

URBAN RENEWAL PLAN

CANTON WATERFRONT

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URBAN RENEWAL PLAN
CANTON WATERFRONT

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
BALTIMORE, MARYLAND

ORIGINALLY APPROVED BY
THE MAYOR AND CITY COUNCIL OF BALTIMORE
BY ORDINANCE NO. 80

JUNE 5, 1984

REVISIONS SINCE ORIGINAL APPROVAL BY THE MAYOR AND CITY COUNCIL:

- I. Amendment No. 1, dated June 6, 1989 and revised November 27, 1989, approved by the Mayor and City Council by Ordinance No. 414, dated December 11, 1989.
- II. Amendment No. 2, dated June 10, 1996, approved by the Mayor and City Council by Ordinance No. 84, dated November 14, 1996.
- III. Amendment No. 3, dated March 20, 2000, approved by Mayor and City Council by Ordinance No. 00-105, dated December 7, 2000.

CANTON WATERFRONT URBAN RENEWAL PLAN

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EXHIBITS

- A. Waterfront Area Controls, dated as revised 11/14/96
 - 1. Land Use Plan Map, dated 12/7/00
 - 2. Property Acquisition Map, dated 12/11/89
 - 3. Land Disposition Map, dated 12/11/89
 - 4. Zoning Districts Map, dated 12/11/89

CANTON WATERFRONT

A. PROJECT DESCRIPTION

1. Boundary Description

Beginning for the same at the east side of S. Chester Street and the south side of Eastern Avenue; thence binding on the south side of Eastern Avenue easterly to intersect the east side of S. Patterson Park Avenue; thence binding on the east side of S. Patterson Park Avenue southerly to intersect the north side of Foster Avenue; thence binding on the north side of Foster Avenue easterly to intersect the east side of S. Montford Avenue; thence binding on the east side of S. Montford Avenue southerly to intersect the north side of Hudson Street; thence binding on the north side of Hudson Street easterly to intersect the east side of S. Lakewood Avenue; thence binding on the east side of S. Lakewood Avenue southerly to intersect the north side of Dillon Street; thence binding on the north side of Dillon easterly to intersect the west side of Binney Street; thence binding on the west side of Binney Street southerly to intersect the north side of O'Donnell Street; thence binding on the north side of O'Donnell Street westerly to intersect the east side of S. Lakewood Avenue; thence binding on the east side of S. Lakewood Avenue southerly to intersect the south side of O'Donnell Street; thence binding on the south side of O'Donnell Street easterly to intersect the west side of S. Linwood Avenue; thence binding on the west side of S. Linwood Avenue northerly to intersect the north side of the first 10 foot alley north of O'Donnell Street; thence binding on the north side of said 10 foot alley easterly to intersect the east side of S. Potomac Street; thence binding on the east side of S. Potomac Street southerly to intersect the north side of Elliott Street; thence binding on the north side of Elliott Street easterly to intersect the west side of S. Robinson Street; thence binding on the west side of S. Robinson Street southerly to intersect the south side of Toone Street; thence binding on the south side of Toone Street easterly to intersect the west side of S. Highland Avenue; thence binding on the west side of S. Highland Avenue southerly to intersect the south side of Boston Street; thence binding on the south side of Boston Street westerly to intersect the west side of S. Clinton Street; thence binding on the west side of S. Clinton Street southerly to intersect the division line between Lot 3, Block 1902-F and Lot 1/3, Block 1903; thence binding on said division line westerly, southwestly, and southerly; thence continuing on said division line as extended westerly a distance of 2,570 feet, more or less, to a point; thence northwestly from said point on a straight line a distance of 2,480 feet, more or less, to intersect a line formed by extending the east side of S. Chester Street south from the water's edge; thence binding on said line and the east side of S. Chester Street northerly to the point of beginning.

2. Objectives and Reasons for the Various Provisions of this Plan

- a. To eliminate blighting influences and protect the area from any future blighting influences.

- b. To provide for the continuation and maintenance of an urban neighborhood of diverse but compatible uses.
- c. To maximize the creation of opportunities for viable economic development.
- d. To promote home ownership opportunities.
- e. To promote housing opportunities for all income levels.
- f. To provide land for open space, recreation areas and adequate community facilities.
- g. To protect and enhance the historically and architecturally significant buildings and areas within the project area by appropriate rehabilitation.
- h. To maintain and strengthen the historic waterfront character of the project area by retaining maritime business industries.
- i. To maximize public access to the waterfront through public parks and pedestrian walkways along the waterfront in private development.
- j. To provide for review of all plans for properties in the project area to insure harmonious and orderly development.
- k. To achieve a general physical improvement of the area through rehabilitation, redevelopment, and public improvements and to bring this about in cooperation with the residents, business people, property owners and institutions in the area.
- l. To establish a framework for new development that respects the existing neighborhood, while taking advantage of the waterfront, a unique City-wide resource.
- m. To provide for increased demand for marina space while accommodating industrial shipping activities and harbor vistas.
- n. To provide adequate design guidelines that recognize the mixed land use character of an urban waterfront by regulating height, density, massing, and views to and from the water.
- o. To protect and enhance views of the harbor.
- p. To ease pedestrian access to the waterfront through pedestrian crossings, medians, and lighting on Boston Street.

B. LAND USE PLAN

1. Permitted Land Uses

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

a. Residential

In the areas designated as Residential on the Land Use Plan Map, uses shall be limited to those permitted in the R-8 District by the Zoning Ordinance of Baltimore City.

b. Mixed

The intent of a Mixed Land Use area is to allow a diversity of uses in areas predominantly adjacent to the waterfront. In the area designated as Mixed on the Land Use Plan Map, uses that are encouraged are residential, maritime and convenience retail, and office.

The permitted uses shall be limited to: artisans' and craft work; bakeries; banks and building and loan associations; barber shops; beauty shops; boat sales, rental and repair establishments; book and magazine stores and other similar establishments (Class A); camera and photographic supply stores; candy and ice cream stores; carry-out food shops; catering establishments; communication systems, sales and services; day nurseries, group day care centers and nursery schools; dry cleaning establishments; dwellings; exhibit rooms; financial institutions; fire and police stations; florist shops; food stores, grocery stores, meat markets and delicatessens; fuel and ice sales; gift and card shops; hardware stores; hobby shops; hotels and motels; laundrettes – not more than 4 employees on the premises; laundries – not more than 4 employees on the premises; libraries and art galleries; liquor stores – package goods; live entertainment may be provided only in restaurants (as defined by Rule 1.02(g) of the Rules and Regulations of the Board of Liquor License Commissioners of Baltimore City) with liquor licenses whose average daily receipts from the sale of food exceed the average daily receipts from the sale of alcoholic beverages; maritime supplies; meeting and banquet halls; medical and dental clinics; multi-purpose neighborhood centers; museums, aquariums and planetariums; offices, business, governmental and professional; parks and playgrounds; philanthropic and charitable institutions; physical, cultural and health services – gymnasiums, reducing salons and public baths; post offices; restaurants and lunchrooms; ship chandlers;

sporting and athletic goods stores; storage of building materials and equipment and temporary structures for on-site construction purposes – for a period not to exceed the duration of active construction; swimming pools; taverns, including live entertainment and dancing; tennis and lacrosse clubs; temporary real estate sales offices, for the purpose of conducting the sale of lots or improvements in the development in which such office is located – for a period not to exceed the duration of active construction and for one year thereafter; ticket agencies; travel bureaus; variety stores; wearing apparel shops; wood-working, custom and custom furniture making shops.

c. Residential/ Commercial

In the areas designated Residential/ Commercial on the Land Use Plan Map, the permitted uses shall be as follows:

- (1) Dwellings; schools, libraries, religious facilities of any denomination, sect, or rite; clubs and lodges; in addition – subject to the authorization by Ordinance of the Mayor and City Council of Baltimore and the regulations of the Zoning Ordinance of Baltimore City – open off-street parking areas and garages; housing for the elderly; drug abuse rehabilitation and treatment centers; and community correction centers.
- (2) Certain commercial uses listed below:
 - (a) The intent of the additional constraints listed below is to maintain the predominantly residential character of the neighborhood, but complement the residential neighborhood by permitting a limited number of retail commercial areas;
 - (b) Commercial uses shall be subject to the following constraints:
 - i. shall be retail commercial
 - ii. shall be located on the first floor only, with a maximum of up to 30 feet continuous frontage per use.
 - (c) The commercial permitted uses are as follows:

barber shops; beauty shops; boat sales and rental establishments; book and magazine stores (Class A); candy and ice cream stores; clothes pressing establishments; day care nurseries; fuel and ice sales; group day care centers and nursery schools; dry cleaning establishments and laundry receiving stations – not more than four employees on the premises in addition to one owner or manager; florist shops; food stores; bakeries and delicatessens; foster homes for children; gift and card shops; hardware stores; libraries and art galleries; multi-purpose neighborhood centers;

newsstands; parks and playgrounds; physical, cultural and health services – gymnasiums, reducing salons and public baths; real estate offices – recreation buildings and community centers; restaurants and lunchrooms; storage of building materials and equipment and temporary structures for on-site construction purposes for a period not exceeding the duration of active construction; swimming pools; tailor or dressmaking shops; tennis and lacrosse clubs.

d. Community Business

In the areas designated as Community Business on the Land Use Plan Map, uses shall be limited to those permitted in the B-2 District by the Zoning Ordinance of Baltimore City.

e. Community Commercial

In the areas designated as Community Commercial on the Land Use Plan Map, uses shall be limited to those permitted in the B-3 District by the Zoning Ordinance of Baltimore City with the following exceptions:

auto glass and mirror shops; auto laundries; auto painting shops; auto repair and installation services; battery and tire sales and service; contractor and construction shops and yards; garages for storage, repair, servicing of motor vehicles, not over one and one-half tons capacity – including body repair, painting and engine rebuilding; machinery sales, rental and service; warehousing and wholesale establishments, and storage other than accessory to permitted uses; welding equipment and supplies – sales and service.

f. Public

In the areas designated as Public on the Land Use Plan Map, uses shall be limited to parks; playgrounds; plazas; active and passive recreation; landscaped areas; parking; and other public facilities.

g. Non-Conforming

A non-conforming use is any lawfully existing use of a building or other structure, or of land which does not conform to the applicable use regulations of the district in which it is located according to Article 30 of the Baltimore City Code (1983 Replacement Volume), titled “Zoning”. Non-conforming uses shall be permitted to continue, subject to the provisions of Chapter 8 of said Article 30, titled “Non-Conformance”.

h. Non-Complying

A non-complying structure, as set forth in Chapter 8 of Article 30 of the Baltimore City Code (1983 Replacement Volume), titled “Zoning”, is any lawfully existing structure which does not comply with the bulk regulations of the zoning district in which it is located. These non-complying structures shall be permitted to continue subject to the provisions of said Chapter 8.

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

- (a) any non-complying land use which is discontinued for a period exceeding 12 months shall not be reestablished; and
- (b) 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.

i. Height Restriction

The height of new buildings or additions to existing buildings in the project area shall not exceed 35 feet, with the exception of those buildings in Areas 1 through 4A as designated on Exhibit A where the height limitations in Appendix A – Waterfront Area Controls – shall apply. However, this 35 foot height restriction may be waived by the Commissioner of Housing and Community Development, if deemed appropriate, after review of such development by the community pursuant to Section C.4.c. of this Urban Renewal Plan.

2. Regulations, Controls and Restrictions

The controls and restrictions applicable to all land and property along the waterfront are contained in Appendix A – Waterfront Area Controls.

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

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

(1) General Provisions

- (a) No buildings, structures, or parking areas shall be constructed over an easement within the project area without the prior consent of the Commissioner of the Department of Housing and Community Development and the Director of the Department of Public Works.
- (b) No materials shall be stored or permitted to remain outside buildings. No waste material, refuse, or garbage shall be permitted to remain outside buildings except as permitted by the Baltimore City regulations regarding containers for garbage; the areas for such containers shall be properly screened.
- (c) All land not covered by structures, paved parking, loading, or related service areas, 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.
- (d) Except as otherwise provided in specific lot controls, no sign shall extend above the roof line or parapet wall of the building to which it is attached; no sign shall project more than 12 inches from the building to which it is attached. No free-standing signs shall be permitted.

No animated or pulsating signs shall be permitted. The total area of exterior signs for each building shall not exceed in gross area one (1) foot times the street frontage, in feet, of the building except that signs not exceeding six (6) square feet in area erected for the purpose of directing motorists to the entrance or exit points of off-street parking areas shall be permitted when attached to a fence, screening wall or building wall and shall not be included in the total area calculated for exterior signs.

- (e) Exterior ventilation equipment or any mechanical equipment placed outside of a building, including on the roof, shall be effectively screened.

(2) Off-Street Parking Requirements

- (a) Parking spaces on all lots for development shall be provided as established in the Zoning Ordinance of Baltimore City. In addition, off-street parking areas shall be visually screened from public streets and adjacent properties. Screening shall consist of a masonry wall or durable fence, or combination thereof, not less than four (4) feet in height; in lieu

of such wall or fence, a compact evergreen hedge of not less than four (4) feet in height at time of original planting may be used. Screening and landscaping shall be maintained in good condition and shall be designed and placed so as not to obstruct vehicle site (*sic!*) distances at entrances and exits.

- (b) All required parking spaces shall be provided with proper ingress and egress to a public street or alley by means of access drives and aisles.
- (c) All exterior (surface) parking areas shall be paved with a hard dust-free surface, and shall be properly illuminated.

(3) Redevelopers Obligations

- (a) The Redeveloper shall not enter into, execute, or be a party to any covenant, agreement, lease, deed, assignment, conveyance, or any other written instrument which restricts the sale, lease, use or occupancy of the property, or any part thereof or any improvements placed thereon, upon the basis of national origin, race, religion, sex, or color. Such agreement or covenant providing for this nondiscrimination provision shall be included in the instruments and the City of Baltimore shall be deemed a beneficiary of such covenants and shall be entitled to enforce it. The Redeveloper shall comply with all State and Local Laws, in effect from time to time, prohibiting discrimination or segregation.
- (b) The Redeveloper shall devote the land to those uses specified in the Plan and to no other uses.
- (c) The Redeveloper shall agree to retain the interest he acquires in the property transferred to him until he has completed the improvement, construction, and development in the area required by this Plan and the disposition instruments, and he shall further agree not to sell, lease or otherwise transfer the interest he acquires or any part thereof without the prior written consent of the Commissioner of the Department of Housing and Community Development or until the Department shall have certified in writing that the Redeveloper has completed the improvement, construction and development in the area.

(4) Specific Lot Controls

In addition to the regulations stipulated in Section B.2.a. above, the following shall apply:

- (a) Disposition Lots 2 and 8
 - i. Disposition Lots 2 and 8 shall be limited to public park.

- (b) Disposition Lots 3, 4, 5, and 6
 - i. Disposition Lots 3, 4, 5, and 6 shall be limited to single-family dwelling units.
- (c) Disposition Lot 7
 - i. Disposition Lot 7 shall be limited to convalescent, nursing or rest home, and/or single-family housing.

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

(1) General Provisions

The provisions of Section B.2.a. shall apply as appropriate to properties not currently proposed to be acquired by this Plan if the owners thereof acquire adjacent project land made available by the Department of Housing and Community Development under the provisions of this Plan.

(2) 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 authorize the processing of the plans for issuance of a building permit. The provisions of this section are in addition to and not in lieu of all other applicable laws and ordinances relating to new construction.

(3) Demolition

All applications for demolition permits shall be submitted to the Department of Housing and Community Development for review and approval. Upon finding that the proposed demolition is consistent with the objectives of the Urban Renewal Plan, the Commissioner of the Department of Housing and Community Development shall authorize the issuance of the necessary permit. If the Commissioner finds that the proposal is inconsistent with the objectives of the Urban Renewal Plan and therefore denies the issuance of the permit, he shall, within 90 days of such denial, seek approval of the Board of Estimates to acquire for and on behalf of the Mayor and City Council of Baltimore, the property, in whole or in part, on which said demolition was to have occurred, by purchase, lease, condemnation, gift or other legal means for the renovation,

rehabilitation and disposition thereof. In the event that the Board of Estimates does not authorize the acquisition, the Commissioner shall, without delay, issue the demolition permit.

(4) Off-Street Parking Requirements

a. Parking spaces on all lots for development shall be provided as follows:

Residential – 1.5 spaces for each unit of a multi-family building. 1 for each efficiency unit.

Hotel, Motel, Inn – 1 for each dwelling, efficiency or rooming unit.

The Commissioner of the Department of Housing and Community Development may waive these requirements up to the requirements as established in the Zoning Ordinance of Baltimore City or by the Board of Municipal and Zoning Appeals.

b. Off-street parking areas shall be visually screened from public streets and adjacent properties. Screening shall consist of a masonry wall or durable fence, or combination thereof, not less than 4 feet in height; in lieu of such wall or fence, a compact evergreen hedge of not less than 4 feet in height at time of original planting may be used. Screening and landscaping shall be maintained in good condition and shall be designed and placed so as not to obstruct vehicle sight distances at entrances and exits.

c. All required parking spaces shall be provided with proper ingress and egress to a public street or alley by means of access drives and aisles.

d. All exterior (surface) parking areas shall be paved with a hard, dust-free surface, and shall be properly illuminated.

C TECHNIQUES USED TO ACHIEVE PLAN OBJECTIVES

1. Acquisition

Properties designated for acquisition are indicated on the Property Acquisition Map, Exhibit 2. In the event that the acquisition of other properties is necessary in order to accomplish the objectives of the Urban Renewal Plan, such acquisition shall be in accordance with the appropriate provisions of Article 13 of the Baltimore City Code (1983 Replacement Volume) or any other applicable codes, ordinances or regulations.

2. Rehabilitation

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

Property Rehabilitation Standards for the 2100 (odd and even sides), the 2200 (even side), and the 2300 (even side) blocks of Boston Street, the 2100 (even side) block of Aliceanna Street, and the 2800 (odd side) and 2900 (odd and even sides) of O'Donnell Street have been included in Appendix B of this Plan. Permits shall not be issued for modifications to non-residential properties in these blocks unless the modifications conform to the Standards contained in Appendix B.

3. Relocation

- a. The Department of Housing and Community Development assures that before individuals or families are displaced from their dwelling units due to the requirements of this Plan, standard housing within the displacees' financial means shall be provided. Residents living within the project area, if displaced through the requirements of this Plan, shall be given a priority by the Department of Housing and Community Development to any housing within the project areas over which the Department has direct control.
- b. The Department of Housing and Community Development assures that before firms or individual businesses are displaced from their present location of operation due to the requirements of this Plan, standard commercial structures within the displacees' financial means, in or near the project area, shall be identified. Businesses displaced because of the requirements of this Plan shall be given favorable consideration, but not necessarily priority, by the Department of Housing and Community Development in review of redevelopment proposals.

4. Review of Development

The Architectural Guidelines contained in Appendix B of this Plan shall be used in reviewing new development in the project area.

a. Land to be Acquired and Disposed of

The Department of Housing and Community Development specifically reserves the right to review and approve the Redeveloper's plans and specifications for development or rehabilitation with respect to their conformance with the provisions of the Urban Renewal Plan and in order to achieve harmonious development of the project area. The Department also reserves the right to refuse to approve any such

drawings, plans or specifications that are not suitable or desirable, in its opinion, for aesthetic or functional reasons; and in so passing upon such drawings, plans and specifications, it shall have the right to take into consideration, but shall not be limited to, the suitability of the site plan, architectural treatment, building plans, elevations, materials and color, construction details, access, parking, loading, landscaping, identification, signs, exterior lighting, refuse collection details, streets, sidewalks and the harmony of the plans with the surroundings.

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

b. Land Not to be Acquired

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

c. Community Review

The Department of Housing and Community Development shall submit to all community organizations in the Canton Waterfront Urban Renewal Area, as listed in the Community Association Directory published by the Planning Department, for their review and comment the form and content of all significant development proposals within the Canton Waterfront Urban Renewal Area. Significant development proposals are those which:

- propose new construction,
- propose substantial exterior renovation,
- propose changes to zoning districts or amendment to this Plan, or
- all proposed demolition of any structure except insignificant elements or additions.

The above community organizations shall advise the Department of their recommendations regarding the acceptability and/or priority of all plans and proposals. The written comments by the community organizations shall be transmitted to the Department of Housing and Community Development no later than four (4) weeks after the proposals and/or plans have been submitted to the appropriate community organizations; otherwise, it is presumed that the proposals and/or plans are acceptable. Where public health and safety dictate, the Commissioner may issue permits without regard to these Community Review procedures. The commissioner of the Department of Housing and Community Development retains the 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 of Housing and Community Development.

5. Land Disposition

- a. 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 legal means available to the city, in accordance with the Land Disposition Map, Exhibit 3.
- b. The parcels shown on Exhibit 3 are schematic and approximate. The Department of Housing and Community Development shall have the right, in its discretion, to fix their precise boundaries and size. For purposes of disposition, the parcels or lots, as shown on Exhibit 3, may be subdivided or combined.

6. Zoning

All appropriate provisions of the Zoning Ordinance of Baltimore City shall apply to properties in the project area. Any change in the Zoning Ordinance embodied in this Urban Renewal Plan and designated on Exhibit 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 (1957 Edition, as amended).

D. DURATION OF PROVISIONS AND REQUIREMENTS

The Canton Waterfront 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 of this Plan by ordinance of the Mayor and City Council of Baltimore.

E. PROCEDURES FOR CHANGES IN APPROVED PLAN

The Urban 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 Urban Renewal Plan, a public hearing shall be held.

1. Submittal of Changes to the Community

The Department of Housing and Community Development shall submit to the appropriate Canton Waterfront community organizations as defined in paragraph C.4.c. above 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 Department of Planning by the Department of Housing and Community Development. Any written comments and recommendations by the community organizations shall be transmitted to the Department of Housing and Community Development no later than four (4) weeks after the proposed amendments have been submitted to the appropriate community organizations. Prior to the passage of any ordinance amending the Urban Renewal Plan, a public hearing shall be held and the community organizations shall receive written notice of the time and place of such hearing at least ten (10) days prior to such hearing.

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

APPENDIX A

WATERFRONT AREA CONTROLS

This Appendix and the accompanying exhibit contain the various special controls applicable to properties along the waterfront in the Canton Waterfront Urban Renewal Area. These controls have been included to insure that public access to the waterfront be maximized and enhanced, opportunities for visual enjoyment of the water be preserved and/or created, and to guide new development with height and setback requirements.

Pedestrian Promenade and Public Access Corridors

Public pedestrian access to the waterfront shall be provided through a series of public access corridors leading from a public sidewalk to a shoreline public promenade. Locations of the public access corridors and the public pedestrian promenade are shown on Exhibit A – Waterfront Area Controls.

Public Pedestrian Promenade – The Public Pedestrian Promenade shall be established by an easement which shall be not less than 20 feet in width of which a minimum of 12 feet must be permanently constructed promenade. Parts of the 20 foot public easement not consisting of permanently constructed promenade shall be landscaped and maintained in a manner that is accessible to the public. In limited areas, where it can be demonstrated that it is functionally justified, the Commissioner of the Department of Housing and Community Development may allow a promenade or easement of lesser width. These required easement improvements shall be built and maintained by the property owner. Public pedestrian access on private property shall be subject to such reasonable rules and regulations as may be promulgated by the owner of such property and agreed to in writing by the Commissioner of the Department of Housing and Community Development. The Pedestrian Promenade shall be completed within two years from the passage of the ordinance approving Amendment No. 1 to the Urban Renewal Plan with the exception of active industrial sites. For undeveloped sites, an exception to the permanently constructed promenade requirement may be granted by the Commissioner of the Department of Housing and Community Development if the promenade easement is granted to the City of Baltimore and a temporary walkway across the site connecting existing portions of the promenade is provided by the property owner. The Commissioner of the Department of Housing and Community Development may extend the time for completion of the Pedestrian Promenade or if it is deemed necessary to do so for the health, safety, and welfare of the citizens.

The following standards shall apply to the promenade. Design of lights, street furniture, decorative elements, and paving details must be approved by the Commissioner of the Department of Housing and Community Development.

1. Lighting – Adequate lighting to provide public safety during evening hours.
2. Benches – One bench every 50 feet or the equivalent number.

3. Satellite dishes, utility connections or poles or any other obstacles to the pedestrian shall not be permitted. Bollards, statues, fountains, kiosks or other decorative elements may be permitted subject to written approval by the Commissioner of the Department of Housing and Community Development.
4. Off-street parking adjacent to the promenade is not encouraged. However, if it is found to be necessary, the parking lot or facility shall be screened from the promenade. Screening shall consist of a masonry wall or durable fence or combination thereof sufficient to screen automobiles. In lieu of such wall or fence, adequate landscaping sufficient to screen automobiles at the time of original planting may be used. Screening and landscaping shall be maintained in good condition by the property owner.
5. Automobiles, trucks, or other motorized vehicles shall not cross or otherwise use the pedestrian promenade except for those vehicles needed for service, maintenance or public safety of the promenade or whose presence in the promenade is deemed necessary by the Commissioner.
6. Trash Receptacles – One trash receptacle should be provided for every 150 feet of promenade.
7. Paving – The standard paving detail shall be a minimum of 8 feet of brick with 2 feet of concrete band on both the water's edge and the landward edge. Wood-decked promenade may be permitted by the Commissioner of the Department of Housing and Community Development in the following instances: (a) where an existing building does not allow for a walkway or grade; (b) when required to avoid possible conflicts between pedestrians and automobiles; (c) where site conditions are such that the cost of construction would be impractical; and/or (d) where substantial public benefits are proposed by the developer. Tidal step-downs or other elements in addition to the promenade may be constructed of wood.

Public Access Corridors – In order to assure public access to the Pedestrian Promenade and to preserve and enhance views to the water, the following public access corridors shall be designated. Minimum width of the corridors shall be 50 feet, unless otherwise noted below. Landscaping, trees, lights, benches, tables, and other public amenities that will enhance, not impede, public view of the water shall be permitted. Off-street parking is not permitted within these corridors, except following review and approval of the Commissioner of the Department of Housing and Community Development. All access corridors should connect sidewalk and promenade and be physically and visually uninterrupted. In cases where a public access corridor is to be located between 2 properties, the center of the corridor shall be on the property line and the width of the corridor shall be evenly divided between the 2 properties.

The following public access corridors are shown on Exhibit A:

1. From a point at the approximate intersection of Boston and Aliceanna Streets south to the water between 2201 and 2121 Boston Street.

2. A 30 foot wide public access corridor shall be designated between 2301 Boston Street (Northshore) and 2351 Boston Street (Anchorage Townhomes), consisting of a 15 foot wide public access corridor each on 2301 Boston Street and 2351 Boston Street.
3. A 15-foot wide public access corridor shall be designated between 2369 and 2371, between 2389 and 2401, and between 2419 and 2421 Boston Street.
4. A 30-foot wide public access corridor shall be designated between 2439 and 2449 Boston Street.
5. From a point at the approximate intersection of Luzerne Avenue and Hudson Street due south along the axis of Luzerne Avenue to the waterfront park. In the Luzerne Avenue corridor, if financially necessary and subject to the review and approval of the Commissioner of Housing and Community Development, a second level pedestrian bridge may be allowed.
6. From a point at the approximate intersection of Lakewood Avenue and Boston Street due south along the axis of Lakewood Avenue through to the water.
7. From a point at the approximate intersection of Kenwood Avenue and Boston Street along the axis of the existing 2809 Boston Street approximately southwest to the water.
8. From a point at the approximate intersection of Linwood Avenue and Boston Street along the axis of the existing 2809 Boston Street approximately southwest to the water.
9. This public access corridor shall be described by a set of parallel lines. The northern line shall extend west from the intersection of Elliott Street and Kenwood Avenue along the north axis of Elliott Street to the water; the southern will be parallel and 50 feet south of the above line.

APPENDIX B

ARCHITECTURAL GUIDELINES AND PROPERTY REHABILITATION STANDARDS

The following architectural guidelines are intended to provide a framework for development that respects the existing neighborhood as well as fosters a high quality waterfront environment. Rehabilitation standards are provided for existing neighborhood commercial areas that possess a special historical character.

A. Architectural Guidelines

New development shall be subject to design review. The following summarizes some of the criteria against which projects should be reviewed. Design review will consider but not be limited to the following:

1. Buildings should be designed and sited to reinforce the grid of the streets and/or the public access corridors.
2. Open parking lots are discouraged; cars should be hidden in internal lots or garages.
3. Individual building heights should vary within projects by stepping down to the waterfront promenade and public open spaces.
4. Building masses should be articulated by incorporating a variety of building elements that will reduce the scale of the project.
5. Building design elements that are characteristic of waterfront use should be incorporated within new development schemes.
6. The first floor of buildings should be scaled to serve pedestrian activities and reinforce access and use of the waterfront promenade.
7. In addition to the public access corridors designated in the Waterfront Area Controls, pedestrian paths through development sites are encouraged.
8. New buildings shall respect and be compatible with existing urban fabric.

B. Rehabilitation Standards

Permits shall not be issued for modifications to non-residential properties fronting on the 2100 (odd and even sides), the 2200 (even side), and the 2300 (even side) blocks of Boston Street, the 2100 (even side) block of Aliceanna Street, and the 2800 (odd side) and 2900 (odd and even sides) of O'Donnell Street unless the modifications conform to the standards described below.

Existing materials on building façades may remain until the property owner chooses to alter the façade, or a portion thereof. The standards listed below shall apply only to the portion of the façade being altered. However, the Commissioner of the Department of Housing and Community Development may waive compliance with one or more of these standards if the proposed improvements do not adversely affect the objectives for the Canton Waterfront Urban Renewal Area.

1. Building Façades

- a. Building façades shall be cleaned, repointed, repaired or replaced in a workmanlike manner to match as closely as possible the original materials and construction of the building;
- b. Cleaning of masonry façades by means of sandblasting shall not be permitted, except where sandblasting is determined by the Commissioner of the Department of Housing and Community Development to be the only feasible means of surface cleaning and where, in the Commissioner's opinion, it will not cause damage to historic building materials.
- c. Painted masonry walls shall have loose material removed. If painted, a single color shall be used except for trim (cornice, window frames, doors, etc.), which may be of another color. Patched walls shall match the existing adjacent surfaces as to material, color, bond and pointing;
- d. Original architectural appointments including, but not limited to, lintels, sills, fascias, cornices, eaves, dormers, chimneys, and original pitched roofs shall be restored or replaced to match as closely as possible the original patterns. All exposed wood shall be painted or stained, or otherwise treated for protection;
- e. Enclosures or security grilles and screens should be as inconspicuous as possible and compatible with other elements of the facades;
- f. Resurfacing of existing brick facades with materials such as formstone, wood siding, structural glass veneer, aluminum siding, etc. shall not be permitted. When retained, painting of existing formstone façades will be encouraged;
- g. Existing miscellaneous elements on the building fronts, such as empty electrical or other conduits, unused sign brackets, etc., shall be eliminated;
- h. Side walls, where visible from a public street, shall be finished or painted so as to harmonize with the front of the building; and
- i. Owners may retain, replace or repair existing formstone façades on their buildings.

2. Windows

- a. Original window and door openings shall be retained and restored. Window styles are to be in conformance with the original design of the window style for the building façade;
- b. Show windows, where existing on buildings used as residences, shall be rehabilitated so as to be compatible with the original architectural character of the structure;
- c. Solid or permanently enclosed or covered storefronts and windows shall not be permitted, except when approved by the Fire Department and the Commissioner of the Department of Housing and Community Development. In such cases where approval has been obtained, sills, lintels, and frames must be removed and the opening closed to match the material, design and finish of the adjacent wall;
- d. Show windows, entrances, signs, lighting, security grilles, etc. shall be compatible, harmonious and consistent with the original scale and character of the structure;
- e. All screens and grilles protecting entrances and show windows must be constructed so they can be fully opened or removed. Such screens and grilles shall be opened or removed during the normal business hours of that business;
- f. Enclosures and housings for security grilles and screens shall be as inconspicuous as possible, and compatible with other elements of the façade; and
- g. No temporary or permanent sign affixed or placed against the inside surface of a show window shall exceed 20% of the area of that show window.

3. Signs

- a. No billboards of any kind shall be permitted.
- b. Roof top signs, signs above the parapet of the building, flashing signs or moving signs, except barber poles, shall not be permitted.
- c. Flat signs placed parallel to the building face shall not exceed two square feet of area for every linear foot of frontage.
- d. One projecting sign shall be permitted for each establishment provided it is perpendicular to the building face. No projecting sign shall exceed four (4) square feet in area and shall be placed no higher than the bottom of the second story window where windows exist – or 14 feet above grade level – whichever is lower.

- e. A flat sign on the side and front of a building is permitted provided that the total square footage of all signs does not exceed 2 square feet of area for every linear foot of frontage.

4. Landscaping

All land not covered by structures, paved parking, loading or related service areas, 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 landscaping 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. Easements

No buildings, structures, or parking areas shall be constructed over an easement within the project area without the prior consent of the Commissioner of the Department of Housing and Community Development and the Director of Public Works.

6. Fences

Fences visible from any street must be brick, brick faced block, board on board, picket, or wrought iron.

7. Storage

- a. No materials shall be stored or permitted to remain outside buildings. No waste material, refuse, or garbage shall be permitted to remain outside buildings except as permitted by the Baltimore City regulations regarding containers for garbage; the areas for such containers shall be properly screened.
- b. Outdoor storage areas and loading areas shall be appropriately screened from all adjacent streets. Appropriate screening shall include, but is not necessarily limited to, solid and perforated masonry walls, solid fences, trees and shrubs planted at appropriate intervals, or a combination of these.

8. Contemporary Elements

- a. Antennae, air conditioning equipment, commercial exhaust fans, grilles and other contemporary elements shall be as inconspicuous as possible.
- b. Decks and satellite dishes (subject to approval by the Board of Municipal and Zoning Appeals) shall be located so that they are not visible from any public street.

- c. Any mechanical equipment placed on a roof shall be located and treated so as to be as inconspicuous as possible.

View Corridors – The following public streets: Chester Street, Lakewood Avenue, and Potomac Street, along with an area at the foot of the Pagoda in Patterson Park to the flag at Fort McHenry, shall be designated long view corridors. New obstructions, such as balconies, bridges, or structures shall be permitted only with prior approval of the Commissioner of the Department of Housing and Community Development.

Height Limitations- The height of structures along the waterfront shall not exceed 35 feet, except in Areas 1 through 4. Height controls are provided in Areas 1 through 4 to minimize the impact of building heights on adjacent neighborhoods. Specific locations for higher buildings are provided, as well as guidelines for building setbacks and stepbacks. The maximum building height shall be defined as the vertical distance measured, in the case of flat roofs, from the mean curb level of the highest point of the roof adjacent to the street wall, and in the case of pitched roofs, from the mean curb level to the mean height level of the roof. Where the walls of a building are not adjacent to a street curb, the height of a building shall be measured from the average elevation of the ground adjoining the walls.

Area 1 – The average height of the built area shall not exceed 45 feet and the maximum building height shall be 50 feet. The maximum building height along Aliceanna Street, Chester Street and the water’s edge shall be 40 feet. Additional height above 40 feet up to the maximum of 50 feet shall be constructed so that it is not visible from that portion of the promenade adjacent to the area or shall step up at an angle of no more than 45 degrees. The building shall be setback a minimum of 20 feet from the Chester Street right-of-way.

- III Area 2 – The average height of the built area shall not exceed 65 feet; and the maximum height, excluding HVAC or other mechanical systems, is 75 feet. The maximum height for the HVAC and other mechanical systems may not exceed 90 feet. The maximum building height on Boston Street, the northwest and the water’s edge shall be 60 feet. Additional height above 60 feet up to the maximum of 75 feet shall be constructed so it is not visible from that portion of the promenade adjacent to the area and from the sidewalk on the north side of Boston Street adjacent to the area or shall step up at an angle of no more than 45 degrees.

Area 3 – The water’s edge shall have a maximum height of 40 feet. Additional height above 40 feet up to a maximum height no higher than the existing properties at 2351-2439 Boston Street shall be constructed so that it is not visible from that portion of the promenade adjacent to the area or shall step up at an angle of no more than 45 degrees.

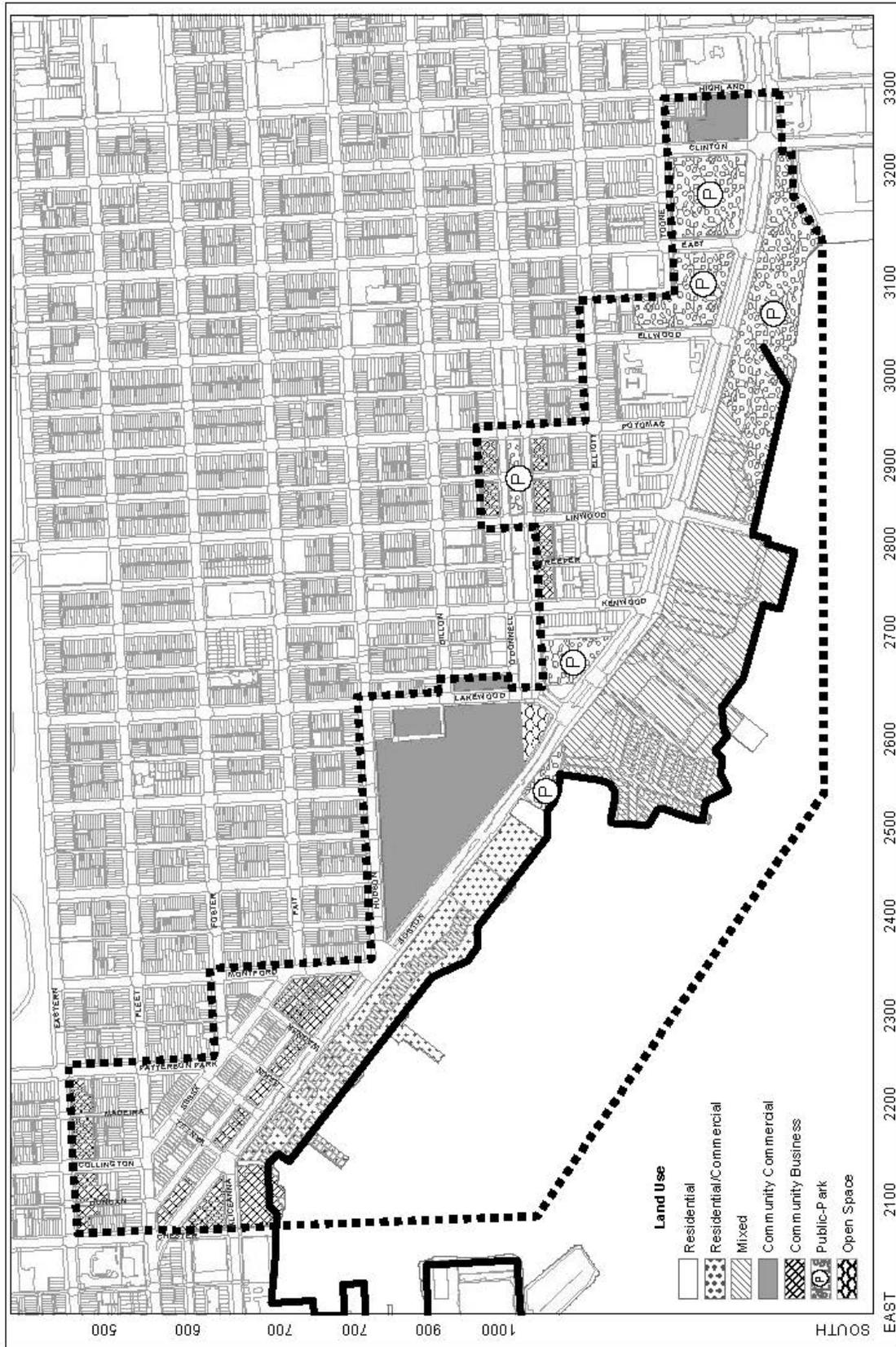
Area 4 –

- (a) The average height of the built area shall not exceed 50 feet and the maximum height is 79 feet. The water’s edge shall have a maximum height of 40 feet. Additional height above 40 feet shall be setback at an angle of no more than 45 degrees up to 79 feet.

- (b) A total maximum height of 79 feet is authorized only for the residential units which may be constructed above the boat storage building under construction on the date of enactment of this ordinance.

June 6, 1989
November 27, 1989
c1u4
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EXHIBIT 1 - LAND USE PLAN



<p>LEGEND</p> <ul style="list-style-type: none"> ■ Project Boundary — Pedestrian Promenade 	<p>CANTON WATERFRONT</p> <p><small>DISCLAIMER: THE CITY OF BOSTON MAKES NO WARRANTY, EITHER EXPRESSED OR IMPLIED, REGARDING THE ACCURACY OF INFO CONTAINED IN THIS MAP. THE MAP IS SOLD AND/OR PROVIDED AS IS AND THE CITY WILL NOT BE LIABLE FOR ITS USE OR MISUSE BY ANY P.</small></p>		<p>LAND USE</p>
	<p>Date: 6-5-84</p> <p>Revised: 12-7-00</p>	<p>EXHIBIT</p> <h1 style="font-size: 48pt; margin: 0;">1</h1>	

EXHIBIT 2 – PROPERTY ACQUISITION

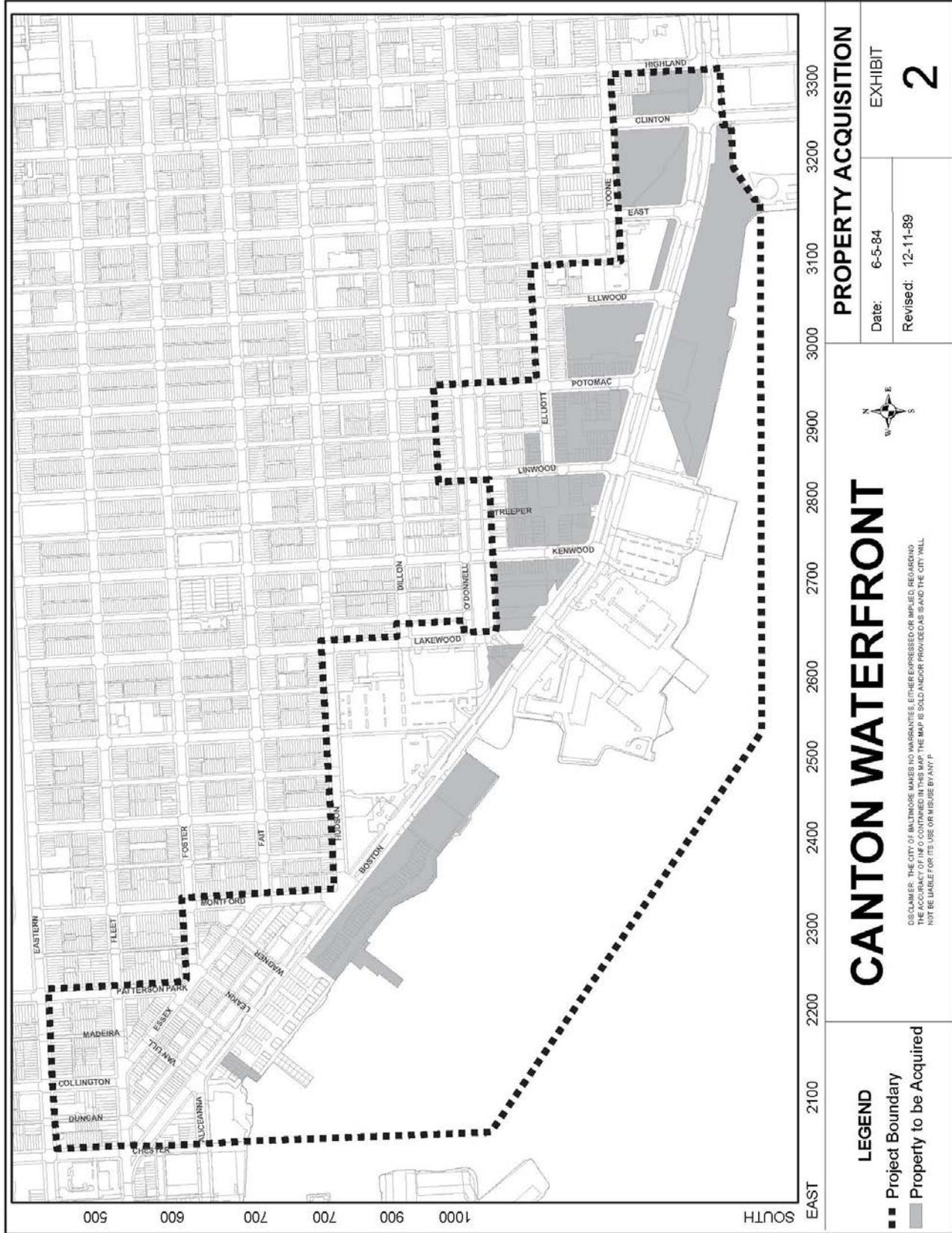
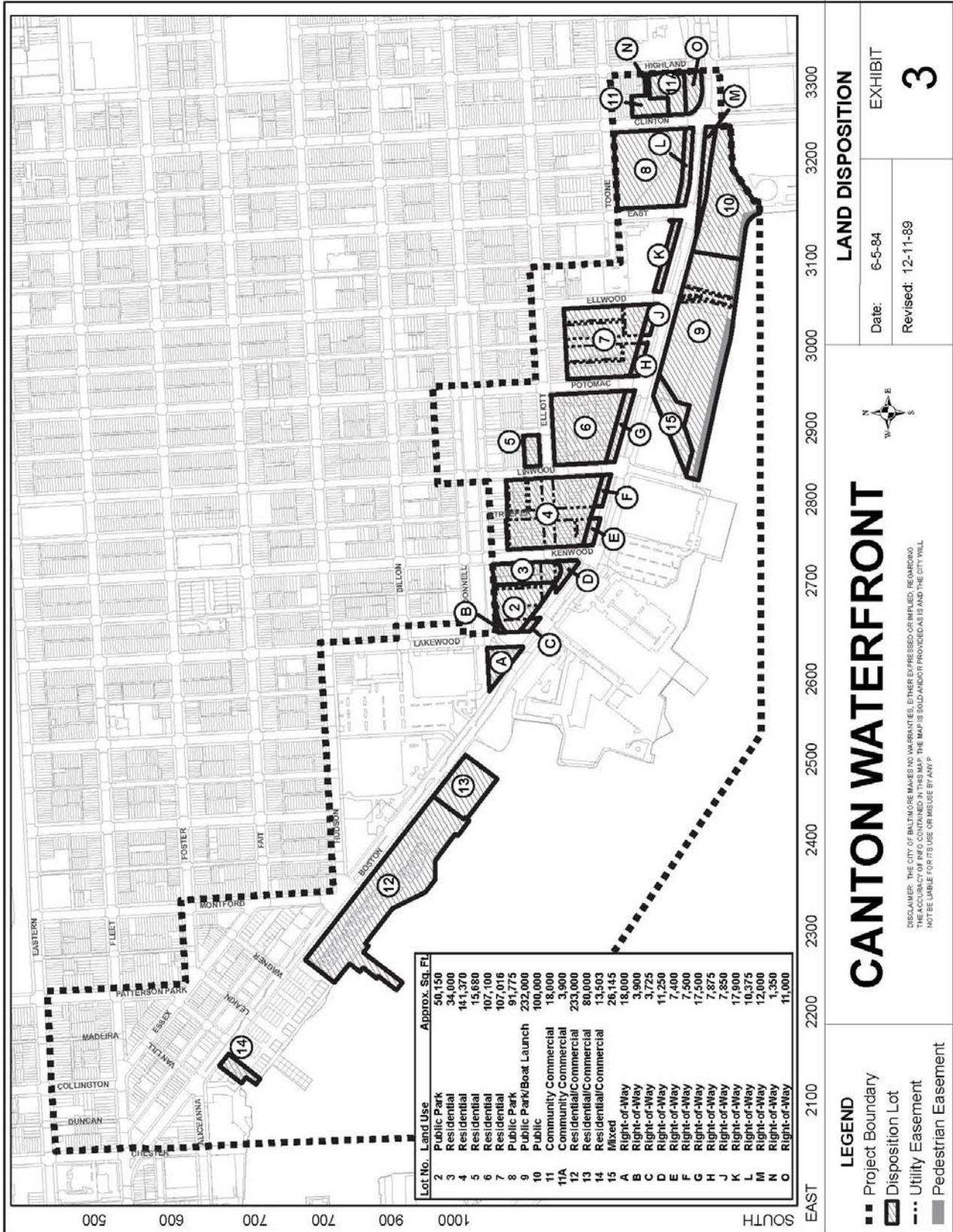


EXHIBIT 3 – LAND DISPOSITION



LAND DISPOSITION
 Date: 6-5-84
 Revised: 12-11-89



CANTON WATERFRONT

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LEGEND
 - - - Project Boundary
 [Hatched Box] Disposition Lot
 . . . Utility Easement
 [Solid Grey Box] Pedestrian Easement

EXHIBIT
3

EXHIBIT 4 – ZONING DISTRICTS

