

URBAN RENEWAL PLAN
CANTON INDUSTRIAL AREA

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URBAN RENEWAL PLAN
CANTON INDUSTRIAL AREA

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
BALTIMORE DEVELOPMENT CORPORATION

ORIGINALLY APPROVED BY
THE MAYOR AND CITY COUNCIL OF BALTIMORE
BY ORDINANCE NO. 90-528

JUNE 20, 1990

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

- I. Amendment No. 1 dated October 25, 2000, approved by the Mayor and City Council of Baltimore by Ordinance No. 00-129, dated October 25, 2000.
- II. Amendment No. 2 approved by the Mayor and City Council of Baltimore by Ordinance No. 01-234, dated August 13, 2001.
- III. Amendment No. 3, dated April 4, 2006, approved by the Mayor and City Council of Baltimore, by Ordinance No. 07-390, dated February 15, 2007.
- IV. Amendment No. 4, dated August 15, 2011, approved by the Mayor and City Council of Baltimore, by Ordinance No. 11-548, dated November 21, 2011.

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A. PROJECT DESCRIPTION

1. Boundary Description

Beginning at a point on the western right-of-way line of S. Clinton Street at the intersection of the northern property line of Lot 1/3, Ward 1, Section 10, Block 1903; thence binding on said division line westerly, southwesterly, then southerly, and continuing westerly on an extended straight line approximately 1100 feet; thence binding on a straight line southerly, approximately 7500 feet; thence binding on a straight line easterly, approximately 5280 feet to intersect the extended eastern right-of-way line of S. Newkirk Street; thence binding on the eastern right-of-way line of S. Newkirk Street northerly to intersect the southern right-of-way line of Holabird Avenue; thence binding on the southern right-of-way line of Holabird Avenue easterly to intersect the eastern right-of-way line of S. Ponca Street; thence binding on the eastern right-of-way line of S. Ponca Street northerly to intersect the southern right-of-way line of Boston Street; thence binding on the southern right-of-way line of Boston Street easterly to intersect the western right-of-way line of the Baltimore Harbor Tunnel Thruway; thence binding on the western right-of-way line of the Baltimore Harbor Tunnel Thruway northerly to intersect the centerline of O'Donnell Street; thence binding on the centerline of O'Donnell Street westerly to a point formed by the intersection of the centerline of O'Donnell Street and the southeastern property line of Lot 065, Block PSCO; thence binding on the southeastern property line of Lot 065, Block PSCO; southwesterly to the intersection of the southeastern property line of Lot 065, Block PSCO and the eastern right-of-way line of S. Conkling Street; thence westerly to a point formed by the intersection of the centerline of S. Conkling Street and the western extension of the southeastern property line of Lot 065, Block PSCO; thence binding on the centerline of S. Conkling Street southerly to the intersection of the centerline of S. Conkling Street and the centerline of Boston Street; thence binding on the centerline of Boston Street westerly to the intersection of the centerline of Boston Street and the centerline of S. Clinton Street; thence binding on the centerline of S. Clinton Street southerly to a point formed by the intersection of the centerline of S. Clinton Street and the extension of the northern property line of Lot 1/3, Ward 1, Section 10, Block 1093; thence to the point of beginning.

2. Objectives and Goals

- a. To maintain the Canton Industrial Area as an industrial and port-related employment area and to protect it from the influence of speculation and incompatible uses.

- b. To encourage re-use of waterfront parcels for non-residential and non-commercial development that is compatible with adjacent industrial and residential areas.
- c. To encourage the redevelopment of unused or underutilized parcels for intensive industrial uses that provide job and tax benefits.
- d. To promote compatibility between the industrial area and the needs of nearby residential communities.
- e. To improve the visual appearance of the industrial area –especially the Boston Street corridor which is a primary gateway to both the industrial area and the City as a whole.
- f. To establish a plan review process to assure orderly and harmonious development in the area.

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 area. These are General Industrial, Industrial/Commercial, Heavy Industrial and Commercial uses. Accessory uses (uses incidental and subordinate to and serving the principal use) including landscaping, off-street parking and loading will be permitted. In addition, present non-complying and non-conforming uses will be permitted to continue, subject to the provisions set forth below.

a. Industrial

(1) General Industrial

In the area designated on the General Land Use Plan Map as “General Industrial,” uses shall include those permitted under the M-2-2 zoning classification of the Zoning Ordinance of Baltimore City.

Office uses shall be ones that directly engage in or support industrial, port or marine activities. Office uses north of Boston Street shall be limited to a height of 35 feet (existing structures are excluded from this requirement). Office uses south of Boston Street shall be limited to a height of 90 feet.

The following uses are specifically excluded:

- (a) marinas
- (b) restaurants and lunch rooms offering live entertainment and/or dancing
- (c) hotels and motels
- (d) concrete and concrete product manufacturing
- (e) cinder and cinder block manufacturing
- (f) flammable liquid manufacture and storage
- (g) coal yards
- (h) tire retreading and recapping establishments
- (i) gases, combustible or toxic –manufacturing and storage
- (j) atomic reactors
- (k) rock crushing
- (l) waste disposal, except garbage –for land fill and reclamation
- (m) extraction of sand, gravel or other raw materials

Non-accessory restaurants are a conditional use, requiring approval by the BMZA.

Additional Industrial Uses¹ are allowed in a General Industrial zone only when consistent with the objectives of the Urban

Renewal Plan, as determined by the Commissioner of the Department of Housing and Community Development.

(2) Heavy Industrial

In the area designated on the General Land Use Plan Map as “Heavy Industrial,” uses shall include those permitted under the

¹ Additional Industrial Uses are uses not otherwise permitted in the M-2 Industrial District, but permitted in the M-3 Industrial District. The BMZA may authorize such uses as Additional Industrial Uses in an M-2 area, provided that they comply with the requirements and provisions of Section 7.2-1(d) of the Zoning Ordinance of Baltimore City.

M-3 zoning classification of the Zoning Ordinance of Baltimore City.

Office uses shall be those that directly engage in or support industrial, port or marine activities. Office uses shall be limited to a height of 90 feet.

The following uses are specifically excluded:

- (a) marinas
- (b) restaurants and lunch rooms offering live entertainment and/or dancing
- (c) hotels and motels

(3) Industrial/Commercial

In the area designated on the General Land Use Plan as “Industrial-Commercial,” uses shall include those permitted under any Industrial Planned Unit Development (PUD) legislation approved by the Mayor and City Council for this area.

The properties located south of Boston Street, the western boundary being east of the Inner Harbor including riparian rights, the eastern boundary being a line set approximately 660 feet east of the eastern right-of-way line of Baylis Street, and the southern boundary being from the southern right-of-way line of Danville Street extending from the water’s edge a distance approximately 660 feet east of the eastern right-of-way line of Baylis Street are designated as “Industrial/Commercial”.

b. Commercial

In the area designated on the Land Use Plan Map, Exhibit 1, as “Commercial,” uses shall include those permitted under the B-2 zoning district classification of the Zoning Code of Baltimore City, as well as any use permitted under any Planned Unit Development (PUD) legislation approved by the Mayor and City Council for this area.

c. Nonconforming

A nonconforming 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 (1983 Replacement Volume, as amended), titled

“Zoning.” Nonconforming uses shall be permitted to continue, subject to the provision of Chapter 8 of said Article 30, titled “Nonconformance.”

d. Noncomplying

A noncomplying structure, as set forth in Chapter 8 of Article 30 of the Baltimore City Code (1983 Replacement Volume, 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 noncomplying structures shall be permitted to continue subject to the provisions of Chapter 8.

In addition, a noncomplying 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 noncomplying uses shall be permitted to continue for an indefinite period of time, except that:

- (1) Any noncomplying land use which is discontinued for a period exceeding 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.
- (3) No noncomplying land use shall be changed to any other noncomplying land use.

2. Regulations. Controls and Restrictions

a. Plan Review Requirements

In order to insure that development is consistent with the requirements and objectives of this Urban Renewal Plan, all plans and specifications must be submitted to and approved by the Department of Housing and Community Development as follows:

- (1) 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 on 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 the Urban Renewal Plan shall the Commissioner of the Department of Housing and Community Development authorized 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.

(2) Demolition

All applications for demolition permits shall be submitted to the Department of Housing and Community Development for review and approval. Upon finding that the proposed demolition is consistent with the objectives of the Urban Renewal Plan, the Commissioner of the Department of Housing and Community Development shall authorized the issuance of the necessary permit. If the Commissioner finds that the proposal is inconsistent with the objectives of the Urban Renewal Plan and therefore denies the issuance of the permit, the Commissioner shall, within 90 days of such denial, seek approval 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. The applicant shall be advised in writing of the proposed Board action. In the event that the Board of Estimates does not authorize the acquisition, the Commissioner shall, without delay, issue the demolition permit.

b. Provisions Applicable to All Land and Property

Over and above the codes and ordinances of Baltimore City, the additional standards which shall be applied to all land and property in the Canton Industrial Area are outlined below:

(1) General controls

- (a) All structural and decorative elements of a building shall be repaired and maintained in good condition.
- (b) All storage lots shall be maintained in good condition.
- (c) All fences and walls shall be well-maintained.

(2) Additional Controls on Property Contiguous to Boston Street

Objectives for development along the Boston Street corridor and controls on land and property along this major gateway to the City are contained in Appendix A – Boston Street Corridor Controls. The Boston Street Corridor is defined as land lying within 200 feet of the Boston Street right-of-way.

c. PUD Standards and Controls

To the extent there exists any conflict between the provisions of this Renewal Plan and the standards and controls of any PUD, where there are standards and controls contained in any PUD that are not contained in the Renewal Plan, the standards and controls of the PUD, including, without limitation, those affecting use, parking, access, aesthetic controls, setbacks, specific lot controls, and building heights, are controlling.

C. TECHNIQUES USED TO ACHIEVE PLAN OBJECTIVES

1. Acquisition

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

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 properties or portions thereof in the Canton Industrial Area not specifically designated in this Plan, 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:

- (1) 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.
- (2) Any property, the owner of which is 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 willfully refused to achieve substantial conformity with Housing, Health, Zoning, Building and Fire codes and ordinances of

Baltimore City may acquire such property pursuant to the Industrial Protection Zone provision of the State of Maryland's Eminent Domain Law, as if the property had 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 90 days notice by the Department of Housing and Community Development.

b. 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. Standards for Redevelopment and Rehabilitation

Property rehabilitation shall comply with the codes and ordinances of the City of Baltimore. Over and above the codes and ordinances of Baltimore City, the provisions set forth in Sections B.2.b.(1) shall apply to all properties in the renewal area, and the provisions set forth in Appendix A shall apply to all properties in the Boston Street Corridor, whether occupied or vacant, other than those to be acquired for clearance.

3. Relocation

The Department of Housing and Community Development assures that before firms or individual businesses are displaced from their present location or operation due to the requirements of the 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 industrial redevelopment proposals.

4. Review of Development

a. Department of Housing and Community Development Review

Under the provisions of Section B.2.a. of this plan, the Department of Housing and Community Development specifically reserves the right to review and approve the 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 reserves 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 willfully utilized its Design Advisory Panel to work with developers in the achievement of high quality site, building, and landscape design.

b. Community Review

The Department of Housing and Community Development shall provide when possible 30 days notification to the Canton Industrial Association and other groups representing communities adjacent to the Canton Industrial Urban Renewal Area of the forms and content of all proposals to redevelop land, demolish structures, conduct major exterior rehabilitation or cause a change in use of properties within the area covered by this Plan. These representative groups shall submit written comments regarding the proposed developments or redevelopment to the Department of Housing and Community Development within 10 working days after notification to review proposed activity; otherwise, it is assumed such action is acceptable. The Commissioner of the Department of Housing and Community Development retains the final authority to approve or disapprove all plans.

5. Land Disposition

Land and property interest acquired by the Mayor and City Council within the project area will be disposed of by sale, lease, conveyance, or transfer or other means available to the City, in accordance with the provisions in this Plan.

6. Zoning

All appropriate provisions of the Zoning Ordinance of Baltimore City shall apply to properties in the project area. Any change in the Zoning Ordinance embodied in this Urban Renewal Plan and designated on Exhibit No. 4, Zoning Districts, shall be approved by ordinance in accordance with the procedural requirements of the Zoning Ordinance and Article 66-B of the Annotated Code of Maryland 91957 Edition, as amended).

D. DURATION OF PROVISIONS AND REOUIREMENTS

The Canton Industrial 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 approval by ordinance of the Mayor and City Council of Baltimore.

E. PROCEDURES FOR CHANGES IN APPROVED PLAN

The Department of Housing and Community Development shall submit to the Canton Industrial Association and groups representing neighborhoods adjacent to the Canton Industrial Area, for their review and comment, all proposed amendments to the Urban Renewal Plan no later than the time the proposed amendments are submitted to the Director of the Department of Planning by the Department of Housing and Community Development. The written comments and recommendations of these groups shall be transmitted to the Department of Housing and Community Development no later than three (3) weeks after they have been submitted to the groups; otherwise, it is presumed the changes are satisfactory. Prior to passage of any ordinance amending the Urban Renewal Plan, a public hearing shall be held and these groups shall receive at least ten (10) days prior to such hearing, written notice of the time and place of said hearing.

With respect to any land in the project area previously disposed of by the City for use in accordance with the Canton Industrial 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.

APPENDIX A

Boston Street Corridor Controls

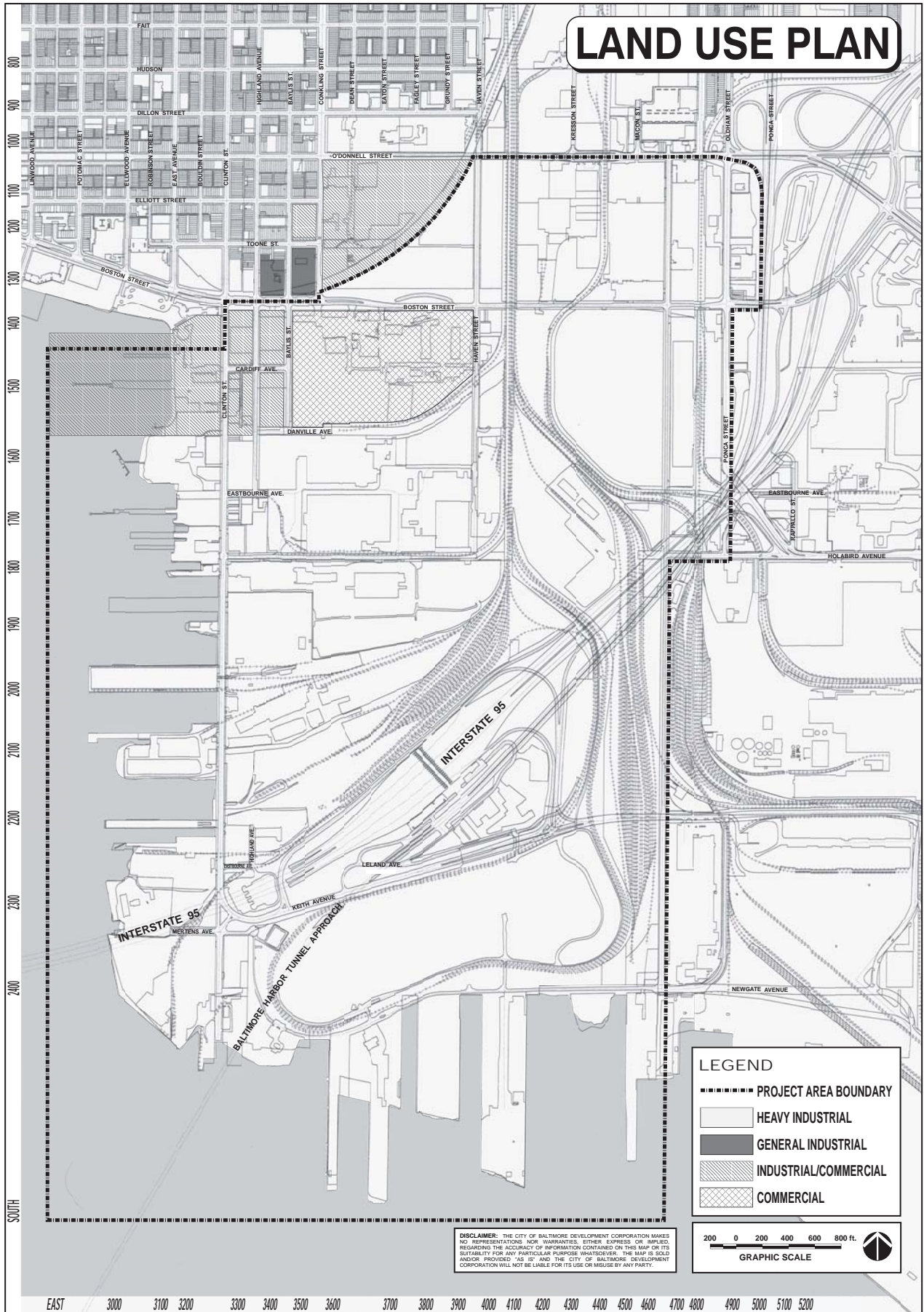
Objectives

The Boston Street corridor in the Canton Industrial Area forms a major access route into the City from I-95. It is one objective of this Urban Renewal Plan to improve the visual appearance of the properties along Boston Street as a way of improving Canton's image as a strong and vibrant industrial area. Toward that end, the controls noted below will be established for Boston Street Corridor properties.

Controls

1. All storage lots and outdoor storage of any equipment and supplies shall be maintained in good condition. Screening shall seek to minimize the adverse visual impact of storage activities. The amount and nature of the screening shall be determined by the nature of the storage area and surrounding land uses, but should consider the need for adequate security and surveillance.
2. All tank farms shall meet the following requirements:
 - Tanks shall be well-maintained and free of rust, dents and corrosion.
 - When feasible, frontage along Boston Street shall be landscaped with any, all or a combination of the following: shrubs, ground cover, grass or flowers.
 - All grassy areas shall be mowed regularly.
3. All parking facilities shall be landscaped or screened.
4. All land not covered by structures, paved parking, loading, or related service area, paved areas for pedestrian circulation, or decorative surface treatments 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, soften and relieve the effects of structure and pavement, and provide visual harmony.
5. No sign shall extend above the roof line or parapet wall of the building to which it is attached. No animated or pulsating signs shall be permitted. All signs shall be maintained in good condition.
6. Businesses shall be identified with appropriate signage visible from Boston Street.

LAND USE PLAN



CANTON INDUSTRIAL AREA

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
BALTIMORE DEVELOPMENT CORPORATION BALTIMORE, MARYLAND

LAND USE PLAN

DATE: 05/31/1989

DRAWN BY: A.J.Mc. / R.A.W.

APPROVED BY:

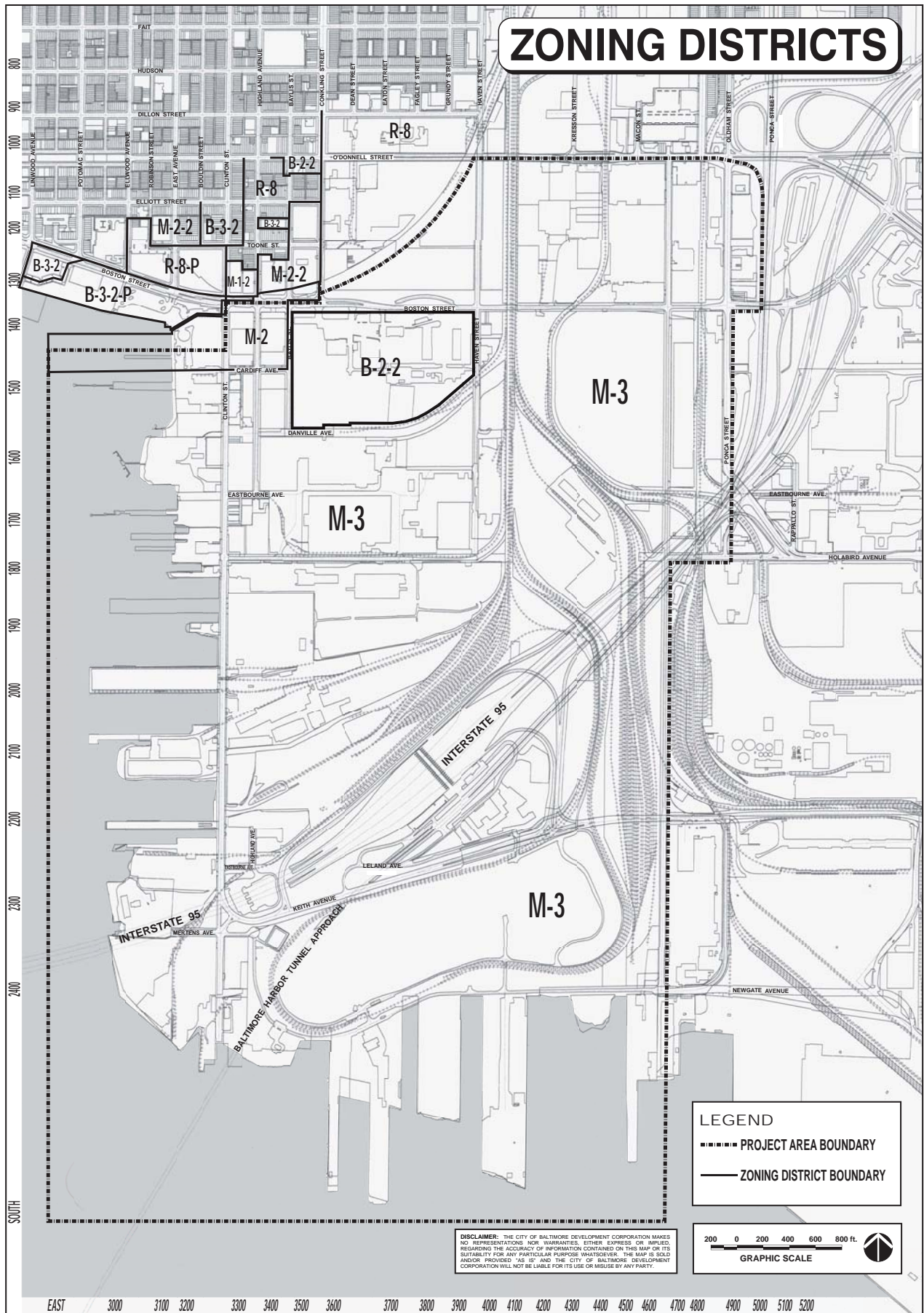
REVISIONS: 10/25/2000

04/04/2006

08/15/2011

1
EXHIBIT

ZONING DISTRICTS



CANTON INDUSTRIAL AREA

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
BALTIMORE DEVELOPMENT CORPORATION BALTIMORE, MARYLAND

ZONING DISTRICTS

DATE: 05/31/1989

DRAWN BY: A.J.Mc. / R.A.W.

APPROVED BY:

REVISIONS: 04/04/2006

08/15/2011

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EXHIBIT