

URBAN RENEWAL PLAN

CATON / 95

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URBAN RENEWAL PLAN

CATON / 95

APPROVED BY

THE MAYOR AND CITY COUNCIL OF BALTIMORE

BY ORDINANCE NO. 399

JULY 2, 1981

REVISIONS SINCE ORIGINAL APPROVAL BY THE MAYOR AND CITY COUNCIL:

- I. Amendment No. 1, dated March 8, 1983, approved by the Mayor and City Council by Ordinance No. 984, dated June 27, 1983.
- II. Amendment No. 2, dated February 8, 1985, and revised June 13, 1985, approved by the Mayor and City Council by Ordinance No. 575, dated December 27, 1985.
- III. Amendment No. 3, dated June 2, 1997, approved by the Mayor and City Council by Ordinance No. 98-322, dated June 22, 1998.
- IV. Amendment No. 4, dated April 8, 1998, approved by the Mayor and City Council by Ordinance No. 98-336, dated June 24, 1998.

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

BALTIMORE, MARYLAND

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EXHIBITS:

1. Land Use Plan, dated as revised June 24, 1998
2. Property Acquisition Map, dated as revised April 8, 1998
3. Land Disposition Map, dated as revised April 8, 1998
4. Zoning Districts Map, dated as revised June 24, 1998

URBAN RENEWAL PLAN

CATON / 95

A. DESCRIPTION OF PROJECT

1. Boundary Description

Beginning for the same at the intersection of the southern boundary of Baltimore City and the southern right-of-way line of Interstate Route 95; thence from said point of beginning and binding on the southern right-of-way line of the I-95/ Caton Avenue Ramp F and the southern right-of-way line of Ramp F easterly and southeasterly to intersect the west side of S. Caton Avenue; thence continuing on the west side of S. Caton Avenue southerly to intersect a line formed by extending the northern property line of Lot 1/ 2, Block 7703-J; thence crossing S. Caton Avenue and continuing on said extension and said property line easterly to intersect the eastern property line of Lot 3/ 5, Block 7703-J; thence continuing on said eastern property line northerly to intersect the northern property line of Lots 1/ 2 and 14, Block 7703-J; thence continuing on said line and the extension of said line easterly to intersect the east side of S. Ellamont Street; thence continuing on the east side of S. Ellamont Street and binding on the western property line of Lot 9, Block 7703-H southerly to intersect the north side of Georgetown Road; thence continuing on the north side of Georgetown Road southwesterly to intersect a line formed by extending the eastern property line of Lot 68E, Block 7755; thence crossing Georgetown Road and continuing on said eastern property line southerly to intersect the north side of Herkimer Street; thence continuing on the north side of Herkimer Street northeasterly to intersect the west side of Forest Hill Avenue; thence continuing on the west side of Forest Hill Avenue northwesterly to intersect a line formed by extending the northern property line of Lot 35/ 36, Block 7755; thence continuing on said extension and said northern property line northeasterly to intersect the west side of Morrell Park Avenue; thence continuing on the west side of Morrell Park Avenue southeasterly to intersect the southern property line of Lot 21/ 34, Block 7755; thence continuing on said southern property line southwesterly to intersect the western property line of Lot 19/ 20, Block 7755; thence continuing on said western property line and binding on the western property lines of Lots 17/ 18, 15/ 16, 14, 12/ 13, 11, 10, 9A, 9, 7/ 8, and 5/ 6, Block 7755 southeasterly to intersect the north side of Washington Boulevard; thence continuing on the north side of Washington Boulevard southwesterly to intersect a line formed by extending the eastern property line of Lot 9, Block 7841-G; thence crossing Washington Boulevard and continuing on said eastern property line and binding on the eastern property lines of Lots 8, 7, and 6, Block 7841-G southeasterly and easterly to intersect the northern property line of Lot 80, Block 7475; thence continuing on said northern property line easterly to intersect the northern property line of the Baltimore and Ohio Railroad right-of-way; thence continuing on said Railroad right-of-way southerly and southwesterly to intersect the southern boundary of Baltimore City; thence continuing on the southern boundary of Baltimore City westerly to intersect the north side of James Street; thence continuing on the north side of James

Street northeasterly to intersect the eastern property line of Lot 9, Block 7727; thence continuing on said eastern property line northwesterly to intersect the northern property line of said Lot 9; thence continuing on said northern property line and binding on the northern property lines of Lots 8, 7, and 6, Block 7727 southwesterly to intersect the east side of a 12 foot alley; thence continuing on the east side of said alley northwesterly to intersect the north side of Hopkins Avenue; thence continuing on the north side of Hopkins Avenue southwesterly to intersect the southern boundary of Baltimore City; thence continuing on the southern boundary of Baltimore City northwesterly to the point of beginning.

2. Plan Objectives and Reasons for the Various Provisions of this Plan
 - a. To encourage the development of office and light industrial uses.
 - b. To direct public and private development in a manner that is harmonious with the existing and proposed redevelopment within the project (*sic!*)
 - c. To establish a positive and identifiable image for the project to encourage private investment for business activity.
 - d. To remove blighting influences or uses or development otherwise in substantial non-compliance with the provisions of this Renewal Plan.
 - e. To assure harmonious development in the project by requiring that all plans for new construction, exterior rehabilitation, change in use, or demolition be reviewed and approved as consistent with the objectives of this Renewal Plan.
 - f. To identify parcels of land which are available for redevelopment and to provide standards and controls for their redevelopment.
 - g. To protect and accommodate the interests of the residential neighborhoods bordering the project.

B. LAND USE PLAN

1. Permitted Land Uses

Only the use categories shown on the Land Use Plan Map, Exhibit No. 1, shall be permitted within the Project. These uses are Community Business, Light Industrial, and General Industrial. Accessory uses including landscaping, off-street parking and loading will also 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. Community Business

Community Business uses permitted shall be those permitted under the B-2 (Community Business) use category of the Zoning Ordinance of Baltimore City, with certain exceptions. None of the uses listed below shall be permitted as principal or conditional uses:

Auction rooms; bowling establishments; dance halls; dwellings; homes for the rehabilitation of non-bedridden alcoholic persons and for the care and custody of homeless persons; housing for the elderly; laundrettes and laundries; pan shops; physical culture and health services - gymnasiums, reducing salons, and public baths; pool halls and billiard parlors; poultry and rabbit killing establishments; rooming and boarding houses; second-hand stores and rummage shops; taverns; and undertaking establishments and funeral parlors.

b. Light Industrial

Industrial uses permitted shall be those permitted under the M-1 use category of the Zoning Ordinance of Baltimore City.

c. General Industrial

Industrial uses permitted shall be those permitted under the M-2 use category of the Zoning Ordinance of Baltimore City.

d. Non-Conforming

A non-conforming use is any lawfully existing use of a building or other structure, or of land which 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 (1976 Edition, as amended), titled "Zoning". Non-conforming uses shall be permitted to continue, subject to the provisions of Chapter 8 of said 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 (1976 Edition, as amended), titled "Zoning", is any lawfully existing structure which does not comply with the bulk regulations of the zoning district in which it is located. These non-complying uses shall be permitted to continue, subject to the provisions of said Chapter 8.

In addition, a non-complying use - when such term is used herein - is any lawfully existing use of a building or other structure, or of land, which does not comply with the land use regulations of this Plan. These non-complying uses shall be permitted to continue for an indefinite period of time, except that:

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

- (3) no non-complying land use shall be changed to any other non-complying land use.

2. Regulations, Controls, and Restrictions

a. Provisions Applicable to All Land and Property to be Acquired

The following regulations, controls, and restrictions will be implemented where applicable by covenants, or other provisions in the agreements for land disposition and instruments of conveyance executed pursuant thereto.

(1) General Provisions

- (a) No buildings, structures, or parking areas shall be constructed over an easement within the Project without the prior consent of the Commissioner of the Department of Housing and Community Development and the Director of Public Works.
- (b) No materials shall be stored or permitted to remain outside buildings. No waste material, refuse or garbage shall be permitted to remain outside buildings except as permitted by the Baltimore City regulations regarding containers for garbage; the areas for such containers shall be properly screened from adjacent properties and public streets and alleys.
- (c) All land not covered by structures, paved parking, loading, or related service areas, paved areas for pedestrian circulation, or decorative surface treatment shall be provided with landscape treatment. Landscape treatment encompasses the planting of any, all, or a combination of the following: trees, shrubs, ground cover, grass, flowers. The amount of landscape treatment should be determined by the nature of the development and should serve to improve the utility of the site, enhance building design, and soften and relieve the environmental and visual impact of the development. All screening and landscaping shall be maintained in good condition.
- (d) All required parking spaces shall be provided with proper ingress and egress to a public street or alley by means of access drives and aisles.

All parking areas shall be paved with a hard, dust-free surface and shall be effectively screened from the public view and from adjoining residential areas. Screening shall consist of a masonry wall or durable fence, or combination thereof, not less than four feet nor more than eight feet in height or such height as may be approved by the Board of Municipal and Zoning Appeals. A planting strip

shall be provided adjacent to the outside of the wall or screen. The planting strip shall be a minimum of eighteen inches wide and shall be planted with acceptable shrubs, ground covers, and/or grass. In lieu of such wall or fence, a compact evergreen hedge of not less than four feet in height at time of original planting may be used. Screening and landscaping shall be maintained in good condition and shall be so designed and placed so as not to obstruct vehicle sight distances at entrances and exits.

Each parking space shall have not less than 180 square feet in area, exclusive of access drives or aisles.

Illumination of parking facilities shall be arranged so as not to reflect direct rays of light into any adjacent residential area. In no case shall direct and indirect illumination from the source of light exceed an illumination level maximum of one-half foot candle when measured at the nearest point of the lot line in a residential area.

- (e) Adequate off-street loading facilities shall be provided in a location that will not interfere with accessory parking areas and means of ingress and egress thereto. Off-street loading shall be designed so as to minimize the conflict of loading activities with the adjacent land uses.
- (f) Exterior ventilation equipment or any mechanical equipment placed outside of a building, including on the roof, shall be effectively screened.
- (g) No sign shall extend above the roof line of the building to which it is attached; no sign shall project more than 12 inches from the building to which it is attached; no roof signs shall be permitted. No new paper, cardboard, wooden or other signs of a temporary nature shall be permitted in the Project except as permitted by the Commissioner of the Department of Housing and Community Development.
- (h) The Redeveloper shall not enter into, execute, or be a party to any covenant, agreement, lease, deed, assignment, conveyance, or any other written instrument which restricts the sale, lease, use or occupancy of the property, or any part thereof or any improvements placed thereon, upon the basis of national origin, race, religion, sex or color.

Such agreement or covenant providing for this non-discrimination provision shall be included in the instruments and the City of Baltimore shall be deemed a beneficiary of such covenants and shall be entitled to enforce it. The Redeveloper shall comply with all State and local laws in effect from time to time, prohibiting discrimination or segregation.

b. Provisions Applicable to All Land and Property Not to be Acquired

(1) General Provisions

The provisions of Section B.1. (Permitted Land Uses) above shall apply to all properties not to be acquired within the Project. The provisions of Section B.2.a. of this Plan shall apply as appropriate to properties not currently proposed to be acquired by this Plan if the owners thereof acquire adjacent project land made available by the Department of Housing and Community Development under the provisions of this Plan.

(2) Sign Provisions

The sign provisions of Section B.2.a.(1)(g) of this Plan shall apply to all properties not to be acquired within Area A of the Project.

(3) Review of Plans for New Construction, Exterior Rehabilitation, or Change in Use

All plans for new construction (including parking lots), exterior rehabilitation, or change in use of any property not to be acquired under the provisions of this Plan shall be submitted to the Department of Housing and Community Development for review. Only upon finding that the proposed plans are consistent with the objectives of this Plan shall the Commissioner of the Department of Housing and Community Development 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 this 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 this Plan and therefore denies the issuance of the permit, he shall, within 90 days of such denial,

seek approval of 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.

C. TECHNIQUES USED TO ACHIEVE PLAN OBJECTIVES

1. Acquisition

a. Purposes for Acquiring Properties Within the Project

Properties designated for acquisition on the Property Acquisition Map, Exhibit 2, will be acquired either for clearance and redevelopment, for rehabilitation, for public facilities, or for some combination of these purposes.

b. Conditions Under Which Properties Not Designated for Acquisition May Be Acquired

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

It may be necessary to acquire, by purchase or by condemnation for urban renewal purposes, the fee simple interest or any lesser interest in and to such of the remaining properties or portions thereof in the Project not specifically designated for acquisition on the Property Acquisition Map, Exhibit 2, as may be deemed necessary and proper by the Commissioner of the Department of Housing and Community Development to effect the proper implementation of the project. This may include:

- (a) Any property in the project area containing a non-salvable structure, i.e., a structure which in the opinion of the Commissioner of the Department of Housing and Community Development, cannot be economically rehabilitated.
- (b) Any property, the owner of which is unable or unwilling to comply or conform to the codes and ordinances of Baltimore City within 12 months from the date of written notice of the required improvements. The Department of Housing and Community Development, after due consideration that the property owner has failed to achieve substantial conformity with the codes and ordinances of Baltimore City may acquire such property pursuant to the Eminent Domain Law of this State as if the property has originally been planned for acquisition after 90 days written notice to the owner. The Department of Housing and Community Development reserves the right to acquire any such non-complying property for a period of two (2) years from the date of said written notice by the Department of Housing and Community Development.

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

Upon the acquisition of properties, the Department of Housing and Community Development will either:

- (1) demolish the structure or structures thereon and dispose of the land for redevelopment for uses in accordance with this Plan; or
- (2) sell or lease the property subject to rehabilitation in conformance with the codes and ordinances of Baltimore City; or
- (3) rehabilitate the property in conformance with the codes and ordinances of Baltimore City and dispose of property in accordance with applicable regulations. If sale cannot be consummated by the time rehabilitation is accomplished, property may be rented pending continuing sale efforts.

2. Rehabilitation

Property rehabilitation shall comply with the codes and ordinances of the City of Baltimore. Cleaning of masonry façades by means of sandblasting shall not be permitted, except where sandblasting is determined by the Commissioner of the Department of Housing and Community Development to be the only feasible means of surface cleaning of masonry, and where, in his opinion, it will not cause damage to historic building materials.

3. Relocation

The Department of Housing and Community Development assures that before firms or individual businesses are displaced from their present location of operation due to the requirements of this Plan, standard commercial structures within the displacees' financial means, in or near the project area, shall be identified. Businesses displaced because of the requirements of this Plan shall be given favorable consideration, but not necessarily priority, by the Department of Housing and Community Development in the review of commercial and industrial redevelopment proposals.

4. Review of Development

a. Land to Be Acquired and Disposed of

The Department of Housing and Community development specifically reserves the right to review and approve the Redeveloper's plans and specifications for development or rehabilitation with respect to their conformance with the provisions of the Renewal Plan and in order to achieve harmonious development of the project area. The Department also reserves the right to refuse to approve any such drawings, plans or specifications that are not suitable or desirable, in its opinion, for aesthetic or functional reasons; and in so passing upon such drawings, plans and specifications, it shall

have the right to take into consideration, but shall not be limited to, the suitability of the site plan, architectural treatment, building plans, elevations, materials and color, construction details, access, parking, loading, landscaping, identification, signs, exterior lighting, refuse collection details, streets, sidewalks and the harmony of the plans with the surroundings.

The Department of Housing and Community Development will fully utilize its Design Advisory Panel to work with developers in the achievement of high quality site, building, and landscape design.

b. Land Not to Be Acquired

Under the provisions of Section B.2.b., the Department of Housing and Community Development has the right to review all plans for new construction, exterior rehabilitation, change in use, or demolition on any property not to be acquired.

5. Land Disposition

a. Land and property interest acquired by the Mayor and City Council within the Project will be disposed of by sale, lease, conveyance, or transfer or other means available to the City, in accordance with the Land Disposition Map, Exhibit 3.

b. The parcels shown on Exhibit 3 are schematic and approximate. The Department of Housing and Community Development shall have the right, in its discretion, to fix their precise boundaries and size. For purposes of disposition, the parcels or lots, shown on Exhibit 3, may be subdivided or combined.

6. Zoning

All appropriate provisions of the Zoning Ordinance of Baltimore City shall apply to properties in the Project. Existing and proposed zoning districts are shown on Exhibit 4, Zoning Districts. It is not the intent to create non-conforming uses in those areas shown as proposed zoning areas on Exhibit 4 (3200 Washington Boulevard and 3010 Patapsco Avenue).

D. DURATION OF PROVISIONS AND REQUIREMENTS

The Caton / 95 Urban Renewal Plan, as it may be amended from time to time, shall remain in full force and effect for a period of forty (40) years from the date of original adoption of this Plan by ordinance of the Mayor and City Council of Baltimore.

E. PROCEDURES FOR CHANGES IN APPROVED PLAN

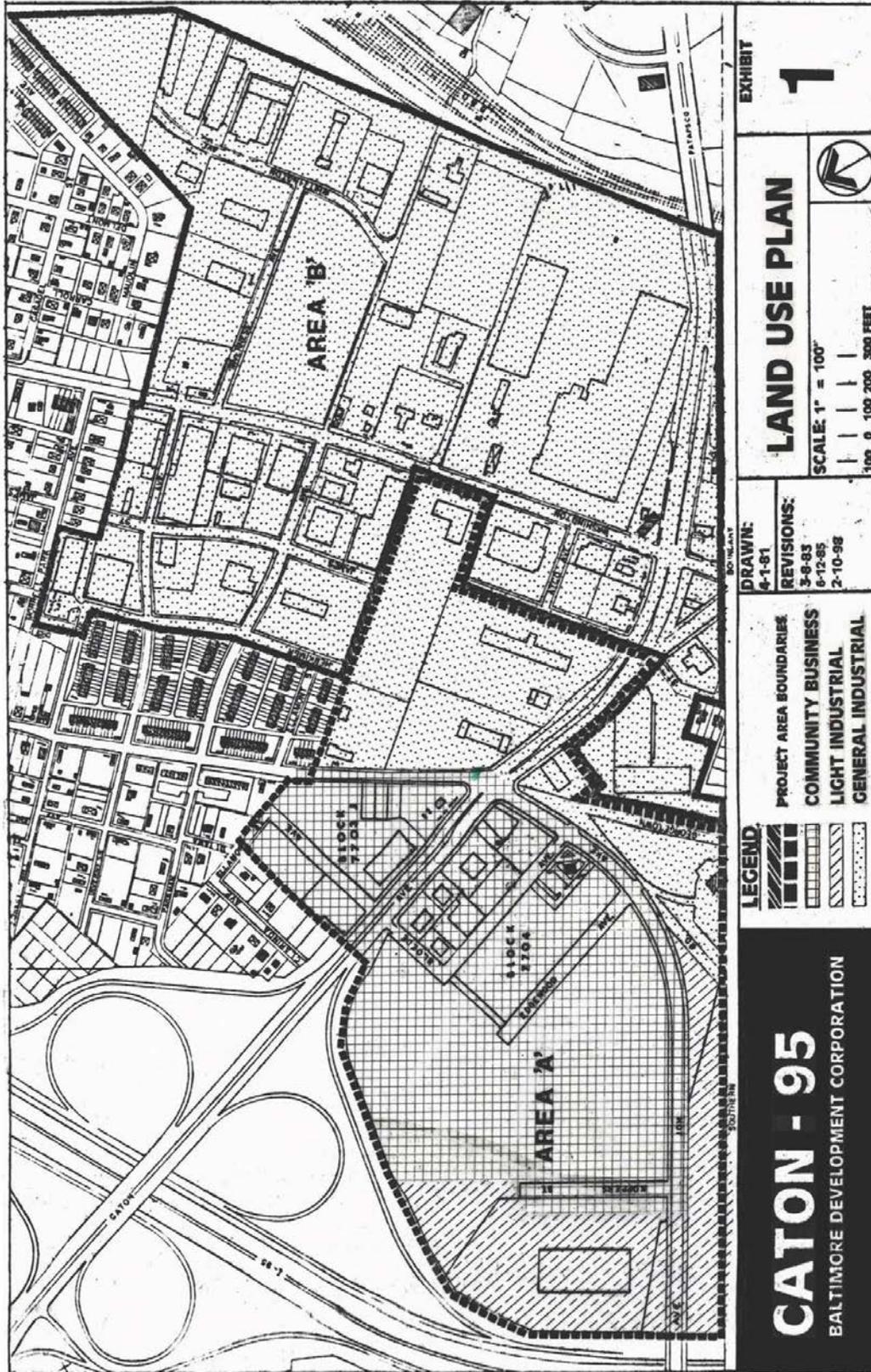
Prior to passage of any ordinance amending the Urban Renewal Plan, a public hearing shall be held. With respect to any land in the Project previously disposed of by the City for use in accordance with this Urban Renewal Plan, the then owner of such land, whose interests therein are materially affected by such changes, shall receive at least ten (10) days prior to such hearing, written notice of the time and place of such hearing and information as to where a copy of the proposed amendments may be inspected.

F. 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 provisions of the Plan without the word, phrase, clause, sentence, paragraph, section or part, or the application thereof, so held invalid would have been adopted and approved.

(10/28/98)

Retyped 1-23-06





CATON - 95
BALTIMORE DEVELOPMENT CORPORATION

LEGEND

 PROJECT AREA BOUNDARIES
 PROPERTY TO BE ACQUIRED
Listed by bureau of surveys Block and Lot numbers

DRAWN:
4-1-81

REVISIONS:
5-8-83
6-13-85
2-10-98

PROPERTY ACQUISITION

SCALE: 1" = 100'

 100 0 100 200 300 FEET

EXHIBIT 2

