

URBAN RENEWAL PLAN
MARKET CENTER

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URBAN RENEWAL PLAN

MARKET CENTER

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
MARKET CENTER DEVELOPMENT CORPORATION OF BALTIMORE

BALTIMORE, MARYLAND

ORIGINALLY APPROVED BY

THE MAYOR AND CITY COUNCIL OF BALTIMORE

BY ORDINANCE NO. 579

NOVEMBER 16, 1977

REVISIONS SINCE ORIGINAL APPROVAL BY THE MAYOR AND CITY COUNCIL OF
BALTIMORE

Amendment No. 1 dated February 25, 1980, approved by the Mayor and City Council of Baltimore by Ordinance No. 124, dated July 11, 1980.

Amendment No. 2 dated March 31, 1982, and revised May 7, 1982, approved by the Mayor and City Council of Baltimore by Ordinance No. 657, dated June 8, 1982.

Amendment No. 3 dated March 14, 1983, and revised June 30, 1983, approved by the Mayor and City Council of Baltimore by Ordinance No. 994, dated June 30, 1983.

Amendment No. 4 dated May 28, 1984, approved by the Mayor and City Council of Baltimore by Ordinance No. 101, dated June 19, 1984.

Amendment No. 5 dated December 17, 1984, approved by the Mayor and City Council of Baltimore by Ordinance No. 262, dated December 20, 1984.

Amendment No. 6 dated September 17, 1986, approved by the Mayor and City Council of Baltimore by Ordinance No. 860, dated December 23, 1986.

Amendment No. 7 dated January 11, 1988, and revised June 8, 1988, approved by the Mayor and City Council of Baltimore by Ordinance No. 88, dated June 27, 1988.

Amendment No. 8 dated September 30, 1988, approved by the Mayor and City Council of Baltimore by Ordinance No. 247, dated March 15, 1989.

Amendment No. 9 dated April 22, 1992, and revised May 22, 1992, approved by the Mayor and City Council of Baltimore by Ordinance No. 85, dated July 1, 1992.

Amendment No. 10 dated October 27, 1994, approved by the Mayor and City Council Baltimore by Ordinance No. 518, dated March 29, 1995.

Amendment No. 11 dated March 9, 1998, approved by the Mayor and City Council of Baltimore by Ordinance No. 98-333, dated June 24, 1998.

Amendment No. 12 dated November 20, 1998, and revised January 29, 1999, approved by the Mayor and City Council of Baltimore by Ordinance No. 99-423, dated May 10, 1999.

Amendment No. 13 dated February 2, 2001, approved by the Mayor and City Council of Baltimore by Ordinance No. 01-272, dated December 19, 2001.

Amendment No. 15 dated June 7, 2002, and revised July 19, 2002, approved by the Mayor and City Council of Baltimore by Ordinance No. 04-653, dated March ?? 2004.

Amendment No. 16 dated April 11, 2011, approved by the Mayor and City Council of Baltimore City by Ordinance No. 11-469, dated June 21, 2011.

Amendment No. 17 dated August 11, 2014, approved by the Mayor and City Council of Baltimore City by Ordinance No. 14-312, dated November 17, 2014.

* Ord. 03-513 designated this as Amendment 15, but Ord. 04-653 re-designated this as shown.

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APPENDIX A: Design Guidelines for New Construction and Property Rehabilitation Standards

APPENDIX B: Properties for Acquisition and Disposition for Rehabilitation or Redevelopment

EXHIBITS:

1. Land Use Plan Map, dated as revised July 19, 2002.
2. Property Acquisition/Land Disposition/Development Areas Map, dated as revised August 11, 2014.
3. Zoning Districts Map, dated as revised July 19, 2002.

MARKET CENTER

URBAN RENEWAL AREA

A. Project Description

Beginning for the same at the point formed by the intersection of the east side of Eutaw Street, as now laid out 66 feet wide, and the south side of Madison Street, as now laid out 66 feet wide; thence binding on the south side of Madison Street, Easterly 393 feet, more or less, to intersect the center line of Howard Street, as now laid out 82.5 feet wide; thence binding on the center line of Howard Street, crossing Monument Street, Southerly 400 feet, more or less, to intersect the south side of Monument Street, as now laid out 66 feet wide; thence binding on the south side of said Monument Street, Easterly 415 feet, more or less, to intersect the west side of Park Avenue, as now laid out 66 feet wide; thence binding on the west side of said Park Avenue, crossing Centre Street, Southerly 450 feet, more or less, to intersect the south side of Centre Street, as now laid out 66 feet wide; thence binding on the south side of said Centre Street, Easterly 390 feet, more or less, to intersect the west side of Cathedral Street, as now laid out 66 feet wide; thence binding on the west side of said Cathedral Street, crossing Hamilton Street, Franklin Street, Mulberry Street, and Pleasant Street, Southerly 1,125 feet, more or less, to intersect the north side of Saratoga Street, as now laid out 66 feet wide; and running thence by a straight line crossing Saratoga Street, Southerly 66 feet, more or less, to intersect the west side of Liberty Street, as now laid out varying in width; thence binding on the west side of said Liberty Street, Southerly 89 feet, more or less; thence binding on the northwest side of said Liberty Street, crossing Clay Street, Lexington Street, and Marion Street, Southwesterly 799 feet, more or less, to intersect the north side of Fayette Street, as now laid out; thence binding on the north side of said Fayette Street, crossing Park Avenue, Westerly 96 feet, more or less, to intersect the west side of Park Avenue, as now laid out; thence binding on the west side of said Park Avenue, crossing Fayette Street, Fairmount Avenue, and Baltimore Street, Southerly 1067 feet, more or less, to intersect the north side of Lombard Street, as now laid out 68 feet wide; thence binding on the north side of Lombard Street Westerly 1,102 feet to intersect the east side of Paca Street as now laid out 82 feet wide; thence binding on the east side of Paca Street Southerly 578 feet, more or less, to intersect the line of the northwest side of Washington Boulevard, if projected northeasterly; thence reversely 505 feet, more or less, on last said project line, on the northwest side of Washington Boulevard to intersect the east side of Greene Street as now laid out 66 feet wide; thence binding on the east side of Greene Street Northerly 431 feet, more or less, to intersect the north side of Pratt Street as now laid out 72 feet wide; thence binding on the north side of Pratt Street 1,230 feet, more or less, to intersect the center line of Martin Luther King, Jr. Boulevard as now laid out 240 feet wide; thence binding on the centerline of Martin Luther King, Jr. Boulevard, Northerly 630 feet, more or less, to intersect the south side of Baltimore Street, as now laid out 70 feet wide; thence binding on the south side of said Baltimore Street Westerly 100 feet, more or less, to intersect the west side of Martin Luther King, Jr. Boulevard; thence binding on the west side of said Martin Luther King, Jr. Boulevard Northerly 2090 feet, more or less, to

intersect the south side of Franklin Street, as now laid out 66 feet wide; thence binding on the south side of said Franklin Street Easterly 2,008 feet, more or less, to intersect the east side of said Eutaw Street; and thence binding on the east side of said Eutaw Street, crossing Franklin Street, George Street, Centre Street, Druid Hill Avenue, McCulloh Street, and Monument Street, Northerly 1,275 feet, more or less, to the place of beginning.

B. Urban Renewal Objectives

The objectives of the Market Center Urban Renewal Plan, (hereinafter referred to as "Renewal Plan") as determined by the Mayor and City Council of Baltimore (hereinafter referred to as "City"), acting by and through the Department of Housing and Community Development (hereafter referred to as "Department") and the Commissioner thereof (hereinafter referred to as "Commissioner") are as follows:

1. To make possible a public and private partnership for the purpose of revitalizing the Project Area as a mixed use neighborhood linking the University Center area with the Central Business District.
2. To take advantage of joint development opportunities in the construction of the Lexington Market Station of the Phase I Rapid Transit System, and to obtain maximum benefit from the Rapid Transit System to stimulate retail development and activity in the retail area.
3. To acquire certain properties within the Project Area in order to assemble feasible redevelopment parcels.
4. To remove blighting influences or uses or development otherwise in substantial non-compliance with the provisions of the Renewal Plan.
5. To direct public and private development in the Project Area in a manner that is harmonious with existing and proposed redevelopment in adjacent portions of downtown.
6. To assure harmonious development in the Project Area by requiring that all plans for new development, exterior rehabilitation or demolition be reviewed and approved as consistent with the objectives of the Renewal Plan.
7. To identify parcels of land which are available for redevelopment and to provide standards and controls for their redevelopment.
8. To establish a positive and identifiable image for the Project Area to encourage private investment, and to increase the stability of property values.
9. To provide for adequate vehicular and pedestrian circulation, public transportation and parking.

10. To enhance the environment within the Project Area by providing public improvements within public areas.
11. To encourage the preservation of existing historic/ architecturally significant buildings and streetscapes and the unique historic character of the area for Baltimore residents and visitors.
12. To encourage small, diverse locally-owned businesses.

C. Land Use Plan

The basic goal of the City of Baltimore for the Market Center is to work closely with its residents, businessmen, property owners, and institutions in the development of a plan for the rehabilitation and redevelopment, as herein provided, for the Project Area. The Renewal Plan meets certain objectives, including, but not limited to, the encouragement of residential redevelopment, the continuation -- on an orderly basis -- of diverse uses of land and structures within the Project Area, the creation of new opportunities for viable economic development, the resolution of current parking deficiencies, and the protection of the area from future blighting influences.

The only uses permitted in the Renewal Plan are Industrial and Mixed. All uses must be in accordance with the applicable provisions of the Zoning Code of Baltimore City, with certain exceptions as follows:

None of the uses listed below are permitted as principal or conditional uses in any of the existing Zoning Districts:

amusement establishments, including driving ranges, shooting galleries, pitch and putt, miniature golf courses, and other similar facilities; book and magazine stores and similar establishments (Class B); palmists; massage salons and public baths; stables for horses; peep show establishments; automobile painting shops; dance halls; drive-in theatres.

Any amusement arcade that was legally operating as of June 18, 1984 is permitted to continue such use, as long as the operator complies with all ordinances, codes or regulations in force in the City of Baltimore, subject to the provisions listed below:

1. There may be no more than 35 amusements arcade machines available for public use at any one time.
2. No amusement arcade machine may be available for public use between 3:00 a.m. and 6:00 a.m.

3. Uniformed security personnel must be on duty between 11:00 p.m. and 6:00 a.m. every Friday and Saturday evening that the amusement arcades machines are available for public use.

Certain existing uses are permitted to continue, subject to the provisions governing Non-Conforming and Non-complying uses set forth below.

(a) Mixed

A mixed use is said to occur when 2 or more uses occupy the same parcel. The uses are limited to those permitted uses, with the above exceptions, which comply with regulations for the Zoning District in which they are established. As used in the context of the Renewal Plan, Mixed Use means any combination of Office, Retail, Residential, Institutional, Hotel, Open Space, Parking, and circulation and utilities.

(b) Industrial

Uses are permitted in the M-1-3 Industrial District as defined in the Zoning Code of Baltimore City.

(c) Nonconforming

A non-conforming use is any lawfully existing use of a building or other structure, or of land that does not conform to the applicable use regulations of the district in which it is located according to Title 13 of the Zoning Code of Baltimore City. Non-conforming uses are permitted to continue, subject to the provisions of the Zoning Code of Baltimore City.

(d) Noncomplying

A non-complying structure, as set forth in Title 13 of the Zoning Code of Baltimore City 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 Title 13. In addition, a non-complying use, when the term is used in the Renewal Plan, is any lawfully existing use of a building or other structure, or of land that does not comply with the land use regulations of the Renewal Plan. These non-complying uses are permitted to continue for an indefinite period of time, except that:

- (1) Any non-complying land use that 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, or 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 use conform to the regulations of this Renewal Plan; and

- (3) No non-complying land use may be changed to any other non-complying use.

D. Techniques Used to Achieve Plan Objectives

1. Acquisition of Property

Properties designated for acquisition on Exhibit 2 (including parts or interests may be acquired by purchase or condemnation. Scattered properties to be acquired and disposed of for rehabilitation and those properties to be acquired and disposed of for clearance and redevelopment are listed in Appendix B.

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 the remaining properties in the Project Area not specifically designated for acquisition on Exhibit 2 as may be deemed necessary and proper by the Commissioner to effect the proper implementation of the Renewal Plan. These 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 privately owned structure in the Project Area that the owner intends to rehabilitate or demolish in a manner not in substantial conformity with the rehabilitation standards in Appendix A or the other objectives of the Renewal Plan.
- (c) Any property, the owner of which is unable or unwilling to comply or conform to the property rehabilitation standards set forth in the Renewal Plan within 12 months from the date of written notice of the required improvements. The Department, after due consideration that the property owner has failed to achieve substantial conformity with the property rehabilitation standards may acquire the property pursuant to the Eminent Domain Law of this State as if the property had originally been planned for acquisition after 90 days written notice to the owner. The Department reserves the right to acquire any non-complying property for a period of 2 years from the date of written notice by the Department.

- (d) The authority to acquire the properties within the project area is expressly confirmed and reauthorized through and including December 31, 2018.

2. Other Remedies for Non-Compliance

In addition to, and not in place of, the remedy of acquisition by purchase or condemnation of non-complying properties, the Department may correct code violations and place a lien against the property in accordance with the provisions of Section 303 of the Housing Code of Baltimore City.

3. Actions to be Followed by the Department Upon Acquisition of Properties

- (a) Rehabilitate the property in conformance with the codes and ordinances of the City and the rehabilitation standards and objectives set forth in the Renewal Plan and dispose of property at its fair value in accordance with applicable regulations. If sale cannot be consummated by the time rehabilitation is accomplished, the property may be rented pending continuing sale efforts; or
- (b) Sell or lease the property subject to rehabilitation and/or maintenance in conformance with the codes and ordinances of Baltimore City and the rehabilitation standards and objectives set forth in the Renewal Plan; or
- (c) Demolish the structure or structures thereon and dispose of land for redevelopment at its fair value for uses in accordance with the Renewal Plan; or
- (d) Devote the property and/or structures to a public use in accordance with the Renewal Plan.

4. Relocation

- (a) The Department assures that before individuals or families are displaced from their dwelling units due to the requirements of the Renewal Plan, standard housing within the displacees' financial means must be provided. Residents living within the Project Area, if displaced through the requirements of this Renewal Plan, must be given a priority by the Department to any housing within the Project Area over which the Department has direct control.
- (b) The Department assures that before firms or individual businesses are displaced from their present location of operation due to the requirements of the Renewal Plan, standard commercial structures within the displacees' financial means in or near the Project Area must be identified. Businesses displaced because of the requirements of the Renewal Plan must be given favorable consideration, but not necessarily priority consideration, by the

Department in the review of commercial and industrial redevelopment proposals.

5. Public Improvements

It is the intent of the Renewal Plan to provide public improvements within public areas to enhance and improve the pedestrian environment and to complement and encourage private renovation. The improvements may include, but are not limited to, street and utility improvements, public pedestrian walkways, lighting, landscaping, and street furniture.

E. Provisions Applicable to All Land to be Acquired

Exhibits 1 and 3, dated as revised July 19, 2002, and Exhibit 2, dated as revised January 20, 2004, identify the area included in Market Center as defined by the ordinance approving this Renewal Plan. These exhibits are based on and supersede the exhibits incorporated in the Urban Renewal Plan for Market Center West as it was in effect prior to the adoption of this Renewal Plan. All subsequent changes will be shown on these or new exhibits, as appropriate.

Over and above the codes and ordinances of Baltimore City, the following regulations, controls, and restrictions are implemented where applicable by covenants or other provisions in the agreements for land disposition and instruments of conveyance executed pursuant thereto.

1. Land and property interests acquired by the City within the Project Area will be disposed of by sale, lease, conveyance, transfer, or other means available to the City, in accordance with Exhibits 1 and 2 and the other provisions of the Renewal Plan.
2. The parcels shown on Exhibit 2 are schematic and approximate. The Department has the right, in its discretion, to fix their precise boundaries and size. The Department also has the right, in order to facilitate the most advantageous development, to subdivide or combine the parcels or lots as shown on Exhibit 2.
3. Disposition of Project land is in accordance with the Land Disposition Policy of the Department. Where disposition parcels include surplus property acquired for the construction of the Phase I Rapid Transit System, disposition procedures must be in accordance with the following provision of the General Agreement dated June 18, 1976, between the Mass Transit Administration and the Mayor and City Council of Baltimore:

"IV.4.3. The Administration agrees that the future disposition of any excess portions of land acquired for the purpose of transit construction will be closely coordinated with the development and redevelopment programs of the City. The coordination of disposition policy by the Administration with City development and redevelopment programs must apply in each

instance where excess land acquired by the Administration is disposed of for private, public, or semi-public development by others, whether by sale in fee simple or by ground lease, or by conveyance of air rights through sale or lease. The Administration further agrees that wherever the disposition of excess land occurs within urban renewal project areas designated by ordinance of the Mayor and City Council of Baltimore, applicable disposition agreements, leases and/or deeds executed between the Administration and others must incorporate the disposition standards and regulations for development of the properties as established by the applicable urban renewal ordinances of the Mayor and City Council of Baltimore. The City agrees to coordinate the development of the urban renewal disposition standards, where the standards apply to properties acquired by the Administration, with the transit development and construction policies and plans of the Administration, and where applicable must give due regard to policies and guidelines of the Urban Mass Transit Administration of the U.S. Department of Transportation."

4. The Redeveloper may not enter into, execute, or be a party to any covenant, agreement, lease, deed, assignment, conveyance, or any other written instrument, that 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. The agreement or covenant providing for this nondiscrimination provision must remain in effect without limitation as to time; and the United States is deemed a beneficiary of the agreement or covenant providing for this nondiscrimination provision and is entitled to enforce it. The Redeveloper will comply with all State and local laws, in effect from time to time, prohibiting discrimination or segregation.

5. Disposition Lot Controls

(a) General Controls

In addition to the specific disposition lot controls outlined in Section 5.(b) below, the following controls apply to all new construction within the Project Area:

- (1) Servicing: All servicing must be off street, must be within structure and roofed so as to be screened from public view. Loading docks will be provided and maintained in accordance with the Building Code of Baltimore City. Open-air storage of equipment, merchandise and materials is prohibited except as specifically authorized in writing by the Department.
- (2) Waste Disposal: Facilities will be provided and maintained within structures for the storage and collection of refuse. No waste or refuse is permitted to remain outside of structures,

except as permitted by the Baltimore City regulations regarding containers for garbage; the areas for the containers must be properly screened.

- (3) No building, structure, or parking area may be constructed over an easement within the Project Area without the prior consent of the Commissioner and the Director of Public Works.
- (4) All land not covered by structures, paved parking, loading or related service areas, paved areas for pedestrian circulation, or decorative surface treatments, must be provided with landscape treatment.
- (5) 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, soften and relieve the effects of structure and pavement, and provide a visual harmony. All screening and landscaping must be maintained in good condition.

(b) Specific Controls

In addition to the requirement for review of all plans for new construction and rehabilitation as required by Section F.1. of the Renewal Plan, the following disposition lot controls shall apply to the disposition lots identified on Exhibit 2. The elevation established as grade level is determined by the Department.

Disposition lots that were included in the Urban Renewal Plans for Market Center and Market Center West, but which have subsequently been disposed of to a redeveloper, have been deleted from this Renewal Plan. The specific controls for these lots, as contained in these Renewal Plans, as last amended, and in individual disposition agreements, are nonetheless still in effect.

All development and building preservation standards as a result of renovations and redevelopment of properties in Market Center must conform to the Memorandum of Agreement (MOA) for Historic Preservation signed by the Mayor and approved by the Board of Estimates for Baltimore City on January 27, 2001, and the Westside Strategic Plan adopted February, 2001, for the Market Center Area. Any and all subsequent revisions, modifications, additions or deletions to both the MOA and Westside Strategic Plan shall also be binding.

Disp. Lot	Land Use	Zoning	Standards and Controls
1	Mixed	B-4-1	Rehabilitate and/or redevelopment for mixed use.
2	Mixed	B-4-1	Rehabilitate and/or redevelopment for mixed use.
3	Mixed	B-4-1	Redevelopment for mixed use.
4	Mixed	B-4-1	Existing structures, where feasible, must be rehabilitated for mixed use
5	Mixed	B-4-1	Rehabilitation of existing buildings, where feasible, for mixed use.
6	Mixed	B-4-1	Redevelopment for mixed use.
7	Mixed	B-4-1	Redevelopment for mixed use.
8	Mixed	B-5-1	Redevelopment for mixed use.
9	Mixed	B-5-1	Redevelopment for mixed use.
10	Mixed	B-4-2	Redevelopment for mixed use.
11	Mixed	B-4-2	Redevelopment for mixed use and/or off-street parking.
12	Mixed	B-4-2	The existing structure must be rehabilitated, where feasible, for mixed use.
13	Mixed	B-4-2	Rehabilitation of buildings, where feasible, for mixed use.
14	Mixed	B-4-2	Acquisition and closure of public right-of-way to combine with adjacent disposition lot for mixed use.
15	Mixed	B-4-2	Redevelopment for mixed use.
16	Mixed	B-5-1	Redevelopment for mixed use. A land-mark building is desired to define this major entrance to the Downtown (Route 40).
17	Mixed	B-5-1	Rehabilitate and/or redevelopment for mixed use.
18	Mixed	B-5-1	Redevelopment for mixed use.
19	Mixed	B-4-2	Redevelopment for mixed use.
20	Mixed	B-4-2	Buildings must be rehabilitated, where feasible, for mixed use.
21	Mixed	B-4-2	Rehabilitation of buildings, where feasible, for mixed use.
22	Mixed	B-4-2	Rehabilitate existing structures, where feasible, for mixed use.
23	Mixed	B-4-2	Rehabilitate and/or redevelopment for mixed use.
24	Mixed	B-4-1	Rehabilitate and/or redevelopment for mixed use.
26	Mixed	B-4-2	Acquisition and closure of public right-of-way to combine with adjacent disposition lot for mixed use.
27	Mixed	B-4-2	Rehabilitate and/or redevelopment for mixed use.

Disp. Lot	Land Use	Zoning	Standards and Controls
28	Mixed	B-4-2	Redevelopment for parking garage and mixed use.
29	Mixed	B-4-2	This lot is proposed for a mixed-use medium to high-rise development.
30	Mixed	B-4-2	Redevelopment for mixed use.
31	Mixed	B-4-2	Rehabilitate and/or redevelopment for mixed use.
32	Mixed	B-4-2	Redevelopment for mixed use.
34	Mixed	B-4-2	Rehabilitate and/or redevelopment for mixed use.
35	Mixed	B-4-2	Redevelopment of air rights structure to combine with adjacent development for mixed use.
36	Mixed	B-4-2	Rehabilitate and/or redevelopment for mixed use.
38	Mixed	B-4-2	Redevelopment of air rights structure to combine with adjacent development for mixed use.
39	Mixed	B-4-2	Rehabilitate buildings for mixed use.
40	Mixed	B-4-1	Rehabilitate buildings for mixed use.
41	Mixed	B-4-1	Rehabilitation and/or redevelopment for mixed use.
42	Mixed	B-5-2	Redevelopment for mixed use.
43	Mixed	B-5-2	Redevelopment for mixed use.
44	Mixed	B-5-2	Redevelopment for public right-of-way.
45	Mixed	B-4-1	Redevelopment for mixed use.
46	Mixed	B-4-1	Redevelopment for mixed use.
47	Mixed	B-4-2	Redevelopment for mixed use.
48	Mixed	B-5-2	Rehabilitate building for mixed use.

F. Provisions Applicable to Land Not to be Acquired

The provisions of Section C.1 (Permitted uses) above apply to all properties in the Project Area. The provisions of Section E. apply as appropriate to properties not currently proposed to be acquired under this Plan if the owners thereof acquire adjacent project land made available by the Department of Housing and Community Development under the provisions of the Renewal Plan. The provisions of Appendix A, Design Guidelines for New Construction and Property Rehabilitation Standards, apply to all properties in the Project Area except those designated for acquisition and clearance.

All development and building preservation standards as a result of renovations and redevelopment of properties in Market Center must conform to the Memorandum of

Agreement (MOA) for historic preservation signed by the Mayor and approved by the Board of Estimates for Baltimore City on January 27, 2001 and the West Side Strategic Plan adopted in February 2001 for the Market Center area.

1. Plan Review

- (a) To assure an appropriate environment within the Project Area, it is required that all plans for new construction (including parking lots) within the Project Area be submitted to the Department for review to determine if the plans are consistent with the objectives and requirements of the Renewal Plan. Plans and specifications for new construction must be in sufficient detail to show site planning, architectural design and layout, materials, colors, building construction, landscape design, access, signs, lighting, servicing, streets and sidewalks. Where new construction is proposed, preliminary plans and outline specifications must be submitted prior to the preparation of working drawings and specifications. All new construction on areas identified as available for disposition on Exhibit 2 must be designed in accordance with the Disposition Lot controls established by the Renewal Plan.

- (b) All property owners in the Project Area or their representatives must submit to the Department plans and specifications for all exterior, or highly visible rehabilitation, repairs, expansion, demolition, or change in use of property within the Project Area in order to determine if the plans and specifications are consistent with the objectives and requirements of the Renewal Plan. A proposal for demolition of all or a portion of a structure must be accompanied by plans for new construction or renovation to show the intended use of the site following demolition. Upon finding that the proposed demolition is consistent with the objectives of the Renewal Plan, the Commissioner of the Department of Housing and Community Development must authorize the issuance of the necessary permit. If the Commissioner finds that the proposal is inconsistent with the Renewal Plan and denies the issuance of the permit, he must, 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 the 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 must, without delay, issue the demolition permit. Plans and specifications for rehabilitation must be in sufficient detail to show site planning, architectural design and layout, materials, color, building reconstruction, landscape design, access, signs, lighting, servicing, street and sidewalks. All exterior rehabilitation (including repair, renovation and expansion) must be carried out in accordance with the Property Rehabilitation Standards contained in Appendix A of the Renewal Plan.

- (c) The review of the plans may be concerned with, but not necessarily limited to, urban design standards, site planning, architectural treatment, materials, colors, building construction, landscape design, access, signs, lighting, servicing, streets, sidewalks, and construction or rehabilitation details.
- (d) Approval by the Department of all plans and specifications for new construction, change in use of property, rehabilitation and/or demolition must be required before proceeding with the work.
- (e) All standards and guidelines contained in the Renewal Plan are over and above existing codes and ordinances of the City of Baltimore.
- (f) Variances to the Renewal Plan may be granted by the Department for architectural and landscape standards on the basis of design and architectural intent or unusual circumstances, provided the variances are consistent with the intent of the Renewal Plan.

G. Interpretation

Developers will be required to agree that, in the event of any question regarding the meaning of these standards and controls or other provisions of the Renewal Plan, the interpretation placed on them by the Commissioner is final and binding, provided that any interpretation is not unreasonable or arbitrary.

H. Off-Street Parking Requirements

Parking spaces must be provided according to the requirements as established by the Zoning Code of Baltimore City or in a lesser amount as may be approved by the Commissioner of the Department of Housing and Community Development and authorized by the Board of Municipal and Zoning Appeals as a Special Exception or Variance.

I. Term of the Plan

The Market Center Urban Renewal Plan, as amended from time to time, is in full force and effect through and including December 31, 2018.

J. Street Reservation and Dedication

The City reserves unto itself all of its right, title, and interest in and to the beds of all streets, alleys, avenues, or lanes herein mentioned and referred to, subject however to use in common as private ways, until said streets, alleys, avenues, and lanes are expressly dedicated to public use.

All references in the Renewal Plan to any street, alley, avenue, or lane are for purposes of

description only and are not intended to dedicate same to public use, and any implied intent of dedication or dedication of the streets, alleys, avenues or lanes by reference to them is hereby denied and revoked.

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

1. Zoning

All appropriate provisions of the Zoning Code of Baltimore City apply to properties within the Project Area. Any change in the Zoning Code embodied in the Renewal Plan, and designated on Exhibit 3, Zoning Districts, shall be approved by ordinance in accordance with the procedural requirements of the Zoning Code and Article 66-B of the Annotated Code of Maryland (1957 Edition, as amended).

2. Reasons for the Various Provisions of this Plan

(a) To make possible a public and private partnership for the purpose of revitalizing the Project Area as a mixed use neighborhood linking the University Center area with the current Central Business District.

(b) Obsolescence of structures and inadequate access have led to a decline in the area.

L. Official Actions

To carry out the Renewal Plan, it will be necessary for the Mayor and City Council of Baltimore to take the following actions at the appropriate times:

1. Passage of Ordinance approving the Renewal Plan.
2. Passage of Ordinance opening and closing certain streets and alleys in the Project Area.
3. Passage of ordinances amending the Renewal Plan, from time to time.

M. Procedures for Changes in Approved Plan

The Renewal Plan may be amended from time to time upon compliance with the requirements of law provided that prior to passage of any ordinance amending the Renewal Plan, a public hearing must be held, and providing further that with respect to any land in the Project Area previously disposed of by the Department for use in accordance with the Renewal Plan, the then owner of the land, whose interests in the Renewal Plan are materially affected by the Renewal Plan changes, must receive at least 10 days prior to the hearing written notice of the time and place of the hearing and information as to where a copy of the proposed amendments may be inspected.

N. Community Review

The Department must submit to the Market Center Project Area Committee, or its successor, for its review and comment, the form and content of all proposals to redevelop land to be disposed of and the Preliminary and proposed Final Construction Plans for each disposition lot designated in the Renewal Plan. The Market Center Project Area Committee, or its successor, must advise the Department of its recommendations regarding the acceptability and/or priority of all plans and proposals. The written comments shall be transmitted to the Department no later than 3 weeks after the proposals and/or plans have been submitted to the Market Center Project Area Committee, or its successor or its assigns; otherwise, it is presumed that the proposals and/or plans are acceptable. The Commissioner of the Department retains final authority to approve or disapprove all plans and to grant or withhold development priorities, disposing of redevelopment land through procedures established by the Department.

O. Separability

In the event it be judicially determined that any word, phrase, clause, sentence, paragraph, section or part in or of the Renewal Plan, or its application to any person or circumstances is invalid, the remaining provisions and the application of the provisions to other persons or circumstances are not affected.

APPENDIX A

DESIGN GUIDELINES FOR NEW CONSTRUCTION AND
PROPERTY REHABILITATION STANDARDS

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I. DESIGN GUIDELINES FOR NEW CONSTRUCTION

Plans, elevations and appropriate design documents for all new construction, and significant rehabilitation projects must be submitted to the Department for review and approval of design at concept stage.

A. Definitions

Building Height: The vertical distance measured in the case of flat roofs, from the mean curb level to the level of the highest point of the roof adjacent to the street wall, and in the case of pitched roofs: the mean curb level to the mean height level of the pitched roof.

Building Placement: The location, in plan, of a structure on its lot.

Build-to-Line: A property line or newly established set-back from a property line, as drawn on the Land Use Exhibit, against which the ground floor building must be placed. Exceptions may be made to the build-to line for purposes of preservation of existing buildings and changes to street right-of-way on Lexington Street. These changes must be reviewed for design by the Department.

Facade: The wall of a building that faces onto a primary street.

Frontage: The portion of a building that faces a public street.

Openings: Doors, windows, recessed planes, arcades, and recessed balconies.

Street-Room: A single contiguous exterior area contained within and defined by a single street; including the primary facades and extending no more than 1 block.

B. Guidelines

First Floor Guidelines:

1. The ground level of new buildings must occupy 100% of the build-to-line indicated on Exhibit #1.
2. All ground floor facades must have a minimum area of 50% consisting of openings and/or clear glass.

Color and Materials:

The building's primary facade, excluding openings, must be brick, stone, granite, marble, precast concrete, cast stone, or similar masonry product. Exterior Insulation and Finish Systems (EIFS) may be used on upper floors only, not at

ground level. Colors must be compatible with the surrounding architecture.

Building Heights:

1. No building on a primary street may be less than 35 feet in height.
2. Storefronts, arcades and all ground level uses must be a minimum of 12 feet high.
3. Buildings within the same street room may vary in building height no more than 20% of the average building height within the street room.

II. PROPERTY REHABILITATION STANDARDS

Jurisdiction

These provisions apply to all exterior improvements to existing properties within the Project Area. It is required that all exterior improvements be made in accordance with the objectives of the Renewal Plan. Over and above the codes and ordinances of the City of Baltimore, the following additional provisions are applied to all properties within the Project Area, whether occupied or vacant.

Rehabilitation Standards

Nothing in these provisions is construed to permit any construction, alteration, change, repair, use, or sign, or any other matter otherwise forbidden, restricted, or controlled by any other public law except as specifically noted. All work performed in compliance with the Renewal Plan must be done in a workmanlike manner and according to accepted standards of the building trades. Materials used in making repairs must be of quality suitable for the purpose and of a kind normally used to accomplish the required repairs. Historic or original materials and/or architectural features in need of repair or replacement must be replicated to match the existing materials and/or features.

Creative and Innovative Design

These provisions are in no way to discourage creative and innovative design so long as the design proposal is in harmony with the broad intent of the Renewal Plan. Such creative and innovative designs may be submitted to the Department for review and, at the sole discretion of the Commissioner, approval of such designs, including exceptions to these provisions, may be granted.

A. General

1. Exterior Walls (front, side and rear)
 - a All of the exterior walls of all structures located in the Project Area are included in this requirement.

- b. All exposed and visible surfaces must be replaced, repaired, repointed, cleaned or painted in workmanlike manner to present an acceptable appearance.
- c. All colors and color schemes used in the Project Area must be compatible with the design of the buildings in the area.
- d. 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 architecture of that building. All damaged, sagging, or otherwise deteriorated store-fronts, signs, show windows, or entrances must be repaired or replaced.
- e. All miscellaneous unused elements on the exterior walls of the structures such as empty electrical boxes, conduits, pipes, unused sign brackets, etc., must be removed.
- f. All exterior walls which 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 to match existing bond. Painted masonry walls must have loose material removed and be painted a single color except for trim or decorative details which may be another color. Surfaces must be painted with products, and employing application methods that will prevent early deterioration. Patched walls must match the existing adjacent surfaces as to materials, color, bond and joining. Cleaning of masonry walls by means of sandblasting is not permitted.
- g. All brick and concrete block walls must be cleaned, repaired, and repointed as required. Brick walls must be either preserved in their natural state or painted a color suitable to their historic style. Unfinished concrete block walls must be painted or stucco finished.
- h. All natural stone walls must be cleaned, repaired, and pointed.
- i. Resurfacing of existing brick facades with materials such as formstone, wood siding, structural glass veneer, metal or vinyl siding or panels, etc., is not permitted.

- j. All stucco surfaces must be cleaned and repaired. Repaired and new stucco surfaces must have a continuous and even finish with no patching visible.
- k. No new formstone finishes are permitted. All defective formstone finishes must be removed and the walls behind them restored. Where formstone is in solid condition and to be retained, painting of facades is encouraged.
- l. Existing wood siding material, in sound condition and permissible under the Baltimore City Building Code, must be cleaned, stripped, and painted. All other wood siding must be removed. All siding hiding or covering the original building above the sign area must be removed. Real or simulated wood shakes are not considered to be compatible with this renewal area and new applications of these materials are not permitted.
- m. Existing metal or vinyl siding that is undamaged, structurally sound, and permissible under the Baltimore City Building Code must be kept bright, clean, in a good state of repair, or painted a color compatible with the colors of the neighboring structures. All other metal or vinyl siding must be removed. All siding hiding or covering the original building above the sign area must be removed. Existing metal or vinyl siding is limited to the street level and may not cover more than 25% of the total front. The metal or vinyl must be of sufficient gage, thickness and finish quality to prevent denting, scratching and discoloration through normal wear and tear. No new applications of vinyl siding are permitted.
- n. All gutters and rain water leaders must be in good condition and must be repaired or replaced as necessary and must be neatly located and securely installed. Gutters and downspouts must be pre-painted, baked enamel, non-ferrous material or painted and must be compatible with the other building colors.
- o. All cornices, upper floor windows, and all other portions of a building containing metal or wood trim must be made structurally sound. Rotten, rusted or weakened portions must be restored, where feasible, or replaced to match as closely as possible the original architecture. All exposed metal or wood must be painted or stained, or otherwise treated for protection. The removal of cornice work, without prompt replacement of approved design, is not permitted.
- p. Walls, ledges, cornices, sills and other projections must be kept clean of bird droppings and may be provided with

inconspicuous/discrete deterrent devices to protect them from soiling by birds.

- q. No new mechanical equipment such as exhaust fans, vents and air conditioning units is allowed to project through building fronts or sides facing streets unless concealed in an approved manner.

2. Roofs

- a. All roof mounted signs and unused roof hardware must be removed.
- b. 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.
- c. Television and radio antennae must be located so as to be as inconspicuous as possible from the sidewalk across the street.
- d. Rooftop mechanical equipment must be located far enough back from the edge of the roof so that it cannot be seen from the sidewalk across the street, either in front of or to one side of the building. Functional equipment may be retained until major repair or replacement of the equipment becomes necessary, at *which* time it must be repositioned as above. All mechanical equipment must be painted with a flat paint in a color compatible with the color of the front of the building upon which it rests to minimize visibility.
- e. Any new mechanical equipment placed on a roof must be located to be hidden from the street and to be as inconspicuous as possible from other viewpoints. New equipment must be screened with suitable elements of a permanent nature and finished so as to be compatible with the rest of the building. Where screening is unfeasible, equipment must be installed in a neat, presentable manner and must be painted in such a manner as to minimize its visibility.
- f. All chimneys, elevator penthouses or other auxiliary structures on the roofs must be kept clean and in good repair. All deteriorated masonry chimneys must be either removed or restored. All future metal chimneys must be located so that they cannot be seen from the sidewalk across the streets either in front of, or to one side of, the building.
- g. Flashing visible from the sidewalk must be neat and free of pitch. Visible flashing must be painted to match the surface of the wall and roof.

- h. For pitched roofs visible from the sidewalk across the street, additional roof requirements apply:
- (1) The finished roofing material must be kept clean, in good state of repair, and of uniform pattern, color, and texture.
 - (2) The finished roofing material must be limited to one of the following:
 - Flat or standing seam natural or painted sheet metal roofing
 - Asphalt shingle or clay tile
 - Slate
 - (3) The finished roofing material must be a color compatible with the building color scheme.
 - (4) Original dormers must be retained and repaired. New dormers must be compatible with the design of the building's street facade. The finish materials and colors must be compatible with both the roof and facade of the buildings.
 - (5) Skylights and solar panels must be of low profile and all metal parts must match the roofing material.

3. Windows

- a. Windows not in the front or side of the buildings must 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, or other solution satisfactory to the Department.
- b. 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 window panes must be replaced in original or appropriate design with glass. All exposed wood must be repaired and painted.

- c. Window openings in upper floors of the front and all visible sides of the building must be retained and restored and not be filled, boarded up, or covered by any signs. Window styles are to conform to original window styles for the building facade. Windows in upper floors may be backed by suitable curtains, blinds, interior wood shutters, or other approved materials. Window glass at street level must not be painted.
- d. The use of shutters is not allowed in cases where shutters would not be appropriate with the architectural style of the building.
- e. All of the windows in a single facade must be of matching design. All window openings must have the same height 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 apply for all new windows:
 - (1) All windows must have frames, sash, and mullions of a material, design, and color appropriate to the architecture of the building. Wherever possible, the original number of window lights must be retained, either in existing or replacement sashes.
 - (2) All windows, frames, and mullions must be kept in good repair and properly painted.
 - (3) Ornamental windows, grilles, and balconets may be incorporated as a decorative or security device.
 - (4) The lintels over windows must be preserved, restored, or replicated. Rotten wood lintels must be replaced with steel lintels concealed behind a wood facing. Brick archwork and stone lintels must be restored.
 - (5) Window sills must be preserved, replaced, and restored to match the original design of the building.
 - (6) Installation of exhaust fans, vents, and air conditioning units in front windows is not allowed; however, where there is no other alternative, the unit must be painted in a color that makes it as inconspicuous as possible or must otherwise be suitably screened.

4. Storefronts

- a A storefront as a part of the building facade is defined to include:
 - (1) The ground floor building face, generally from the grade level to the centerline of the second floor, and the entrance area leading to the door;
 - (2) The door, sidelights, transoms, show windows, display platforms, devices including lighting and signing designed to be viewed from the public right-of-way and/or the areas visible to the public prior to entering the interior portion of the structure.
- b All elements of the storefront including marquees, awnings, show windows, entrances, signs, lighting, sun protection, security grilles, etc., must be compatible, harmonious, and consistent with the original scale and architecture of the building. All such elements must be located no higher than one inch below the second story window sill line where windows exist, or to a point 14 feet above the sidewalk.
- c All extraneous and unused hardware, signing, and equipment must be removed.
- d. All broken, rotten, or damaged elements must be removed and replaced with elements that are compatible with the architecture of the building. All damaged, sagging, or otherwise deteriorated storefronts, show windows, or entrances must be repaired or replaced. The practice of "patching" or layering materials one on top of the other is not permitted. Damaged parts must be replaced so as to be undetectable as replacement parts.
- e At the time when sign panels covering or replacing store cornices are removed, the cornice must be restored or replaced. (See Also)
- f Materials used on storefronts must be compatible with the architecture of other buildings in the renewal area as well as other materials used on the building itself. Other factors such as durability, ease of maintenance and historical compatibility of materials must be considered in relation to future material installations. Material not approved by the Department is not permitted for any future use. All such materials now in use must be kept in good repair or must be removed.

g. Awnings

- (1) Existing retractable awning boxes or fixed awning hardware on storefronts must be reconditioned to accommodate a new awning that is compatible with the building design. Torn, frayed, faded or dirty awnings must be reconditioned, repaired, cleaned, or replaced.
- (2) Awnings are to be installed along the full width of existing awning boxes and frames and on upper floors over windows only.
- (3) The color of the material and any graphics or striping must be compatible with the building architecture.
- (4) Fixed awnings must have a fall sufficient to shed a snow load. A 6-inch fall for every foot is the minimum.
- (5) Awnings must not be designed so as to prevent vehicular movement at the curb or to interfere with improvements to the public right-of-way such as street lights, landscaping, and street furniture. Awnings must not be lower than 8 feet above the sidewalk, and not less than 1 foot inside the curb and must otherwise conform with the provisions of City Ordinances.
- (6) Street level awnings must terminate against the building at a height not to exceed one inch below the second floor window sill or no higher than the bottom of a first floor cornice, unless it exists as a part of the cornice.
- (7) Awning signage is limited to the valance portion of the awning, with an 8 inch maximum height of letters. Logos may be used on other portions of the awning.
- (8) New metal awnings or canopies are not permitted.

- h. Security screens, grates, bars, and grilles must be designed to be as inconspicuous as possible. They must be constructed of nonferrous material or kept painted and free of rust. Non-metal grilles and screens are prohibited. Enclosures and housings for security grilles and screens must be painted and compatible with the architecture of the storefront and the facade or hidden from view as an integral part of a sign or awning. All screens and grilles must be totally opened or removed during the normal business hours. No signs or product advertising are permitted on grilles or grille

housings.

- i. Solid or permanently enclosed or covered storefronts or painted show windows or show windows replaced by solid materials are not permitted unless treated architecturally as an integral part of the building facade and compatible with these standards. Where the window treatment of the first floor is to be modified, these new window openings must not be smaller in size than the openings of the second or third floor windows. These new windows must be compatible with the upper windows in the structure.
- j. New storefronts that project beyond the property lines of the stores are not permitted. Where the original front is behind the property line and where a new projecting front would not be disruptive to adjacent stores and is compatible with the building architecture, a new front may be installed up to the property line.
- k. All new storefronts must provide a street side hose bib to provide water for storefront and sidewalk cleaning and to aid in watering street trees.
- l. Doorways and Entrances - In cases where there are doorways to buildings that are not incorporated in the storefront, the character of the original doorway must be preserved, where possible. The original style of these doorways, if possible, must be incorporated into the design of the remodeled storefront. The following additional requirements apply to all doorways and entrances.
 - (1) Storm and screen doors and hardware visible from the outside must be compatible with entrance doors.
 - (2) Any grilles, bars, and grates covering doors or windows must be designed to be compatible with the architecture of the building and of the neighboring structures.
 - (3) Where steps or stoops are required at a doorway or entrance, they must be designed to match the original design. In cases where there are more than two risers, the steps or stoops must be provided with a railing of compatible design.
 - (4) Doorways and entrances must be designed with consideration for the needs of the handicapped and the elderly. Handicapped ramps must be designed to be compatible with existing or proposed storefronts or entries.

- m. Each store is required to display a postal address number on the storefront. The number size, style, and location must be designed so that it is easily visible from the center line of the street.
- n. Footways adjacent to all properties within the area boundaries must be maintained, at minimum, in a manner consistent with applicable Baltimore City Codes and Ordinances. In addition, when required, footways must be repaired or replaced to present a neat and even appearance and in a manner that is compatible with the materials, design, and finish of adjacent footway surfaces, including specially designed and installed sidewalk, plaza and mall paving. Where entire frontage of footway is to be replaced, such replacement must conform to the Streetscape Design Guidelines established November 1998, by the Department for the downtown area.
- o. The Renewal Plan encourages the use of adjacent footways for sidewalk cafes (outdoor table service) with or without awnings, where accessory to a restaurant use. A clear walkway not less than 6 feet in width must be maintained in accordance with provisions of City Ordinances. Permanent installation of furniture, planters, etc., is not permitted. All furniture and other features must be of durable material and construction and of appropriate design.

5. Signs

All new signs must be in accordance with the Zoning Code of Baltimore City and subject to the requirements for a minor privilege. In addition, the following provisions apply:

- a. All signs not conforming to these regulations must be removed within 2 years from date of enactment of Amendment 12. Billboards larger than 60 square feet that are located east of Eutaw Street must be removed. Billboards larger than 60 square feet that are located west of Eutaw Street must be removed in the event they are: 1. located on; 2. across the street, alley or footway from; 3. diagonally across from; or 4. adjacent to any development site. "Development site" for the purpose of the Renewal Plan is defined as any public or private development, redevelopment, rehabilitation, construction, improvement or other investment, the aggregate cost of which exceeds \$200,000.
- b. Size, shape, letter style(s), colors, and method of installation of all signs must be compatible with the architecture of the building and the neighboring structures. Design of signs by graphic designers is encouraged. The Renewal Plan requires that design drawings of

all proposed signs and showing their location on the building facade must be submitted to the Department for approval prior to fabrication and installation.

- c. Materials employed for construction of signs must be durable and weather resistant, must be fabricated and installed by qualified and experienced mechanics, and must be maintained in good repair.
- d. Placement of signs is restricted to the first floor only, placed no higher than the bottom of the second story window sill, where windows exist, or 14 feet above the sidewalk, where second floor windows do not exist, and the sign bottom must be directly above the storefront or awning/security enclosure. Signs must be designed in a manner so that they do not interfere with important architectural details (e.g., windows, cornices, carved friezes, arches) of the buildings. Placement entirely on a flat portion of facade or an area entirely within the confines of an opening and lined up with architectural details or elements is required. Upper floor signs are contrary to the intent of the Renewal Plan. However, in special circumstances, signs may be placed on upper floors if it is determined that there is no prudent means of accommodating the sign on the first floor consistent with these provisions or as special exceptions approved by the Department.
- e. Temporary signs" may be displayed within storefront windows only provided that these signs do not cover more than 20% of the area of the window in which they are displayed and are on display not more than 30 consecutive days.
- f. Signs are permitted at rear entrance and delivery doors, but may not exceed two square feet in area and may be illuminated.
- g. Signs in the form of letters, symbols or other graphics may be incorporated in the design of any awning included in the design of a storefront, provided such signs are compatible with the architecture of the building and the awning.
- h. Signs may be painted on the inside surface of upper floor and storefront show windows and sign panels may be hung inside the show window. These signs must be designed to be compatible with the architecture of the facade.
- i. Signs must be incorporated in the design of the storefront and may not project more than 12 inches except where a sign will serve to hide a security grille enclosure *which* exists beyond the primary surface of the building. If the storefront design includes a cornice,

the sign may be incorporated in the cornice design. If a storefront cornice is not appropriate for a sign, or there is no cornice, the sign may be placed either in the store window or on the portion of the building facade above the store window/cornice and below the sill of the second floor windows. Signs that are an integral part of the building structure and compatible with the original architecture of the building are permitted.

- j. Painted signs on building surfaces or use of separate cutout letters are permitted in accordance with these provisions.
- k. Neon tube signs are permitted above a show window and on the inside of and behind show windows as provided for herein and as provided for in "Lighting" in the Renewal Plan.
- l. Flags and banners, conforming to existing City ordinances, may be displayed on a temporary and permanent basis so long as the poles are maintained in good condition and the flag or banner material is not faded, torn, or frayed. Projection of such banners or flags may not exceed 36 inches from the building facade.
- m. Roof top signs, signs above the parapet of a building, billboards, or other outdoor advertising signs painted or mounted on structures other than billboards, except as otherwise provided in the Renewal Plan, are not permitted. All existing rooftop and facade mounted sign brackets and hardware must be removed.
- n. One projecting sign perpendicular to the building face is permitted for each building provided it is no more than 6 square feet in area and placed no higher than the sill of the second story windows where they exist, or 14 feet above grade, whichever is lower.
- o. Flashing or moving signs other than barber poles are not permitted.
- p. Flat signs placed parallel to the building facade may not exceed 2 square feet of area for each linear foot of building frontage. A flat sign on the front and side of a building may be permitted providing that the total area of such signs does not exceed 2 square feet for each linear foot of frontage.
- q. Existing marquees to be rehabilitated must be designed so as to be compatible with the architecture of the building. New marquees to be added must be designed to be compatible with the building and adjoining structures.

- r. Super graphics or murals are a special form of outdoor art and the Department may permit their application upon submission and approval of full color drawings of the intended super graphic or mural on wall surfaces that are predominately bland except on buildings designated of either historic or architectural significance. The application must be appropriate to the use, activity or theme of a building or place. The super graphics or murals must be designed by recognized professional graphic artists, artists or designers.
- s. The Department may permit freestanding signs and sign kiosks on the sites where buildings are set back from their property lines on the submission and approval of site plans and sign design drawings.
- t. General advertising signs erected or placed on publicly-owned stadiums and arenas are allowed if approved by ordinance as a conditional use.

6. Lighting

- a. Exterior lighting is limited to lighting fixtures designed to be in harmony with the character of the buildings and the street. These fixtures must be mounted in the entrance ways or on the front facade of the building. Flood lighting, concealed above the shopfront cornice, may be used to light the facades of buildings except where the upper floors are in residential use. Lighting of the shops is encouraged during the evening hours at times agreed upon by the merchants.
- b. Lighting of the facades of the buildings is encouraged and may be accomplished with projecting fixtures at the shopfront cornice line or other approved locations. The fixtures must be inconspicuous and compatible with the building architecture and project not more than 24 inches from the face of the building.
- c. All lighting and electrical elements such as wires, conduits, junction boxes, transformers, ballasts, switches and panel boxes must be concealed from view.
- d. The following lighting methods are not permitted for signs and buildings:
 - (1) Exposed fluorescent lighting.
 - (2) Exposed quartz or mercury vapor lamps.

- (3) Exposed incandescent lamps other than low wattage, purely decorative lighting and neon as provided for in the Renewal Plan.
- e. The following lighting methods are permitted for signs and buildings:
- (1) Fully recessed fluorescent downlights or wallwashers in a valance box. Box must run full length of storefront at top of sign area.
 - (2) Internally illuminated box signs and individual letters or back-lit (halo) letters.
 - (3) Fully recessed downlights or wallwashers in projecting metal box. Box must run length of storefront at top of sign area.
 - (4) Shielded fluorescent lamps with diffusers in projecting metal box. Box must run full length of storefront at top of sign area.
 - (5) "Gooseneck incandescent," porcelain enamel reflector on bent metal tube arm. Housing must prevent glare at pedestrian eye level.
 - (6) Neon tube illumination in the form of a neon tube graphic where a light source is supplied by a neon tube which is bent to form letters, symbols or other shapes in various colors are permitted as flat signs above a show window when enclosed in a sign box and protected by a glass front or on the inside of show windows.

7. Rear Yards

Where a front, side, or rear yard exists or is created through the demolition of structures, the open areas must be treated in a manner consistent with the following standards.

a. Enclosures of Yards

A rear yard may be enclosed along side and rear property lines by an unperforated masonry wall or metal grille fence compatible with the architecture of the rear walls of the building. Solid doors or gates may be used to the extent necessary for access and delivery. The walls must be not less than 3 feet in height. Use of barbed wire or broken glass on top of walls is not permitted.

Solid masonry walls must be used where fronting on public streets and adjacent properties.

b. Provision of Parking Area

Rear yard may be used as a parking or loading area providing that it is properly screened, paved, illuminated and maintained. A sign not exceeding 2 square feet in area may be used to identify and control parking and loading. The owner of the building 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 enclosures of acceptable design.

c. Structures that are attached or unattached to the rear of the principal structure and that are structurally deficient, must be properly repaired or demolished. Yards and areaways must be kept free of trash, debris, or any other element that is not a permanent part of the building or a functional element of its mechanical or electrical system.

8. Off-Street Parking

a. Parking spaces are provided as established in the Zoning Code of Baltimore City, or in a lesser amount as may be authorized by Board of Municipal and Zoning Appeals as a Special Exception or Variance. In addition to these requirements, off-street parking areas must be visually screened from public streets and adjacent properties as provided for in the Renewal Plan.

b. All required parking spaces must be provided with the proper ingress and egress to a public street or alley.

c. All parking facilities must be effectively screened. When fronting on public streets and adjacent properties, screening must consist of a masonry wall or combination of landscaping and masonry wall or metal grille fence, not less than 3 feet in height. Screening must be maintained in good condition and must be so designed and placed so as not to obstruct vehicle sight distances at entrances and exits. Solid masonry walls must be used. Chain link fencing is not permitted fronting public streets or walkways. Landscaping must be full height required at time of installation.

d. All exterior (surface) parking areas must be paved with a hard, dust-free surface, and must be properly illuminated and maintained in a neat and clean manner.

- e. A sign not exceeding 16 square feet in area may be used to identify and control parking and loading.
- f. Surface parking lots having more than 40 spaces must include installation of shade trees at a ratio of 1 tree per 20 parking spaces. Trees must be as evenly distributed as possible and must be a minimum of 3 inch caliper at time of planting.

9. Off Street Loading, Storage and Service

- a. Where permitted by the Zoning Code of Baltimore City, front, side, or rear yards may be used for loading, storage, or service. In addition to any requirements of the Zoning Code, these areas must be appropriately screened from all adjacent streets, alleys, and properties. Screening must consist of an unperforated masonry wall or metal grille fence or landscaping, or combination of them, at least 3 feet in height.
- b. All yards used for loading and vehicle storage and service must be provided with the proper ingress and egress to a public street or alley by means of access drives and aisles. Such drives and aisles must be consistent with the intended use of the property and may not be excessive in size.
- c. All exterior (surface) parking areas must be paved with a hard, dust-free surface and must be properly illuminated, and maintained in a neat and clean manner.
- d. A sign not exceeding 2 square feet in area may be used to identify and control parking and loading.

10. Refuse Storage

All outdoor refuse storage areas and dumpsters on private property must be screened from the view of adjacent properties and public rights-of-way, and no dumpsters or rubbish containers may be exposed at the fronts of buildings. Screening must consist of a masonry wall or metal fence, or combination not less than 5 feet in height. Trash storage areas must be maintained in a neat and clean manner at all times.

11. Existing Passageways

- a. All existing passageways fronting on any street or alley providing public access must comply with all of the provisions of the Renewal Plan, especially maintenance and repair of exterior walls.

- b. They must be kept structurally intact and free from hazards to the general public.
- c. They must be kept free of debris by the abutting owner(s).
- d. All masonry surfaces must be repaired and cleaned or painted to present a neat, fresh, and uniform appearance.
- e. Provision for metal security gates at each end of such passageways is the responsibility of the occupants of buildings immediately adjacent. These gates must be provided with a lock. Non-metal gates and non-metal locks are not permitted. It is the responsibility of first floor occupants of buildings immediately adjacent to both sides of such passageways to lock gates after normal business hours. Passageways must be provided with sufficient lighting if gates are to be left unlocked during normal business hours of darkness. When security gates are "open," they must be fixed to the wall by a metal latch.

B. Special

The following buildings due to their historic/ architectural significance, will be preserved as part of the Renewal Plan:

Hechts - 118-32 North Howard Street
 Stewarts - 226-32 West Lexington Street
 Baltimore Equitable Society - 21 North Eutaw Street
 Hippodrome Theatre - 12 North Eutaw Street
 Baltimore Grand - 401 West Fayette Street
 Town Theatre - 311-17 West Fayette Street
 American National Bank - 100-04 West Lexington Street
 Mayfair Theatre (Howard Street facade only) 506-14 North Howard Street
 401-25 and 418-26 West Baltimore Street

III. REVIEW OF REHABILITATION PLANS

A. The Department is concerned with all aspects of the designs affecting exterior appearance and in particular with the following:

- Materials and colors to be used on all visible exterior areas of the building(s) and on signs;
- Design of show windows, marquees, and entrance areas, including proposed materials and types of security devices;

- Design of signs, methods of illumination, colors, materials, methods of attachment;
 - Design of awnings and canopies, colors, materials, methods of attachment;
 - Condition of rear yard spaces, service and delivery areas; - Refuse collection details.
- B. Prior to preparing designs for proposed improvements covered by these provisions, the owner or his representatives should determine, in consultation with the Department, what will be required to attain compliance with the objectives of the Renewal Plan.
- C. Design of all building improvements, modifications, repair, rehabilitation, or painting of the exterior of the existing buildings, their shop fronts, and signs, and all other actions provided for in the Renewal Plan, must be submitted to the Department and approval by the Department is required before proceeding with the work. Exterior rehabilitation plans must include entire building elevation, drawn at a suitable scale to show in sufficient detail, the storefront design, windows, cornices, colors (color chips), materials (samples, if requested), signs, lighting, awning, and other architectural features. The preparation of plans by professional designers is encouraged by the Department.
- D. Where the word "acceptable" appears in these regulations, it means acceptable to the Department.
- E. The word "provision(s)" also means "standard(s)."
- F. The word "Department" means the Department of Housing and Community Development.
- G. The word "Commissioner" means the Commissioner of the Department of Housing and Community Development.

IV. COMPLIANCE

All rehabilitation work necessary to meet the above standards for the original Market Center must be completed within 2 years from the effective date of Amendment 12, and within 1 year from the effective date of Ordinance No. 100, approved June 19, 1984, for the Market Center West Area, unless extended by the Commissioner. Thereafter, all work must be completed in accordance with the date of completion set forth in the notice from the Commissioner. Areas incorporated within the original Market Center project boundaries after July 11, 1980, must complete rehabilitation work within 2 years from the effective date of the ordinance in which the new areas were first included. Areas incorporated within the Market Center West Area after June 19, 1984, must complete rehabilitation work within 1 year from the effective date of the ordinance in which the new areas were first included. Thereafter, all work as may be required from time to time

to maintain properties consistent with these provisions must be completed in accordance with notice from the Commissioner. No work, alterations or improvements may be undertaken after enactment of Amendment 12 of the original Market Center Area and after enactment of Ordinance No. 100, approved June 19, 1984, of the Market Center West Area, which does not conform with the requirements in the Renewal Plan. However, the Commissioner may waive compliance with one or more of these standards if the waiver is determined by the Commissioner not to adversely affect the Property Rehabilitation Objectives for the Market Center area. If the City and a property owner have entered into an agreement in respect to the rehabilitation of that owner's building(s), then compliance with the standards in the Renewal Plan may be waived by the Commissioner, provided that the Commissioner determines that the waiver does not adversely affect the Property Rehabilitation Objectives for Market Center. Nothing in the Renewal Plan is to 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.

APPENDIX B

PROPERTIES FOR ACQUISITION AND DISPOSITION FOR
REHABILITATION OR REDEVELOPMENT

The following properties are being acquired and disposed of for rehabilitation or redevelopment. In addition to those groups of properties to be acquired and disposed of for residential, commercial, or mixed-use rehabilitation, the following properties are also being acquired and disposed of for redevelopment. Certain properties listed below may be used in whole or in part, as rear or side yard space for adjacent property. The acquisition properties adjacent to or abutting streets and alleys being closed will also include all rights, title and interest, or any private rights of use in and to the adjacent streets, rights-of-way, or alleys as shown lying within the perimeter of the Property Acquisition – Land Disposition map.

201 West Franklin Street
130 North Eutaw Street

B-4

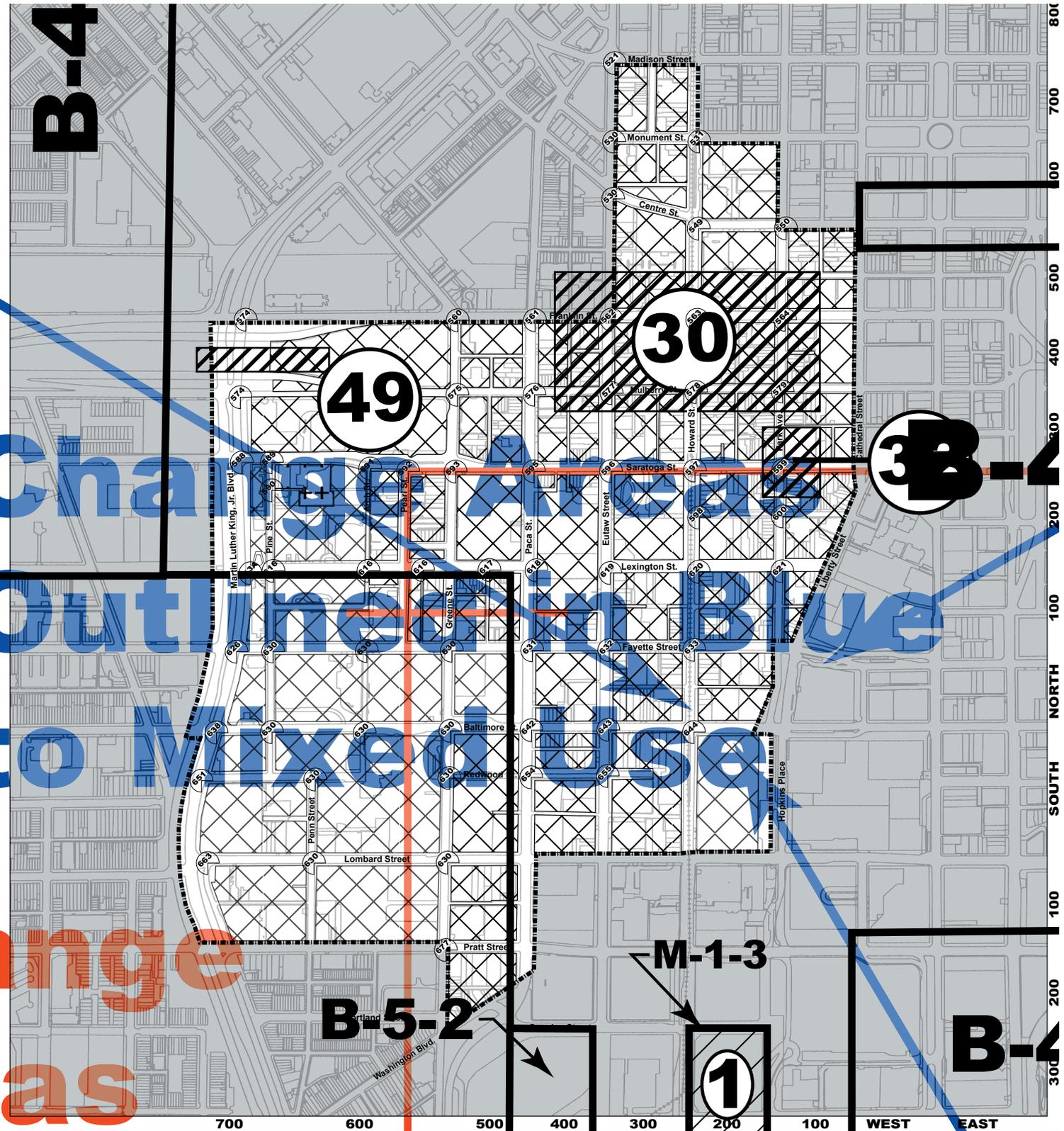
Change Outlined Areas to Mixed Use

Change as Outlined

LEGEND

- Project Area Boundary
- Mixed Use
- Industrial

- Bureau of Surveys Block Number
- Park / Plaza
- Transit System
- Library



MARKET CENTER Land Use Plan

Date: 05/01/78, 10/10/78, 02/17/84, 04/04/11

B-4-1

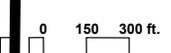
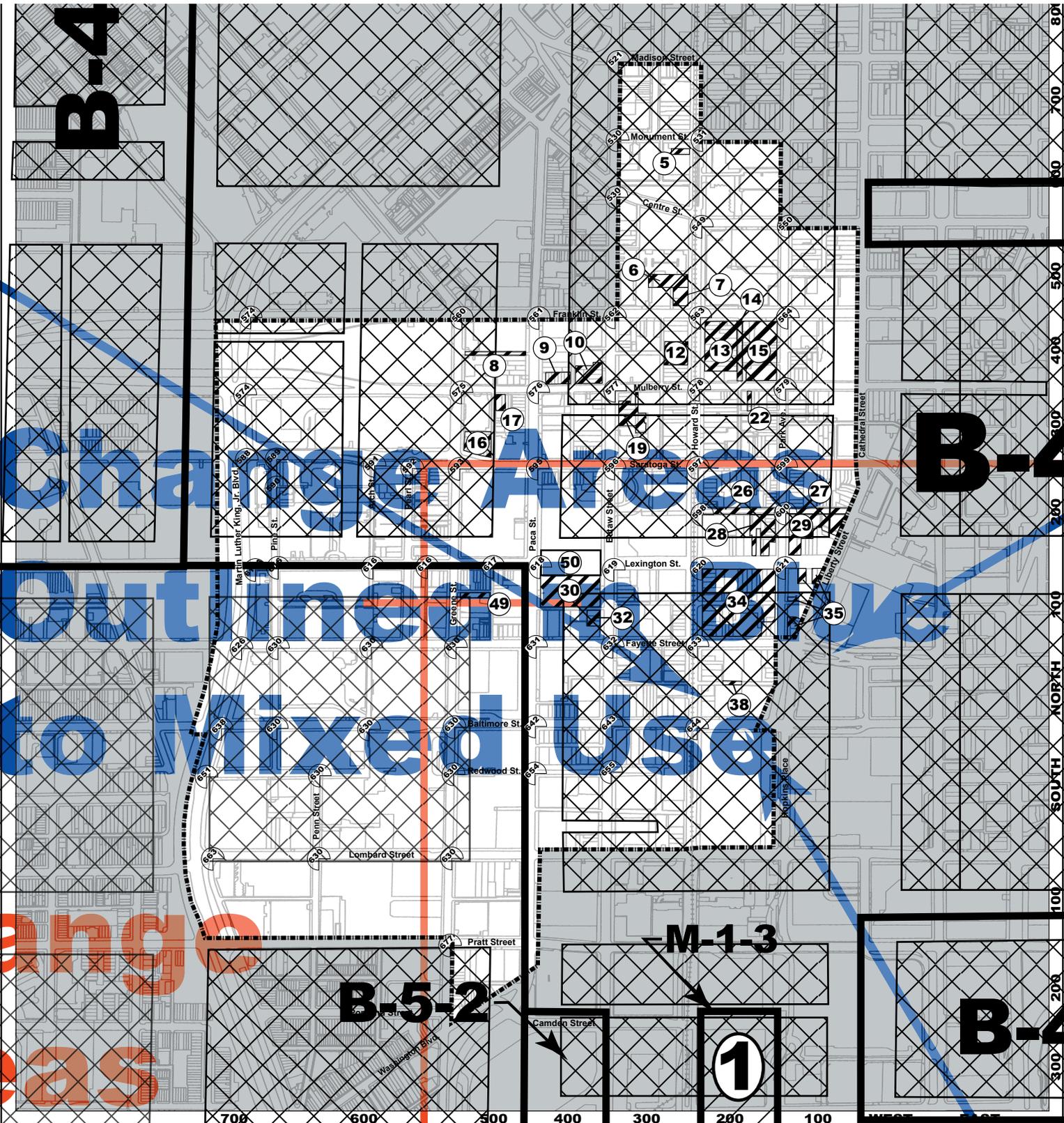


EXHIBIT 1



- LEGEND**
- Project Area Boundary
 - Property to be Acquired
 - Disposition Lots
 - Bureau of Surveys Block Number

Table of Disposition Lots

Lot No.	Approx. Sq. Ft.						
5	2,295	27	11,000				
6	2,245	28	16,242				
7	5,250	29	30,081				
8	6,642	30	48,000				
9	5,960	31	4,950				
10	2,970	34	121,502				
12	13,778	35	4,734				
13	41,490	36	1,800				
14	6,000	49	3,607				
15	51,208	50	36,895				
16	1,112						
17	3,725						

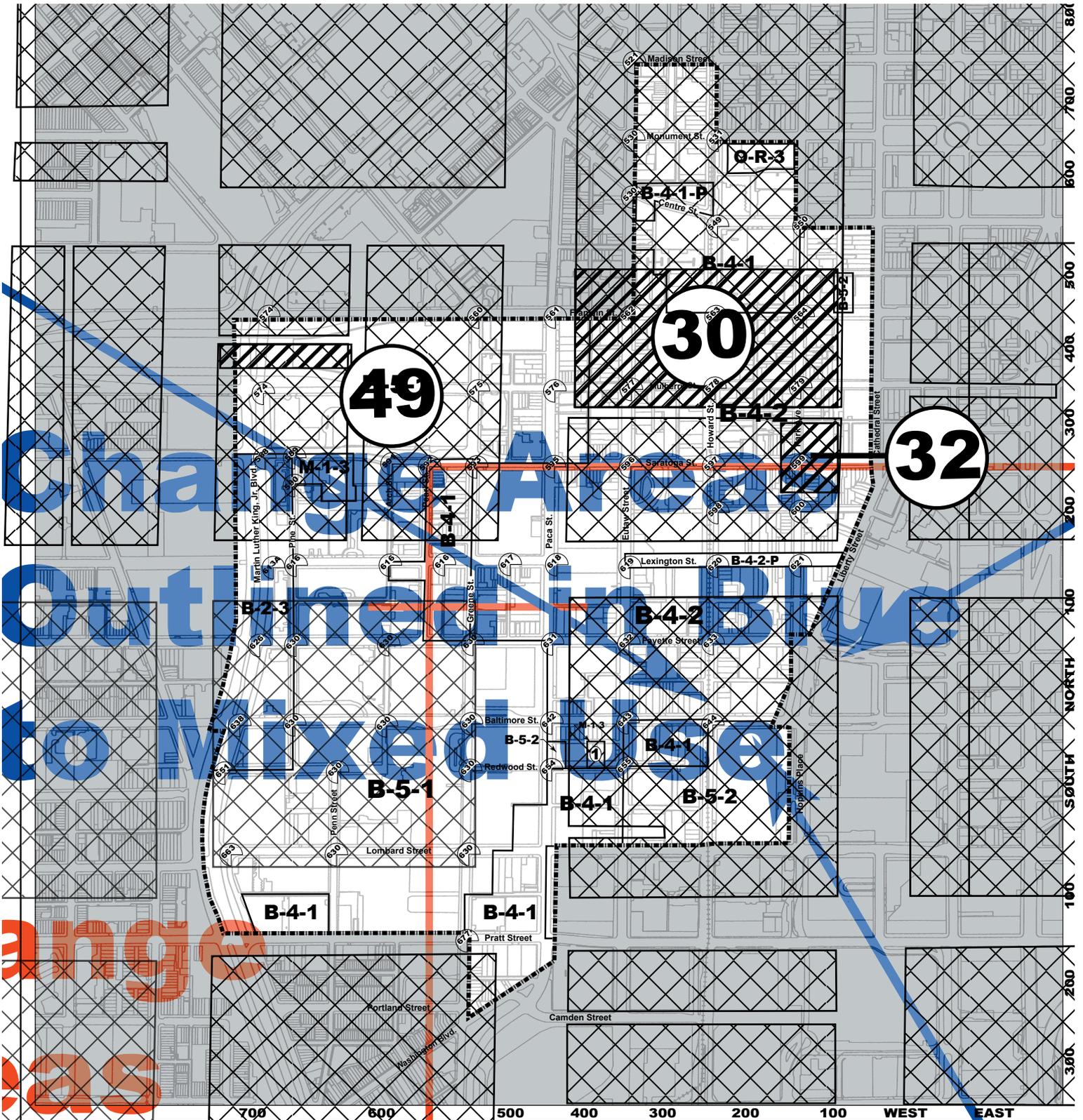
MARKET CENTER
 - Property Acquisition
 - Land Disposition

B-4-1

Date: 05/07/77
 10/16/77

0 90 300 ft.

EXHIBIT



LEGEND

- Project Area Boundary
- P** Public
- Bureau of Surveys Block Number

PROPOSED ZONING DISTRICT CHANGES

EXISTING ZONING DISTRICTS

- O-R-3** Office Residential
- B-2-3** Community Business
- B-4-1** Central Business
- B-4-2** Central Business
- B-5-1** Central Commercial
- B-5-2** Central Commercial

MARKET CENTER

Zoning Districts

Date:	Revision:
05/01/77	02/25/80 05/02/85
10/18/77	03/13/82 04/29/89
	05/07/82 07/19/92



EXHIBIT

2

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 18-0292

Introduced by: Councilmember Costello
Introduced and read first time: September 17, 2018
Assigned to: Housing and Urban Affairs Committee

Committee Report: Favorable with amendments
Council action: Adopted
Read second time: November 19, 2018

AN ORDINANCE CONCERNING

**Urban Renewal – Market Center –
Amendment 19**

1
2
3 FOR the purpose of amending the Urban Renewal Plan for Market Center to reauthorize the
4 acquisition of properties within the Project Area and to extend the life of the Plan; waiving
5 certain content and procedural requirements; making the provisions of this Ordinance
6 severable; providing for the application of this Ordinance in conjunction with certain other
7 ordinances; and providing for a special effective date.

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

Recitals

13
14 The Urban Renewal Plan for Market Center was originally approved by the Mayor and City
15 Council of Baltimore by Ordinance 77-579 and last amended by Ordinance 16-553.

16 An amendment to the Urban Renewal Plan for Market Center is necessary to reauthorize the
17 Plan's powers of acquisition and condemnation so that these actions may legally continue, in
18 compliance with § 12-105.1 of the Real Property Article of the Annotated Code of Maryland, and
19 to extend the life of the Plan.

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

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

25 (1) In the Plan, amend D.1.(d) to read as follows:

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.
Underlining indicates matter added to the bill by amendment.
~~Strike out~~ indicates matter stricken from the bill by
amendment or deleted from existing law by amendment.

Council Bill 18-0292

1 D. Techniques to Achieve Plan Objectives

2 1. Acquisition of Property

3
4 (d) The authority to acquire the Properties within the Project Area is expressly
5 confirmed and reauthorized through and including [December 31, 2018]
6 DECEMBER 31, 2022.

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

8 I. Term of the Plan

9 The Market Center Urban Renewal Plan, as amended from time to time, is in full
10 force and effect through and including [December 31, 2018] DECEMBER 31, 2022.

11 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the Urban Renewal Plan for Market
12 Center, as amended by this Ordinance and identified as “Urban Renewal Plan, Market Center,
13 revised to include Amendment 19, dated September 17, 2018”, is approved. The Department of
14 Planning shall file a copy of the amended Urban Renewal Plan with the Department of
15 Legislative Reference as a permanent public record, available for public inspection and
16 information.

17 **SECTION 3. AND BE IT FURTHER ORDAINED,** That if the amended Urban Renewal Plan
18 approved by this Ordinance in any way fails to meet the statutory requirements for the content of
19 a renewal plan or for the procedures for the preparation, adoption, and approval of a renewal
20 plan, those requirements are waived and the amended Urban Renewal Plan approved by this
21 Ordinance is exempted from them.

22 **SECTION 4. AND BE IT FURTHER ORDAINED,** That if any provision of this Ordinance or the
23 application of this Ordinance to any person or circumstance is held invalid for any reason, the
24 invalidity does not affect any other provision or any other application of this Ordinance, and for
25 this purpose the provisions of this Ordinance are declared severable.

26 **SECTION 5. AND BE IT FURTHER ORDAINED,** That if a provision of this Ordinance concerns
27 the same subject as a provision of any zoning, building, electrical, plumbing, health, fire, or
28 safety law or regulation, the applicable provisions shall be construed to give effect to each.
29 However, if the provisions are found to be in irreconcilable conflict, the one that establishes the
30 higher standard for the protection of the public health and safety prevails. If a provision of this
31 Ordinance is found to be in conflict with an existing provision of any other law or regulation that
32 establishes a lower standard for the protection of the public health and safety, the provision of
33 this Ordinance prevails and the other conflicting provision is repealed to the extent of the
34 conflict.

35 **SECTION 6. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the date it is
36 enacted.

Council Bill 18-0292

Certified as duly passed this _____ day of _____, 20__

President, Baltimore City Council

Certified as duly delivered to Her Honor, the Mayor,

this _____ day of _____, 20__

Chief Clerk

Approved this _____ day of _____, 20__

Mayor, Baltimore City