

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 23-0448

Introduced by: Councilmember Costello and President Mosby

At the request of: MCB HP Baltimore, LLC

Address: c/o Caroline Hecker, Esq.

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Introduced and read first time: October 30, 2023

Assigned to: Economic and Community Development Committee

Committee Report: Favorable, with Amendments

Council action: Adopted

Read second time: February 26, 2024

AN ORDINANCE CONCERNING

Urban Renewal – Inner Harbor Project I – Amendment 21

1
2 FOR the purpose of amending the Urban Renewal Plan for Inner Harbor Project I; amending the
3 Development Area Controls for certain development areas; amending the Land Use and
4 Proposed Zoning exhibits to the Plan; waiving certain content and procedural requirements,
5 making the provisions of this Ordinance severable; providing the application of this
6 Ordinance in conjunction with certain other ordinances; and providing for a special effective
7 date.

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

Recitals

13
14 The Urban Renewal Plan for Inner Harbor Project 1 was originally approved by the Mayor
15 and City Council of Baltimore by Ordinance No. 67-1045, as last amended by Ordinance 15-327.

16 An amendment to the Urban Renewal Plan for Inner Harbor Project I is necessary to update
17 the Development Area Controls for certain development areas and to amend the Land Use and
18 Proposed Zoning Exhibits to reflect changes to the Plan.

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

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

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1 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE**, That the
2 following changes in the Urban Renewal Plan for Inner Harbor Project I are approved:

3 (1) In the Plan, amend Section III.B to read as follows:

4 III. Land Disposition

5 B. The Areas shown as available for disposition in Exhibits B, “Development
6 Areas”, and C, “Land Use”, are schematic and approximate, and the Agency
7 shall have the right, in its discretion, to fix their precise boundaries and size.
8 The Agency shall also have the right, [in order] to facilitate the most
9 advantageous development of the Project, to subdivide or combine the
10 Development Areas OR PORTIONS THEREOF, INCLUDING ADJUSTING THE
11 ESTABLISHED PARCEL AND LOT LINES OF DEVELOPMENT AREAS UNDER AGENCY
12 CONTROL, and in so doing to assign or consolidate, as the case may be, the
13 Standards and Controls applicable to said Development Areas. To carry out
14 this Plan, the Agency will formulate appropriate disposition policies and
15 procedures.

16 (2) In the Plan, amend Section V.B. to read as follows:

17 V. Standards and Controls

18 B. Size of Facilities:

19 The minimum and maximum sizes of the various types of facilities in each
20 Development Area shall be determined by [the Agency, provided that the
21 facilities defined in section IV.3 as Office, Housing, Transient Housing, and
22 Retail, in that portion of the Project to be disposed of, shall contain in the
23 aggregate not less than 2,000,000 square feet of gross building area nor more
24 than 4,000,000 square feet of gross building area, and provided further, that
25 the] THE ZONING FOR EACH PARCEL. ~~THE facilities~~ [facilities defined in
26 Section IV.3 as Parking, in that portion of the Project to be disposed of, shall
27 contain in the aggregate not less than 3,000 spaces nor more than 4,500
28 spaces. [The Agency shall set maximum densities of residential development
29 which shall not exceed 250 dwelling units per net acre.]

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1 (3) In the Plan, amend Section V.D. to read as follows:

2 V. Standards and Controls

3 D. Servicing:

4 All servicing shall be off street, and except with respect to Development Areas
5 13 and 15a and to the properties not to be acquired, shall be within structures
6 and roofed, so as to be screened from public view. Loading docks will be
7 provided and in accordance with the Building Code of Baltimore City.
8 Open-air storage of equipment, merchandise, and materials is prohibited,
9 except in Development Areas 17a and 25. Outside exhibit or display of
10 merchandise is prohibited, EXCEPT IN DEVELOPMENT AREAS 13 AND 15A, AND
11 except where specifically permitted by the Department.

12 (4) In the Plan, strike V.I. Minimum Elevation for Development in its entirety and
13 substitute a new V.I. Floodplain and Critical Area Requirement to read as follows:

14 V. Standards and Controls

15 I. Floodplain and Critical Area Requirements:

16 To achieve the objectives of the Plan any development above or below grade
17 shall comply with all requirements, restrictions, and terms contained in Title 7,
18 Subtitle 3 {"Floodplain Overlay Zoning District"} and Subtitle 4
19 {"Chesapeake Bay Critical Area Overlay Zoning District"} of the Baltimore
20 City Zoning Code.

21 (5) [(4)] (4) In the Plan, amend V. P. Development Area 13 to read as follows:

22 V. Standards and Controls

23 P. Development Area Controls:

24 Development Area 13

25 a. General Use: Commercial AND RESIDENTIAL

26 b. Building Requirements:

27 i. Maximum Permitted Height: [Elevation 50 feet, except for limited
28 extensions of specialized construction as may be approved by the
29 Agency] SUBJECT TO THE ZONING OF THE UNDERLYING PARCEL.

30 ii. Vehicular Access: Access will be permitted from the surrounding
31 streets through Development Area 15, in such a manner as may be
32 approved by the Department.

33 iii. Parking: No Parking permitted except for special uses as may be
34 approved by the Department.

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1 iv. Planning Review: All preliminary and final plans for Development
2 Area 13 shall be subject to review and comment by [an ad hoc
3 Advisory Task Force (hereinafter called Task Force) which shall be
4 established by the Commissioner of the Department of Housing and
5 Community Development to provide citizen input into the design
6 process for the improvements to be constructed within said
7 Development Area. The size and composition of the said Task force
8 shall be determined by the Commissioner at his sole discretion except
9 that the Task force shall include two representatives of the City
10 Council who shall be appointed by the President. The Department shall
11 retain final authority to approve or disapprove all proposed plans for
12 said area.] THE URBAN DESIGN AND ARCHITECTURE ADVISORY PANEL
13 (UDAAP), AS PART OF THE DESIGN REVIEW PROCESS ESTABLISHED BY
14 TITLE 4, SUBTITLE 4 {"DESIGN REVIEW"} OF THE ZONING CODE.

15 (6) [(5)] (5) In the Plan, amend V. P. Development Area 14 as follows:

16 V. Standards and Controls

17 P. Development Area Controls:

18 Development Area 14

- 19 a. General Use: Public AND COMMERCIAL
- 20 b. Building Requirements: [No building construction will be permitted at or
21 above grade level except for that which is related and incidental to the
22 General Use of this Development Area, and which is approved by the
23 Agency, provided that vehicular circulation and parking at or above grade
24 are prohibited.]

25 BUILDING CONSTRUCTION, WHICH IS APPROVED BY THE AGENCY, SHALL BE
26 PERMITTED, PROVIDED THAT THE BUILDING CONSTRUCTION:-

- 27 1. ~~DOES NOT EXCEED 3 STORIES; OR~~
- 28 2. ~~A TOTAL OF 20,000 GROSS SQUARE FEET IN THE AGGREGATE~~
29 ~~ACROSS DEVELOPMENT AREA 14; AND~~
- 30 3. ~~THAT VEHICULAR CIRCULATION AND PARKING AT OR ABOVE GRADE~~
31 ~~ARE PROHIBITED.~~

32 (7) [(6)] (6) In the Plan, amend V. P. Development Area 15a to read as follows:

33 V. Standards and Controls

34 P. Development Area Controls:

35 Development Area 15a

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- 1 a. General Use: Commercial AND RESIDENTIAL
- 2 b. Building Requirements:
 - 3 i. Maximum Permitted Height: [Elevation 50 feet, except for limited
 - 4 extensions of specialized construction as may be approved by the
 - 5 Agency] SUBJECT TO THE ZONING OF THE UNDERLYING PARCEL.
 - 6 ii. Vehicular Access: Access will be permitted from the surrounding
 - 7 streets through Development Area 15, in such a manner as may be
 - 8 approved by the Department.
 - 9 iii. Parking: [No Parking permitted except for special uses as may be
 - 10 approved by the Department.] OFF-STREET PARKING IS PERMITTED
 - 11 WHERE EXPRESSLY APPROVED BY THE DEPARTMENT PROVIDED THAT
 - 12 THE OFF-STREET PARKING IS NOT LOCATED AT GRADE AND IS SCREENED
 - 13 FROM PUBLIC VIEW.
 - 14 iv. Planning Review: All preliminary and final plans for Development
 - 15 Area 13 shall be subject to review and comment by [an ad hoc
 - 16 Advisory Task Force (hereinafter called Task Force) which shall be
 - 17 established by the Commissioner of the Department of Housing and
 - 18 Community Development to provide citizen input into the design
 - 19 process for the improvements to be constructed within said
 - 20 Development Area. The size and composition of the said Task force
 - 21 shall be determined by the Commissioner at his sole discretion except
 - 22 that the Task force shall include two representatives of the City
 - 23 Council who shall be appointed by the President. The Department shall
 - 24 retain final authority to approve or disapprove all proposed plans for
 - 25 said area.] THE URBAN DESIGN AND ARCHITECTURE ADVISORY PANEL
 - 26 (UDAAP), AS PART OF THE DESIGN REVIEW PROCESS ESTABLISHED BY
 - 27 TITLE 4, SUBTITLE 4 {"DESIGN REVIEW"} OF THE ZONING CODE.

28 (8) In the Plan, amend Appendix 1, in part, to read as follows:

29 This Appendix and the accompanying Exhibit F contain the various special controls
30 applicable to properties along the LOT 15 AND Lot 25 waterfront. These additional
31 controls have been included in order to ensure that public access to the waterfront be
32 maximized, opportunities for visual enjoyment of the water be created and/or
33 preserved, and contrast and variety of building facades along the waterfront be
34 maintained.

35 Pedestrian Access

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1 Public pedestrian access to the water shall be provided through a series of easements -
2 Public Access Corridors - leading to a shoreline walk - Pedestrian Promenade, the
3 general location of which is shown on the accompanying exhibit. The Pedestrian
4 Promenade will be established by an easement which shall be no less than 20 feet in
5 width. In limited areas where it can be demonstrated that it is functionally justified,
6 the Commissioner of the Department of Housing and Community Development may
7 allow a promenade and/or landscaped area of lesser width. These required easement
8 improvements shall be built and maintained by the developer. Public pedestrian
9 access on private property shall be subject to such reasonable rules and regulations as
10 may be promulgated by the owner of such property and agreed to in writing by the
11 Commissioner of the Department of Housing and Community Development. The
12 Pedestrian Promenade shall be completed the later of: (1) two years from the passage
13 of the ordinance approving Amendment No. 16 to the Urban Renewal Plan, or (2) the
14 date of substantial completion of the Development Plan as MAY BE described in the
15 companion Planned Unit Development (PUD) [Ordinance] ORDINANCES for LOT 15
16 AND Lot 25. In some cases, an exception to the permanently constructed promenade
17 requirement may be granted by the Commissioner of the Department of Housing and
18 Community Development if the promenade easement is granted to the City of
19 Baltimore and a temporary walkway across the site connecting existing portions of the
20 promenade is provided by the property owner. The Commissioner may extend the
21 time for completion of the Pedestrian Promenade if it is deemed necessary to do so for
22 the health, safety, and welfare of the citizens.

23 (9) [(7)] (7) Revise Exhibit B, “Development Areas” to reflect the changes in the Plan.

24 (10) [(8)] (8) Revise Exhibit C, “Land Use” to reflect the changes in the Plan.

25 (11) [(9)] (9) Revise Exhibit D, “Proposed Zoning” to reflect the changes in the Plan.

26 (12) [(10)](10) Revise Exhibit E, “Right-of-Way Adjustments” to reflect the changes in
27 the Plan.

28 (13) Revise Exhibit F, “Waterfront Area Controls” to include the pedestrian promenade
29 along the entirety of the inner harbor shoreline and public access corridors so agreed
30 upon between the Department of Planning and the Applicant.

31 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the Urban Renewal Plan for Inner Harbor
32 Project I, as amended by this Ordinance and identified as “Urban Renewal Plan, Inner Harbor
33 Project I, revised to include Amendment 21, dated October 30, 2023”, including Exhibit A,
34 “Land Acquisition”, dated August 25, 1970, as most recently revised on October 6, 2000;
35 Exhibit B, “Development Areas”, dated April 24, 1979, as most recently revised on _____;
36 Exhibit C, “Land Use”, dated April 24, 1979, as most recently revised on _____; Exhibit D,
37 “Proposed Zoning”, dated April 24, 1979, as most recently revised on _____; Exhibit E,
38 “Right of Way Adjustments”, dated April 24, 1979, as most recently revised on _____; and,
39 Exhibit F, “Waterfront Area Controls”, dated October 6, 2000, is approved. The Department of
40 Planning shall file a copy of the amended Urban Renewal Plan with the Department of
41 Legislative Reference as a permanent public record, available for public inspection and
42 information.

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

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Certified as duly passed this 04 day of March, 2024



President, Baltimore City Council

Certified as duly delivered to His Honor, the Mayor,

this 04 day of March, 2024



Chief Clerk

Approved this _____ day of _____, 20____

Mayor, Baltimore City