

**CITY OF BALTIMORE
ORDINANCE
Council Bill 11-0675**

Introduced by: The Council President

At the request of: The Administration (Department of Housing and Community Development)

Introduced and read first time: March 28, 2011

Assigned to: Urban Affairs and Aging Committee

Committee Report: Favorable with amendments

Council action: Adopted

Read second time: November 14, 2011

AN ORDINANCE CONCERNING

Urban Renewal – Key Highway South – Renewal Area Designation and Urban Renewal Plan

FOR the purpose of repealing the Urban Renewal Plan for Key Highway East - Industrial and replacing it by designating as a "Renewal Area", an area situated in Baltimore City, Maryland known as Key Highway South, bounded generally by Fort Avenue to the alley behind Woodall Street to Key Highway, then moving north up Key Highway to the property line of 1459 Key Highway, east along the property line to the pierhead line, following the pierhead line to the property of 1401 Key Highway, moving west along the property line to the northern property line of 1321 Key Highway to the center of Key Highway, then continuing south on Key Highway to the alley behind Webster Street, to the alley behind Harvey Street, to the property line of 1414 Key Highway back to Harvey Street, from Harvey Street, south to Lawrence Street and back up to Fort Avenue; approving a Renewal Plan for Key Highway South; establishing the objectives of the Plan; establishing permitted land uses in the Renewal Area; providing for Planning Department and Community review of development in the Renewal Area; providing that the provisions of the Zoning Code apply to the properties in the Project Area; providing that certain City-owned land and property interests within the Project Area may be sold, leased, conveyed, or transferred; creating disposition lots; providing that certain land is dedicated to public open space; providing for the establishment of any easements, to the extent reasonably feasible, by the developer prior to any issuance of building permits for new development; providing that where there may be a conflict between the provisions of the Renewal Plan and the provisions of any Planned Unit Development, the provisions of the Planned Unit Development control; providing for the term of the Plan; establishing procedures for amending the Plan; providing that in the event of any question regarding the provisions of the Plan, the interpretation by the Commissioner of the Department of Housing and Community Development is final and binding; approving exhibits and an appendix to the Plan; providing for design guidelines; waiving certain content and procedural requirements; making the provisions of this Ordinance severable; and providing for the application of this Ordinance in conjunction with certain other ordinances.

EXPLANATION: CAPITALS indicate matter added to existing law

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[Brackets] indicate matter deleted from existing law

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Underlining indicates matter added to the bill by amendment

Underlining indicates matter added to the bill by an amendment.

~~like but indicates matter stricken from the bill by amendment or deleted from existing law by amendment~~

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

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That Ordinance 87-986, which established the Key Highway East - Industrial, and last amended by Ordinance 08-71, is repealed.

SECTION 2. AND BE IT FURTHER ORDAINED, That area known as Key Highway South, as more particularly described in Section 3, is established.

SECTION 3. AND BE IT FURTHER ORDAINED, That the Urban Renewal Plan for Key Highway South is adopted to read as follows:

Urban Renewal Plan

Key Highway South

A. Project Description

1. Boundary Description

Beginning at a point on the north side of Key Highway East (66 feet wide) at the intersection of the eastern property line of 1020 Key Highway East; thence northwesterly along Key Highway East, 226 feet to the western property line of 1000 Key Highway East; thence northeasterly a distance of 733 feet, more or less, to intersect the Pier Head Line of Baltimore Harbor; thence northwesterly along the Pier Head Line a distance of 805 feet, more or less, to the western property line of 1415 Key Highway; thence southwesterly along the property line a distance of 205 feet, to the northern property line of 1407 Key Highway; thence northwesterly along the property line a distance of 238 feet to the western property line of 1407 Key Highway; thence southwesterly a distance of 30 feet, more or less, along the property line; thence north a distance of 32 feet, more or less; thence westerly along the northern property line of 1401 Key Highway, a distance of 481 feet; thence south a distance of 46 feet, to the northern property line of 1321 Key Highway; thence westerly along the property line a distance of 148 feet; thence southwesterly and along the western property line of 1321 Key Highway a distance of 105 feet to the center line of Key Highway (106 feet wide); thence southwesterly along the center line of Key Highway a distance of 405 feet, more or less, to a point formed by the intersection with the center line of a 9-foot alley east of Webster Street and extended to the center line of Key Highway; thence southwesterly along the center line, a distance of 144 feet to the center line of a 9- foot alley north of Harvey Street; thence southwesterly along the center line a distance of 105 feet to intersect the southwest property line of 1414 Key Highway; thence southwesterly along the property line and extending to the center line of Harvey Street (50 feet wide), a distance of 107 feet; thence southeasterly along the center line of Harvey Street, a distance of 613 feet, more or less, to the center line of Lawrence Street (87 feet wide); thence southwesterly along the center line, a distance of 277 feet to the center line of Fort Avenue (82

1 feet wide); thence southeasterly along the center line a distance of 644 feet, more
2 or less; thence northeasterly and along the southeastern property line of 1465 Key
3 Highway a distance of 573 feet to the point of the beginning.

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

5 a. To facilitate the physical transformation of the area from industrial land uses
6 to a premier waterfront residential and commercial mixed-use development.

7 b. To establish a framework for new development that respects the existing
8 neighborhood context by preserving visual links to the harbor and promoting
9 buildings that are of boulevard scale.

10 c. To provide land for open space, recreation areas, and adequate community
11 facilities that link to and engage the waterfront.

12 d. To provide public access to the water's edge by providing open space,
13 preserving key views to and from the water, and creating waterfront
14 pathways/promenade appropriate for pedestrians and cyclists.

15 e. To provide adequate design controls and guidelines that recognize the mixed
16 land use character of an urban waterfront and improve the environmental
17 quality, water quality, and wildlife habitat.

18 B. Land Use Plan

19 Only the use categories shown on the Land Use Plan, Exhibit B, are permitted within
20 the Project Area. Accessory uses, including landscaping, off-street parking, and
21 loading, will be permitted.

22 1. Mixed Land Use

23 In the area designated as Mixed Land Use on the Land Use Plan, the uses allowed
24 are those listed under the B-2 category of the Zoning Code of Baltimore City.
25 The following uses are prohibited in the Key Highway South Urban Renewal
26 Plan:

- Automobile accessory stores—including related repair and installation services
- Check cashing agencies
- Garages, other than accessory, for storage, repair, and servicing of motor vehicles not over 1 ½ tons capacity—but not including body repair, painting or engine rebuilding
- Gasoline service stations
- Pawnshops
- Poultry- and rabbit-killing establishments
- Restaurants: drive in
- Taxidermist shops
- Undertaking establishments and funeral parlors

1 The intent of a Mixed Land Use category is to allow a diversity of uses in areas
2 near the waterfront. All development in the Mixed Land Use category must
3 conform to the controls and restrictions enumerated in Appendix A: Design
4 Guidelines.

5 **2. Public**

6 In the area designated as Public on the Land Use Plan, uses are limited to parks,
7 pavilions, playgrounds, promenade, plazas, and landscaped areas for active and
8 passive recreation.

9 **3. Nonconforming Use**

10 A nonconforming use is any lawfully existing use of a building or other structure
11 or of land that does not conform to the applicable use regulations of the district in
12 which it is located, according to the Zoning Code of Baltimore City.

13 Nonconforming uses shall be permitted to continue subject to the provisions of
14 Title 13, titled "Nonconformance".

15 **4. Noncomplying Structure**

16 A noncomplying structure, as set forth in Title 13 of the Zoning Code, is any
17 lawfully existing structure that does not comply with the bulk regulations of the
18 zoning district in which it is located. These noncomplying structures shall be
19 permitted to continue subject to the provisions of Title 13.

20 **C. Techniques Used to Achieve Plan Objectives**

21 **1. Review of Development**

22 **a. Planning Department Review**

23 All plans for permanent improvements, including signs, lighting and the
24 promenade, are subject to design approval by the Department of Planning.
25 The Department may exercise its option for final design review approval by
26 the Planning Commission to ensure that the plans are consistent with the
27 objectives and requirements of the Renewal Plan. All new construction and
28 rehabilitation of existing structures must be carried out in accordance with the
29 Appendix A: Design Guidelines of this Renewal Plan.

30 (1) Prior to the issuance of a building permit for new construction or
31 rehabilitation within the Renewal Area, the developer or property owner
32 or his representative shall submit to the Department of Planning plans for
33 the proposed work. Plans for new construction or renovation must be in
34 sufficient detail to show site planning, architectural design and layout,
35 materials, colors, building construction, landscape design, access, signs,
36 lighting, servicing, streets and sidewalks.

37 (2) The review of such plans shall be concerned with, but not necessarily
38 limited to, urban design standards, site planning, architectural treatment,
39 materials, colors, building construction, landscape design, environmental

integrity and sustainability, access, signs, lighting, servicing, streets, sidewalks, and rehabilitation details.

- (3) The Department may fully utilize its Urban Design and Architectural Review Panel (UDARP), or its successor, to work with developers in the achievement of high quality site, building, landscape, and urban design. Review of developments adjacent to existing industrial land and structures shall consider these adjacencies within their site and building designs to ensure compatibility. Upon the completion of project review by UDARP, the project will be referred to the Department of Planning for final design approval. Upon approval by the Department of Planning (that the proposed work is consistent with the requirements and objectives of the Renewal Plan) a building permit will be approved.
- (4) The Director of the Department of Planning may request that the Planning Commission waive compliance with one or more of the standards or controls in the “Design Guidelines” section of the plan, provided the proposed waivers do not adversely affect the objectives enumerated in A.2 of the Renewal Plan or Section I in the “Design Guidelines,” for the Key Highway South Urban Renewal Area.

b. Community Review

The Department shall submit to the Key Highway Task Force, or its successors or assigns, for review and comment, the form and content of all plans and proposals for development or rehabilitation of any property. The Key Highway Task Force, or its successor or assigns, shall advise the Department of its recommendations regarding the acceptability and/or priority concerns regarding all plans and proposals. The written comments shall be transmitted to the Department no later than 30 days after the proposals and plans have been submitted to the Key Highway Task Force, or its successors or assigns; otherwise, it is presumed that the proposals and/or plans are acceptable. The Planning Department retains the authority to approve or disapprove a recommendation of all plans, new construction, substantial renovation, and dispositions of redevelopment land to the Commissioner of the Department of Housing and Community Development. The Department will review proposals with the option of requiring final design approval by the Planning Commission if deemed appropriate by the Director.

The Key Highway Task Force is comprised of the presidents/leaders of the neighboring community organizations/associations or their designees and, the owners of the included and adjacent properties, and the Baltimore Industrial Group (BIG), or its successors or assigns.

2. Zoning

All appropriate provisions of the Zoning Code of Baltimore City apply to properties in the Key Highway South Renewal Area. Any change in the Zoning Code embodied in the Renewal Plan and designated on Exhibit C, "Zoning", 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.

1 3. Land Disposition

2 a. Certain land and property interests owned by the City within the Renewal
3 Area will be disposed of by sale, lease, conveyance or transfer or other means
4 available to the City, in accordance with Exhibit D, "Disposition". These
5 properties will comply with the uses noted on Exhibit D and shall adhere to
6 the Massing and Bulk Controls that are found in Appendix A.

7 b. The parcels shown on Exhibit D are schematic and approximate. The
8 Department shall have the right, in its discretion, to fix their precise
9 boundaries and size. For purposes of disposition, the parcels or lots, as shown
10 on Exhibit D as #1-1407 Key Highway and #2- Public Right-of-way at the
11 corner of Lawrence St. and Key Highway, may be subdivided or combined.

12 4. Easements

13 Any and all easements required by this Plan shall be established, to the extent
14 reasonably feasible, by the developer prior to any issuance of building permits for
15 new development on a property.

16 5. Open Space

17 The equivalent area of 1407 Key Highway minus the required public promenade
18 has been dedicated to public open space (approximately 1.5 acres). This open
19 space requirement may be satisfied on two locations as shown on Exhibit B "Land
20 Use": approximately 0.3 acres at 1407 Key Highway and approximately 1.2 acres
21 on 1425-1447 Key Highway. Final and exact location of this open space is to be
22 determined by the Planning Commission. Required public promenade area does
23 satisfy the dedicated public open space requirement.

24 6. Industrial Use Adjacencies

25 The property being developed is located in close proximity to industrially zoned
26 land, which may be used 24 hours/day, 7 days/week and could cause vibrations,
27 bright lights, dust, noise, truck traffic, noxious odors or other disruptions of or
28 interference with the quiet enjoyment of the surrounding property.

29 D. Planned Unit Developments

30 To the extent of any conflict between the provisions of this Renewal Plan and the
31 provisions of any PUD, or to the extent that standards and controls, permitted uses, or
32 any other provisions contained in any PUD are not contained in the Renewal Plan, the
33 standards and controls, permitted uses, or any other provisions of the PUD, including
34 without limitation those affecting use, parking, aesthetic controls, setbacks, specific
35 lot controls, and building heights, shall control.

36 E. Duration of Provisions and Requirements

37 The Key Highway South Urban Renewal Plan, as it may be amended from time to
38 time, shall remain in full force and effect for a period of 20 years from the date the
39 Plan is approved by the Mayor and City Council of Baltimore.

1 F. Procedures for Changes in Approved Plan

2 The Department shall submit to the Key Highway Task Force, or its successor, for
3 review and comment, all proposed amendments to the Renewal Plan no later than 15
4 days from the time the proposed amendments are submitted to the Director of the
5 Department of Planning. The written comments and recommendations from this
6 review shall be submitted to the Department no later than 30 days after they have
7 been submitted to the Key Highway Task Force, or its successor; otherwise, it is
8 presumed the proposed changes are satisfactory. Prior to passage of any ordinance
9 amending the Renewal Plan, a public hearing must be held by the Planning
10 Commission. The Key Highway Task Force, or its successor, shall receive, at least
11 15 days prior to the hearing, written notice of the time and place of the hearing. With
12 respect to any land in the Project Area previously disposed of by the City for use in
13 accordance with the Renewal Plan, the then owner of the land whose interests therein
14 are materially affected by the changes shall receive at least 15 days prior to the
15 hearing written notice of the time and place of the hearing and information as to
16 where a copy of the proposed amendments may be inspected.

17 G. Separability

18 In the event it be judicially determined that any word, phrase, clause, sentence,
19 paragraph, section or part in or of this Plan or the application of it to any person or
20 circumstances is invalid, the remaining provisions and the application of such
21 provisions to other persons or circumstances shall not be affected thereby, it being
22 hereby declared that the remaining provisions of this Plan without the word, phrase,
23 clause, sentence, paragraph, section or part, or the application thereof, so held invalid,
24 would have been adopted and approved.

25 H. Interpretation

26 In the event of any question regarding the meaning of these standards and controls or
27 other provisions of the Renewal Plan, the Director of Planning shall provide a
28 recommendation to the Commissioner of the Department of Housing and Community
29 Development. The interpretation of the Commissioner of the Department of Housing
30 and Community Development shall be final and binding, provided that any such
31 interpretation shall not be unreasonable or arbitrary.

32 **Appendix A**
33 **Design Guidelines**

34 I. Introduction

35 The City's waterfront is a precious and limited resource, which has a prominent and lasting
36 impact upon the skyline and visual identity of the City. Given its important role, it is necessary
37 to establish controls to ensure a successful and high quality development of the waterfront using
38 the best practices of urban design and architecture. The following principles have been
39 established in the Key Highway Waterfront Study adopted by the Planning Commission on May
40 1, 2008, as keys to the successful redevelopment of the Key Highway Waterfront:

41 1. Requiring that new development respect the existing neighborhood context by preserving
42 visual links to the harbor, protecting key views, and developing space within new

1 buildings to promote the retention of existing, established businesses within the Urban
2 Renewal Area. Preserving key views and links to the harbor ensures that new waterfront
3 development will connect with existing neighborhood fabric and create lasting increased
4 economic and social value to the entire area.

5 2. Ensuring pedestrian and bicycle access to the waterfront, and the creation of public
6 waterfront open space. The Harbor is one of Baltimore's greatest assets, and ensuring
7 public access provides immense public benefit to all Baltimoreans.

8 3. Creating an active pedestrian-oriented environment along Key Highway with active
9 ground floor spaces and boulevard streetscaping. Transforming Key Highway from a
10 traffic artery to a street with shops, offices, and restaurants has immense economic value
11 to the neighboring residential areas, providing them with easily accessible retail and
12 employment opportunities. Additionally, a more pedestrian-friendly Key Highway
13 encourages greater access to the waterfront.

14 4. Promoting high quality construction and design of buildings. This includes encouraging
15 the use of durable high quality construction materials, providing adequate parking
16 standards for development, and utilizing design guidelines to ensure quality design.
17 Waterfront development is one of the City's most visible assets and, as such, must be of
18 the highest quality.

19 **II Waterfront Promenade and Public Open Space**

20 Public access to the waterfront shall be provided through a series of public open spaces leading
21 from a public sidewalk to a public shoreline promenade. The promenade and open spaces shall
22 be established by public easements granted to the City. Public pedestrian access on private
23 property shall be subject to such reasonable rules and regulations as may be promulgated by the
24 owner of the property and agreed to by the Department of Housing and Community
25 Development. The design of the promenade and its access corridors are subject to final design
26 approval by the Department of Planning.

27 **Waterfront Promenade**

28 The Waterfront Promenade shall be land-based and a minimum of 30 feet in width where
29 possible, of which a minimum of 20 feet must be permanently constructed hardscape for
30 pedestrian use, including an 8-foot wide bike path. The remaining area shall be a
31 landscaped buffer and shall be maintained in a manner that is accessible to the public.
32 Unless otherwise required, easement improvements shall be built concurrent with the
33 redevelopment and maintained per the provisions of the controlling easement agreement.
34 The Promenade and bike path shall fully connect at all property lines to adjacent paths
35 where existing. Location of the Waterfront Promenade is shown on Figure 1:
36 "Waterfront Promenade and View Corridors."

37 **III View Corridors**

38 In order to ensure public access to the Waterfront Promenade and to preserve and enhance views
39 to the water, view corridors have been designated. The location and minimum width of the
40 corridors is shown on Figure 1: "Waterfront Promenade and View Corridors." All view
41 corridors shall connect Key Highway sidewalks to the Waterfront Promenade with public access
42 ways. Public access ways must be a minimum of 20 feet in width and must be permanently

1 constructed hardscape. Activating ground level building frontage along view corridors is highly
2 encouraged. Off-street parking may be permitted within these areas if approved by the Planning
3 Commission. Landscaping, trees, lights, and other public amenities that will enhance, not
4 impede, public view of the water shall be permitted. New development alongside the open
5 spaces shall face the open space and provide entrances, windows, and visual articulation along
6 the building wall. The following standards shall apply to the promenade and view corridors:

- 7 1. Lighting – Adequate lighting to provide public safety during evening hours.
- 8 2. Satellite dishes, utility connections or poles, or any other obstacles to a pedestrian shall
9 not be permitted. Bollards, statues, fountains, or other decorative elements may be
10 permitted where sufficient space is available.
- 11 3. Off-street parking facilities adjacent to the promenade are not encouraged. However, if it
12 is found to be necessary, the parking facility shall be screened from the promenade.
13 Adequate landscaping sufficient to screen automobiles at the time of original planting
14 may be used. Screening and landscaping shall be maintained in good condition by the
15 property owner.
- 16 4. Automobiles, trucks, or other motorized vehicles shall not cross or otherwise use the
17 pedestrian promenade except for those vehicles needed for service, maintenance, or
18 public safety of the promenade and adjacent structures or facilities or whose presence in
19 the promenade is deemed necessary by the Director of Planning.
- 20 5. Trash Receptacles – One trash receptacle should be provided for every 150 feet of
21 promenade.
- 22 6. Paving – The standard paving detail shall be a minimum of 16 feet of brick with 2 feet of
23 concrete band on both the water's edge and the landward edge. Alternative promenade
24 configurations or methods of construction may be considered but will require Planning
25 Commission final approval. Tidal step-downs or other elements in addition to the
26 promenade may be constructed of wood.
- 27 7. Landscaping – Landscaping shall be provided in areas that are not hardscaped.
28 Landscaping shall not impede or block public view or access to the promenade. Plants
29 should preferably be native Maryland species and comply with the Chesapeake Bay
30 Critical Area Management Program's planting standards.

31 **IV Streetscape Guidelines**

32 Streetscapes are among the most important urban design features. Their appearance, character,
33 and the impressions they evoke create the public image of the City. That image is significant to
34 how residents and visitors think and feel about the City. These standards establish appropriate
35 requirements for the width, design, and uses of public and private street rights-of-way (for
36 traffic, parking, pedestrians, bicycles, and landscaping).

37 The following standards and guidelines apply to both the design and construction of public right-
38 of-way improvements and privately financed improvements within the public right-of-way in
39 conjunction with proposed development. All design of streetscapes shall be coordinated with the
40 Department. Figure 2: "Schematic Key Highway Streetscape" illustrates the design direction

1 and minimum area widths for Key Highway. The following standards should be followed in the
2 design and construction of any and all streetscape improvements to Key Highway.

3 **Key Highway**

- 4 1. Sidewalk width - Sidewalks shall be designed to accommodate the active, lively use
5 that is generated by a mixed use environment. To ensure cafe seating, comfortable
6 walking space, and lush street trees and landscaping with new construction, sidewalks
7 shall be a minimum of 18 feet wide. If necessary, new buildings shall set back the
8 necessary distance from the existing curb to provide the minimum specified width.
- 9 2. Sidewalk pavement - Pavement should be designed to define the various areas of a
10 sidewalk. Tree pit areas may be fenced and planted to discourage pedestrian use and
11 encourage storm water permeability. In walking and cafe seating areas, use of high
12 quality concrete is encouraged for both maintenance and pavement consistency.
13 Special paving to differentiate properties or buildings is discouraged.
- 14 3. Street trees and landscaping - Street trees should be planted every 25-35 feet on
15 center within a minimum 5-foot wide tree zone. Trees shall be a minimum of 3 inches
16 caliper when planted. Where feasible, trees should be planted with continuous soil
17 trenches to provide adequate growing room for tree roots. Large shade trees are
18 highly preferred for their shade and survivability properties. All landscape and
19 planting plans within the public right-of-way must be approved by the Department of
20 Planning. Additional tree pit and curbside landscaping, such as planters and light
21 pole flower baskets, is also highly encouraged.
- 22 4. Street furniture and amenities - Providing street furniture ensures a comfortable and
23 inviting pedestrian experience. Where advantageous, street furniture, such as
24 benches, trash cans, and bike racks, shall be provided along the sidewalk.
- 25 5. Lampposts and lighting - Separate pedestrian-scaled lighting is required along Key
26 Highway. Highway or street lighting shall enhance and not detract from pedestrian
27 spaces. Additionally, specific attention should be paid to reducing light pollution and
28 concentrating lighting on paved surfaces rather than building facades or the sky.
29 Contemporary non-highway-oriented lamp posts are encouraged. Cobra head lights
30 are specifically discouraged. All non-standard lighting fixtures are subject to
31 approval by the Director of the Department of Transportation.
- 32 6. Parking and roadway design - On-street parallel parking is required on both sides of
33 Key Highway to ensure pedestrian safety and availability of retail parking. Parking
34 lanes are encouraged to be designed with “bump-outs” or comparable design
35 elements to narrow pedestrian crossings and calm traffic. Pavement in parking areas
36 shall be defined by pavers or brick that provide storm water permeability. Roadways
37 shall be designed to minimize stormwater runoff.

38 **V Massing and Bulk Controls**

39 The primary design objectives for development along Key Highway are the transformation of
40 Key Highway into a boulevard street, ensuring a harmonious relationship between new
41 development and the neighborhood fabric and preserving public connection to the waterfront
42 through views and vistas. This is achieved by promoting buildings of “boulevard scale”, 5 to 8

1 stories, along Key Highway; promoting neighborhood scale development for properties within
2 the neighborhood; and maintaining a low height base along the waterfront to preserve views and
3 provide pedestrian scale to the waterfront. Height and massing of buildings shall adhere to the
4 following controls for areas as noted in Figure 3 "Area Map". All heights mentioned in this
5 section are absolute maximums without exception or exemption as defined by the Zoning Code
6 of Baltimore City, unless specifically stated otherwise. Tower and entrance elements of the
7 building may not adhere to the stepback requirements along a portion of the building's facade as
8 outlined below if they are no more than 25% of the facade along the lot line and approved by the
9 Department of Planning.

10 **Building Massing**

11 **Landside Area A**

12 Area A includes properties which directly face Key Highway and are situated below
13 the elevation of the existing neighborhood. Buildings in this area are encouraged to
14 be of boulevard scale, 5 to 8 stories, to provide both an appropriate scale to Key
15 Highway and ensure a harmonious relationship to the adjacent rowhouse
16 neighborhood. Building heights in this area shall be measured from the mean
17 elevation of Key Highway along a building's lot line.

18 Maximum Building Height – 90'

19 Minimum Building Height – 45'

20 Stepbacks:

21 30 feet for a building above 35 feet along Harvey Street, except for the area
22 that is within 70 feet of a lot line along Lawrence Street that must continue a
23 minimum setback of 12 feet along Harvey Street for a building above 65 feet.

24 12 feet from a lot line for a building above 65 feet along Key Highway,
25 Lawrence Street, and Boyle Street.

26 **Landside Area B**

27 This area includes properties that are adjacent to both existing neighborhood row
28 homes and commercial buildings.

29 Maximum Building Height - 100'

30 Minimum Building Height - 40'

31 Stepbacks:

32 20 feet from a lot line for a building above 65 feet along Fort Avenue
33 beginning 120 feet from the corner of Lawrence Street and E. Fort Avenue.

34 **Landside Area C**

35 This area includes properties that are adjacent to both existing neighborhood row
36 homes and commercial buildings.

37 Maximum Building Height - 60'

38 Minimum Building Height - 40'

1 Waterside Area

2 This area includes properties between Key Highway and the waterfront. Buildings in
3 this area are encouraged to be tall, slender towers on a low height base in order to
4 create more generous open space and views of and access to the waterfront. Open
5 space in this area should focus and engage the promenade and activate the waterfront.

6 Stepbacks:

7 15feet for a building above 40 feet along Key Highway
8 Maximum Base Building Height – 60'
9 Minimum Building Height along Key Highway – 35'

10 Towers (building above 60' base building height):

11 Maximum Floor-plates above for a building 60' – 11,000 Gross Square Feet
12 (GSF)
13 Spaced no less than 100' from another tower
14 Maximum Total Building Height – 140'

15 Priority Open Space bonus:

16 In this area, additional height and density above 140 feet may be earned for
17 the development of priority open space as labeled on Figure 4: "Priority Open
18 Space," at a rate of 10 GSF building/ 1.0 GSF of priority open space provided.
19 Only bonus density may be used above 140 feet. Priority open space does not
20 include the required Promenade and is to be built and maintained by the
21 landowner for credit. Open spaces shall be established by public easements
22 granted to the City. Public pedestrian access on private property shall be
23 subject to such reasonable rules and regulations as may be promulgated by the
24 owner of such property and agreed to by the Department of Housing and
25 Community Development. The design is subject to final design approval by
26 the Department of Planning. Maximum building height with bonuses shall
27 not exceed 290 feet.

28 Building Setbacks

29 Landside Area "A"

30 Sidewalks on the south side of Key Highway, along the landside properties, are
31 sufficient for street level pedestrian retail or commercial activity; therefore there are
32 no setback restrictions for this area.

33 Landside Areas "B" and "C"

34 Properties in Areas B and C have are no setback restrictions.

35 Waterside Area

36 The sidewalks on the north side of Key Highway, along the waterside properties, are
37 narrow and not suitable for street level pedestrian retail or commercial activity. To
38 provide adequate width for pedestrian activity and appropriate streetscaping, all new
39 buildings shall be set back a minimum of 18 feet from the existing curb line of Key
40 Highway.

1 VI Building Design Guidelines

2 Building Wall

3 These guidelines will ensure that Key Highway, Webster Street, and Lawrence Street are lined
4 with buildings that have sufficient windows and active ground floor uses to create safe, secure,
5 human-scale and animated streets. The street-level floor shall be occupied by “active uses”.
6 These “active uses” include retail, restaurants, cafes, service-type businesses that activate the
7 street with pedestrian traffic and building entries and lobbies. All Key Highway, Webster Street,
8 and Lawrence Street frontage buildings shall, in their ground level street front facade and floor
9 layout design, allow for potential retail uses. The guidelines require:

10 - Key Highway, as a boulevard pedestrian-oriented street, should have active uses on the
11 ground floor such as retail businesses, cafes, or offices with storefront style windows and
12 doors facing the street.

13 - Glass on the ground floor must be clear vision glass; no heavily tinted or highly mirrored
14 glass is permitted.

15 - Upper floors must have street-facing windows or openings to provide “eyes-on-the-
16 street”. Heavily tinted or highly mirrored glass is prohibited.

17 - Buildings fronting on Key Highway and Webster Street are encouraged to have their
18 main entrance on one of those streets.

19 - Buildings should emphasize a distinct base that is composed of the first floor or first two
20 floors of the building. Each base will be designed to give the appearance of greater
21 height than any other single floor.

22 - Penthouse portions of the building should be designed to create a sense of distinctly
23 finishing the building. This architectural finish may be accomplished by change in the
24 window rhythm, change in apparent floor height, setback, or use of alternate materials, or
25 a combination of these elements.

26 - Mechanical equipment and rooftop access must be screened and integrated into the
27 architecture of the building through configuration, materials, coloration, and surface
28 design.

29 - Distinctive corner and entry treatments are encouraged in order to enhance the building
30 facades.

31 - The ground floor of buildings on major streets should be designed to accommodate
32 signage in a manner that allows retail/restaurant tenants to achieve a distinct identity.

33
34 Street Frontage

35 In order to ensure the vitality of street life along Key Highway, the building wall along the
36 streets must have a certain amount of transparency through the incorporation of doors, windows,
37 and openings. The following are design standards for window/door openings and transparency
38 of building elevations:

1 Key Highway and Webster Street

2 - Ground floor: A minimum of 70% of the linear horizontal dimensions of the facade
3 should be windows or doors. No heavily tinted or mirrored glass.

4 - Upper Floors: A minimum of 50-60% of the lineal horizontal dimension of the facade
5 of each occupied floor should be windows or openings.

6 Lawrence Street Frontage

7 - Ground Floor: A minimum of 40% of the linear horizontal dimensions of the facade
8 should be windows or doors. No heavily tinted or mirrored glass.

9 - Upper Floors: A minimum of 50-60% of the lineal horizontal dimension of the facade
10 of each occupied floor should be windows or openings.

11 Building Materials

12 These guidelines are intended to outline objectives regarding the use of materials, relative scale,
13 and creation of a human-scaled environment at the pedestrian level. The materials palette for
14 building facades may include a variety of different high quality cladding materials: granite,
15 brick, limestone, other naturally occurring stone or cast stone of high architectural quality,
16 architecturally distinct masonry products, glass curtain wall, metal, and pre-cast concrete or
17 poured in place concrete of high architectural quality. In masonry-type walls, punched windows
18 are encouraged and should have a distinct rhythm. Continuous ribbon windows are discouraged.
19 For tower or penthouse portions of buildings, glass curtain wall and metal panel is highly
20 encouraged, to provide a sense of lightness, transparency, and openness. Stucco or stucco like
21 materials are discouraged.

22 Curb Cuts and Servicing

23 In order to promote a lively urban character, it is essential to minimize the impact of parking
24 garage entrances and service and loading areas on the pedestrian environment and to provide an
25 efficient and effective servicing environment.

26 - Parking garage entrances: Where feasible, parking garage entrances shall not face Key
27 Highway, Webster Street, or the Waterfront Promenade.

28 - Loading and Servicing: Loading and servicing areas must be internal to the blocks and
29 typically accessed through service alleys and not through the pedestrian-oriented streets.
30 No overhead service doors shall face Key Highway or the Waterfront Promenade.

31 - All service docks will be internal to the building envelope, equipped with closable
32 overhead doors. Bays will be dimensioned so that, during use, trucks (35 feet and less)
33 will not project into the vehicular street space.

34 - Service alleys: Service alleys shall be screened from the pedestrian view as much as
35 possible, with building facades and/or site walls with landscaping. Openings shall allow
36 for the minimum vehicular cartway and shall be designed for pedestrian access where
37 appropriate.

Parking Design and Requirements

It is important to minimize the impact of parking structures on the character of pedestrian spaces and streets, while providing for sufficient and convenient parking for residences and businesses.

Structured Parking

Parking shall be “wrapped” with residential or commercial uses and not visible from Key Highway, Webster Street, Lawrence Street or the Waterfront Promenade where feasible. If visible from other streets, the parking structure must respond to the urban context and adhere to the following guidelines:

- The materials palette for parking garage facades may include a variety of different materials: granite, brick, masonry, limestone, other naturally occurring stone or cast stone, glass curtain wall, metal, and pre-cast concrete or poured in place concrete of high architectural quality.
- Lighting of parking structures: Lighting should be adequate enough to provide safety and security, but should be screened and controlled so as not to disturb surrounding residences and properties.
- Openings: Garage facades should be designed with a modulated system of vertical openings and facade detailing. False fronts pretending to enclose other uses are not encouraged. However, design attention to an overall building facade that fits comfortably and compatibly into the pattern, articulation, scale, and massing of surrounding structures is needed. As such, the size and pattern of openings is of particular concern and should be of a scale related to the systems of fenestration in the neighborhood. No continuous horizontal openings are allowed.
- Louvers and grills: Openings should have some form of screening material to block views of cars on upper levels and to screen surrounding properties from garage lighting as it is usually brighter than adjacent buildings and street lights. Louvers for the upper floors and vertical grills for the ground floor are suggested. For public safety there should be a view into the garage at grade, but a combination of a low wall and/or landscaping should screen the bumpers, tires, and headlight of cars.

Surface Parking

No permanent surface parking lots shall be permitted in areas designated as Mixed Use. Waivers may be approved by the Director of Planning.

Parking Requirements

Residential -Single Family: 2 spaces per Dwelling Unit

Residential -Multi-Family:

Studio (<400 SF) 1 space per Dwelling Unit

1 bedroom or studio (>400 sf) 1.25 spaces per Dwelling Unit

2 bedroom 1.75 spaces per Dwelling Unit

| | | |
|---|----------------|--|
| 1 | 3-4 bedrooms | 2.0 spaces per Dwelling Unit |
| 2 | 5+ bedrooms | 2.5 spaces per Dwelling Unit |
| 3 | Office: | 2.5 spaces per 1,000 square feet of floor area |
| 4 | Retail: | 3 spaces per 1,000 square feet of floor area |
| 5 | Hotel: | 1 space per room |
| 6 | Marina: | 1 space for every 3 slips |
| 7 | Shared Parking | |

8 Off-street parking spaces for separate uses may be provided collectively if the aggregate
 9 number of spaces provided is not less than the sum of the spaces required in Table 16-2:
 10 Collective Parking Calculation. Table 16-2 is applied in the following manner:

- 11 1. The required number of spaces for each use is calculated according to the parking
 12 requirements of the Urban Renewal Plan.
- 13 2. The required number of spaces for each use is then applied to the percentages for
 14 each time, according to the appropriate land use category, in the table below to
 15 determine the number of required spaces. This is done for each time category.
- 16 3. The numbers are sum for all land uses within each time frame and the highest sum
 17 total in a time frame is the required number of spaces.

| | Weekday | | | Weekend | | |
|-------------------------|---------|---------|---------|---------|---------|---------|
| | Mid-7am | 7am-6pm | 6pm-Mid | Mid-7am | 7am-6pm | 6pm-Mid |
| 20 Residential | 100% | 55% | 85% | 100% | 65% | 75% |
| 21 Commercial | 0% | 100% | 80% | 0% | 100% | 60% |
| 22 Restaurant | 50% | 70% | 100% | 45% | 70% | 100% |
| 23 Hotel/Motel | 100% | 65% | 90% | 100% | 65% | 80% |
| 24 Movie Theater | 0% | 70% | 100% | 5% | 70% | 100% |
| 25 Office | 5% | 100% | 5% | 0% | 60% | 10% |
| 26 Industrial | 5% | 100% | 5% | 0% | 60% | 10% |

27 An off-street parking facility may be alternately shared between 2 or more uses, provided
 28 that use of such facility by each user does not occur at the same time. Alternately shared
 29 parking arrangements must meet the following conditions:

- 30 1. Approval is obtained from the Zoning Administrator that confirms that the use of
 31 such facility by each user does not take place at the same hours during the same days
 32 of the week.
- 33 2. The users of the alternating shared parking arrangement must record an agreement to
 34 share parking facilities, subject to approval by the Zoning Administrator. A copy of
 35 the recorded agreement must be submitted to the Zoning Administrator.

1 3. The off-site parking facilities for projects within the Renewal Area are located within
2 the Renewal Area boundary.

3 **Sign Guidelines**

4 All signs must be in accordance with the Zoning Code of Baltimore City. In addition, the
5 following provisions apply:

6 - All signs must be designed to be compatible with the surrounding neighborhoods and
7 with the signage system and templates developed for each individual building design.

8 - When existing signs are removed, any holes or other damage must be patched and
9 painted as necessary to match the existing wall surface, and all unused brackets and
10 conduits must be removed.

11 - All lighting and electrical elements, such as wires, conduits, junction boxes, transformers,
12 ballasts, switches, and panel boxes, must be concealed from view.

13 - Flashing or moving signs are not permitted.

14 **Size/Placement**

15 - The total area of signs for a building façade may not exceed 2 square feet per linear
16 foot of building frontage. This total area includes window signs, awning signs, logos,
17 product signs, temporary signs, or any other signage. However, no sign identifying a
18 building occupied by a single user may exceed 60 square feet; no sign identifying
19 individual tenants in a multi-tenant building may exceed 25 square feet. All building
20 signs must be mounted flat against the surface of the building to which it is attached.

21 - Signs shall not be placed so as to obstruct windows, storefronts, architectural details,
22 or cornices.

23 - In no case shall a sign extend above the roof line or be placed on mechanical
24 penthouses.

25 - Any sign placed above the second floor of a building is subject to the approval of the
26 Planning Commission.

27 **Flat Signs**

28 - Flat signs shall be placed parallel to the building face and may not project more than
29 12 inches from the surface of the building.

30 **Painted Signs and Cutout Letters**

31 - Painted signs on building surfaces or use of separate cutout letters are permitted in
32 accordance with the above limits for flat signs.

33 **Projecting Signs**

34 - Projecting signs may not extend more than 3 feet beyond the building surface.

1 - All signs must be double-faced with a maximum thickness of 12 inches.
2 - No single projecting sign may exceed 12 square feet.

3 **Flags and Banners**

4 - Flags and banners may be displayed on a temporary and permanent basis, subject to
5 obtaining the necessary minor privilege, so long as the banner material is not faded,
6 torn or frayed, and the poles are well maintained. Banners may be displayed only
7 from buildings at least 2 stories high and may not be less than 10 feet above the
8 sidewalk. All banner poles along one street should be set at the same angle from the
9 horizontal plane. Banners may project up to one-third the width of the sidewalk, but
10 not more than 5 feet, whichever is greater. Provision for flags and banners must
11 otherwise conform to the provisions of City Ordinances.

12 **Free-standing and Pole Mounted Signs**

13 Free-standing and pole mounted signs are not permitted. The Key Highway South Urban
14 Renewal Plan area is envisioned to be a pedestrian friendly development along a
15 boulevard street. Tall signs affixed to large pole or pylons, typical of a more commercial
16 development, are not appropriate for the development area.

17 **SECTION 4. AND BE IT FURTHER ORDAINED**, That the Urban Renewal Plan for Key
18 Highway South, identified as “Urban Renewal Plan, Key Highway South”, including Exhibit A,
19 “Boundary”, dated “May 1, 2010”, Exhibit B, “Land Use”, dated “May 1, 2010”, Exhibit C,
20 “Zoning”, dated “May 1, 2010”, and Exhibit D, “Disposition”, dated “May 1, 2010”, and
21 Appendix A, is approved, and the Clerk of the City Council is directed to file a copy of the
22 Renewal Plan with the Department of Legislative Reference as a permanent public record and to
23 make the same available for public inspection and information.

24 **SECTION 5. AND BE IT FURTHER ORDAINED**, That if the Urban Renewal Plan approved by
25 this Ordinance in any way fails to meet the statutory requirements for the content of a renewal
26 plan or for the procedures for the preparation, adoption, and approval of a renewal plan, those
27 requirements are waived and the Urban Renewal Plan approved by this Ordinance is exempted
28 from them.

29 **SECTION 6. AND BE IT FURTHER ORDAINED**, That if any provision of this Ordinance or the
30 application of this Ordinance to any person or circumstance is held invalid for any reason, the
31 invalidity does not affect any other provision or any other application of this Ordinance, and for
32 this purpose the provisions of this Ordinance are declared severable.

33 **SECTION 7. AND BE IT FURTHER ORDAINED**, That if a provision of this Ordinance concerns
34 the same subject as a provision of any zoning, building, electrical, plumbing, health, fire, or
35 safety law or regulation, the applicable provisions shall be construed to give effect to each.
36 However, if the provisions are found to be in irreconcilable conflict, the one that establishes the
37 higher standard for the protection of the public health and safety prevails. If a provision of this
38 Ordinance is found to be in conflict with an existing provision of any other law or regulation that
39 establishes a lower standard for the protection of the public health and safety, the provision of
40 this Ordinance prevails and the other conflicting provision is repealed to the extent of the
41 conflict.

Council Bill 11-0675

1 **SECTION 8. AND BE IT FURTHER ORDAINED**, That this Ordinance takes effect on the 30th
2 day after the date it is enacted.

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