelopment for uses consistent with this Plan.

c. Procedures to be Followed by the Real Estate Acquisition Division of the Department of the Comptroller

The Real Estate Acquisition Division of the Department of the Comptroller, or any person designated by the Board of Estimates, and in any manner designated by the Board of Estimates in the exercise of the power vested in it by Article V, § 5 of the Baltimore City Charter, is authorized to acquire on behalf of the Mayor and City Council, for the purposes described in this Ordinance, the fee simple interest or any lesser interest in any property or portion of property described above. If the Division or person is unable to agree with the owner on the purchase price of the property or portion of the property, the Division or person must notify the City Solicitor who shall institute the necessary legal proceedings to acquire the fee simple interest or lesser interest in the property by condemnation.

### 3. New Construction and Rehabilitation

All plans for new construction on any property within the project area must be submitted to the Department of Housing and Community Development for review, which may include presentations before the Department's Design Advisory Panel. 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 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.

### 4. Demolition

All applications for demolition permits shall be submitted to the Department of Housing and Community Development for review and approval. Upon finding that the proposed demolition is consistent with the objectives of the Urban Renewal Plan, the Commissioner of the Department of Housing and Community Development shall authorize the issuance of the necessary permit. If the Commissioner finds that the proposal is inconsistent with the objectives of the Urban Renewal Plan and therefore denies the issuance of the permit, the Commissioner shall, within 90 days of such denial, seek approval by the Board of Estimates to acquire for and on behalf of the Mayor and City Council of Baltimore the property, in whole or in part, on which said demolition was to have occurred 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 Commissioner shall, without delay, issue the demolition permit.

#### a. Within one week of application for a permit for demolition:

- (1) The owner must post the property for 14 consecutive days with a 2-foot by 2-foot sign, prominently displayed on the front of the building, stating the intention to raze the building and specifying when the work is intended to begin; and
- (2) The City must give written notification to all recognized community organizations in the South Baltimore Business Area.

#### b. Within 30 days of commencement of demolition, all debris must be removed, and the lot graded.

#### c. Immediately following demolition clean-up, a lot left vacant by the removal of the principal structure must be fenced as follows:

- (1) The street frontage of a vacant lot must be screened by a masonry wall, wood, or picket fence with a minimum height of 48 inches; and
- (2) Non-street frontage must be delineated by chain link fencing with a minimum height of 42 inches.

- d. All vacant lots and fencing must be well maintained and free of trash and debris.

#### D. OTHER PROVISIONS NECESSARY TO MEET REQUIREMENTS OF STATE AND LOCAL LAWS

1. In selling or otherwise disposing of property in the South Baltimore Business Area, the Department of Housing and Community Development must require that developers agree in writing not to discriminate in the sale, lease, use, or occupancy of the property developed by them against any person on the basis of race, religion, color, sex, or national origin.
2. If the South Baltimore Business Area Urban Renewal Plan 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 Urban Renewal Plan is exempted from them.
3. If a provision of this Urban Renewal Plan concerns the same subject as a provision of any zoning, building, electrical, plumbing, health, fire, or safety law or regulation, the applicable provisions must 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 Urban Renewal Plan 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 Urban Renewal Plan prevails, and the other conflicting provision is repealed to the extent of the conflict.

#### E. DURATION OF PROVISIONS AND REQUIREMENTS

The South Baltimore Business Area Urban Renewal Plan, as it may be amended from time to time, shall be in effect for a period of 40 years following the date of original adoption by the Mayor and City Council of Baltimore.

#### F. PROCEDURES FOR CHANGES IN APPROVED PLAN

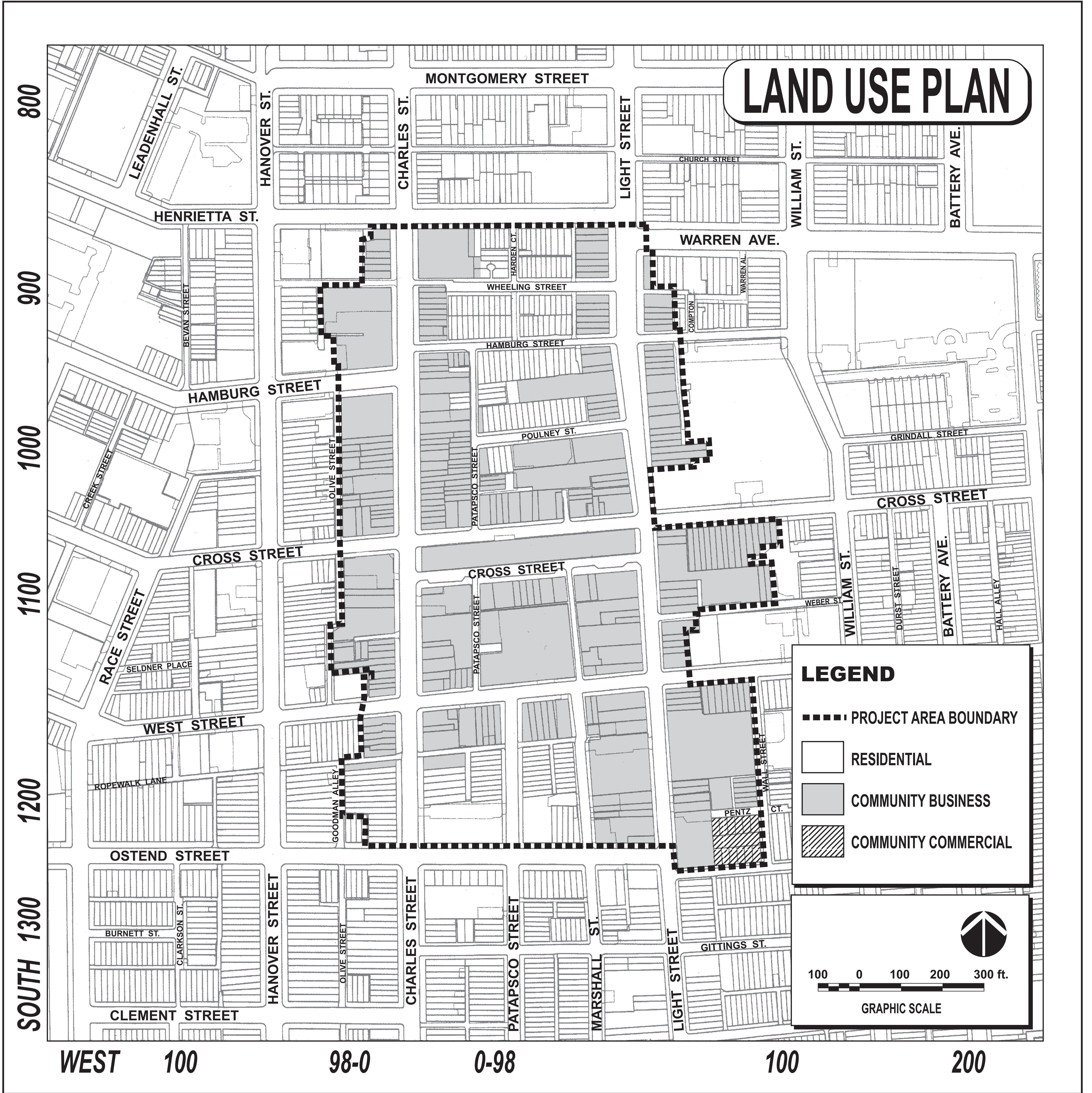
1. The Urban Renewal Plan may be amended from time to time, upon compliance with the requirements of law, provided that, prior to the passage of any ordinance amending the Urban Renewal Plan, a public hearing is held.

2. The Department of Housing and Community Development must submit to the South Baltimore/Federal Hill Marketplace Business Association, or its successor, for its review and comments, all proposed amendments presented to the City Planning Commission by the Department of Housing and Community Development. Written comments must be submitted to the Department no later than 3 weeks after the amendments have been submitted to the South Baltimore/Federal Hill Marketplace Business Association, or its successor; otherwise, it is presumed the proposed changes are satisfactory. Prior to the passage of any ordinance amending the urban renewal plan, a public hearing must be held and the South Baltimore/Federal Hill Marketplace Business Association, or its successor, must receive written notice, at least 10 days before the hearing, of the time and place of the hearing.

#### 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 not be affected thereby, it being hereby declared that the remaining provision of 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.





**SOUTH BALTIMORE BUSINESS AREA**  
BALTIMORE DEVELOPMENT CORPORATION  
DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT  
BALTIMORE, MARYLAND

**LAND USE PLAN**

DATE: 09/20/76  
DRAWN BY: A. Mc / r.a.w.  
APPROVED BY:

REVISION:

**1**  
**EXHIBIT**



