

February 9th CHAP Hearing

City of Baltimore Commission for Historical and Architectural Preservation



Baltimore City Historic Preservation Guidelines - Revisions to Guidelines

REQUEST: Revise guidelines to correct minor typos and to clarify certain sections

STAFF: Caitlin Audette



Background

- The existing version of the guidelines was adopted by the Commission at the December 8, 2015 Commission hearing following several months of updates initiated in March 2015. This included major formatting updates, creating a separate document for procedures, and major updates to the procedures following the 2015 CHAP Ordinance Revision.
- At the February 11, 2019 CHAP Hearing the commission voted to approve the addition of Chapter 6: Artistic Expression to the guidelines as well as other minor changes.
- At the January 12, 2021 CHAP Hearing staff provided the proposed alterations under review today to the Commission and public during the briefing session. The draft document was shared via email on January 15, 2021.

Future Revisions to Guidelines

- Phase 2 (TBD) - Updates to Chapter 2: Design Guidelines for Additions, New Construction, and Non-Contributing Buildings.
- Phase 3 (TBD) - Updates to Procedures for Demolition, including Partial Demolition & Update guidelines to meet the Style Manual for Maryland Regulations.



Proposal

The proposal under review today includes the following revisions:

- General edits to address typos and grammatical errors,
- Updates to address inaccuracies and best practices,
- Addition of guidelines for decks in Section 1.9.1
- Addition to interior materials in Section 3.3.1,
- Addition of guidelines to address planting beds in Section 4.1.1,
- Addition of guidelines to provide further details on fences, walls, and gates in Section 4.2.4,
- Additions and clarification to Chapter 6: Design Guidelines for Artistic Expression, specifically the language surrounding the installation of murals.

Each revision includes a brief explanation behind the change typically falling in the below categories.

<i>Codifying existing practice</i>	A practice CHAP staff and Commission already regularly complete that is being formally included in the document.
<i>Clarifying process or language</i>	Removal of confusing text for more easy-to-understand language.
<i>Ease of use by property owners</i>	A change to make the guidelines easier to practice.
<i>Coordination throughout document regarding alternate materials</i>	Making all references to alternative materials coordinate.



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Selection of Proposed Revisions

Chapter/Section	Proposed Change	Reasoning
1.5 Alternative Materials	Where economic hardship <u>feasibility</u> is a consideration, the cost of the alternative material <u>will be compared relative to the cost of the original material.</u> Please refer to the Economic Hardship Procedures for more information.	Clarifying process and codifying existing practice.
1.6.2 Door Replacement	<i>In most cases, Never do not replace <u>historical doors</u> if repair and maintenance can improve its performance; eliminate a lead-based paint hazard on an accessible, friction or impact surface; and preserve its physical and historical integrity</i>	Codifying existing practice.
1.7 Windows	Historic Windows are generally found to be better constructed than contemporary windows.	Not always true.
1.7 Windows	This can be addressed through simple weatherization techniques, such as installing weather-stripping or exterior or interior storm windows, which greatly increase energy efficiency at a substantially lower cost than wholesale window replacement.	Not always true.
1.7.3 Window Replacement	Window replacement <u>Guidelines apply when staff the Commission has determined:</u>	Codifying existing practice.



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Selection of Proposed Revisions

Chapter/Section	Proposed Change	Reasoning
1.8.1 Roofing & Gutters, General	<i>Severely deteriorated roof features should be replaced to match existing features in size, form, shape, <u>and</u> color, and materials identical to the originals.</i>	Coordination throughout document for alternate materials.
1.8.6 Roofing & Gutters, Gutters and Downspouts	<i>Select gutter and downspout styles, materials, and layouts that are appropriate to the character of the roof edge, cornice, or trim and minimize the visual change. Half-round <u>metal gutters</u> and <u>round downspouts</u> are generally preferred <u>for highly visible elevations</u>. <u>K-style gutters</u> may be used in appropriate residential applications.</i>	Codifying existing practice.
1.8.9 Roofing & Gutters, Roof Decks	<i>Where permitted, nNew roof decks must not be visible from the <u>opposite side of the street</u> street-front grade along of any primary elevation. Locate roof decks at the rear of a building whenever possible to minimize visibility. Consider the shape, material, size, and pitch of the roof when locating rooftop decks.</i>	Clarifying language and codifying exiting practice.
4.2.4 Fences, Walls, and Gates	<i>In rear yards or side yards not visible from the street, wood fences, and metal picket fences and brick or stone walls may be appropriate. vertical board, board-on-board and board-and-batten fences are appropriate. Vinyl and chain link fences not visible from the street may be approved. Brick or stone walls may be appropriate in some locations.</i>	Codifying existing practice.

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Selection of Proposed Revisions

Chapter/Section	Proposed Change	Reasoning
6.2 Murals	Paint <u>Murals</u>	Clarification between general paint application and artistic paint application.
	<u>CHAP encourages the painting of murals on previously painted surfaces to avoid damage to historic masonry and to maintain historic streetscapes where unpainted masonry is a character defining feature.</u>	Clarification of intent to encourage the installation of murals only on previously painted surfaces.
	<u>In most cases, masonry elevations that were not historically painted should not be painted. If a mural is proposed on an unpainted surface, please contact CHAP staff to determine whether painting will cause damage to the masonry substrate.</u>	Clarification on process for mural installations.
	<u>When murals are installed on unpainted surfaces, they must use paint that can be removed without using destructive methods such as sandblasting</u>	Clarifying language.
	In most cases masonry elevations that were not historically painted should not be painted. CHAP shall consider paint colors and schemes to be reversible. A broad range of colors and schemes may be permissible as long the paint scheme does not overwhelm the historic character of the immediate surrounding area.	Removed and reworded using other bullet points.

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Selection of Proposed Revisions

Chapter/Section	Proposed Change	Reasoning
6.2 Murals	<i>CHAP review is limited to the location of murals. Content <u>Content of proposed murals are-is not within CHAP purview; however, CHAP strongly encourages community input.</u></i>	Clarifying language.
6.3 Signs	<i>CHAP will allow for painted signs on buildings <u>if buildings; when the masonry has previously been painted; they are located -on flat surfaces that historically have received painted signs, and when painting of unpainted surfaces will not cause damage.</u></i>	Clarifying language.



Neighborhood & Stakeholder Comments

Comments from Sustainability Division of Department of Planning

Chapter/Section	Comment	Staff Response
4.2.8 Landscape Features, Trees & Other Plantings	Change “Department of Forestry” to “Department of Recreation and Parks Division of Forestry”.	Recommend comment be incorporated into the revisions.
	Recommend that invasive vines such as English Ivy be avoided and removed as they can spread beyond where they are planted and threaten the health of other plants and trees.	Recommend comment be incorporated into the revisions.

Corrections noted by CHAP staff

Chapter/Section	Comment	Staff Response
1.8.6 Gutters and Downspouts	Correct error with bulleting.	Recommend comment be incorporated into the revisions.
Overall	Correct page numbering throughout document.	Recommend comment be incorporated into the revisions.



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Nighborhood & Stakeholder Comments

Comments from Commissioners

Chapter/Section	Comment	Staff Response
Introduction	Update reference to “five chapters” to “six chapters”.	Recommend comment be incorporated into the revisions.
1.7 Windows	Last paragraph of introduction references methods of risk reduction for lead paint in special windows, should these be provided?	Open to discussion, these are not listed but could be.
1.7.1 Windows, General	Typo at bullet 6, need to insert “in”.	Recommend comment be incorporated into the revisions.
1.7.2 Windows, Window Repair	Cite section 1.7.3 at last sentence of first bullet.	Recommend comment be incorporated into the revisions.
1.8 Roofing and Gutters	Consider adding language such as, “Therefore special attention should be given to ensuring that adequate roof drainage exists and that gutters and downspouts are in good repair and are appropriately-sized for the roof area, slope and projected rainfall intensity.”	Recommend comment be incorporated into the revisions.
1.8.2 Roofs & Gutters, Roof Replacement	Remove “whenever possible” from the following sentence, “Replace historic roofing materials with materials that visually match the existing roofing whenever possible.”	Recommend comment be incorporated into the revisions.



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Neighborhood & Stakeholder Comments

Comments from Commissioners

Chapter/Section	Comment	Staff Response
1.8.5 Roofs & Gutters, Chimneys	The last sentence of bullet five states, “visible from the public right-of-way” - are we being consistent in the language we use? - in 1.8.1 Roof Decks - talks about “decks, terraces easily seen by the public at the front of the building” and in other places from the opposite side of the street.	Open to discussion, staff chose different language based on past commission actions.
1.9.3 Carriage Houses, Garages, Sheds and Outbuildings	With recent legislation to allow accessory dwelling units as a means to promote more affordable housing do we need to address design issues specific to ADUs?	Staff recommends waiting until legislation is passed as it may include limitations that impact design.
1.10.3 Paint & Color, Masonry Painting	Add language regarding the permanent nature of silica mineral paint.	Recommend comment be incorporated into the revisions.
1.12 Signage and Awnings	At eighth bullet delete “the” in first sentence - “...signage in the historic areas.” Second sentence consider new word, “...inappropriately-scaled graphics are inappropriate-discouraged...”.	Recommend comment be incorporated into the revisions.



Neighborhood & Stakeholder Comments

Comments from Commissioners Continued

Chapter/Section	Comment	Staff Response
4.2.7 Landscape Features, Monuments and Public Art	Emphasize the need for professional advice when removing graffiti.	Recommend comment be incorporated into the revisions.
6.2 Murals	Insert “only” into, “ <i>CHAP encourages the painting of murals <u>only</u> on previously painted surfaces to avoid damage to historic masonry and to maintain historic streetscapes where unpainted masonry is a character defining feature.</i> ”	Recommend comment be incorporated into the revisions.
6.2 Murals	Suggest using projections instead of painted murals, particularly on stone/masonry surfaces.	Need clarification.
6.3 Signs	At last sentence of bullet four, do we want to say “Digital and LED signs may be <u>approved</u> on a case-by-case basis”? Also, same section fifth bullet - “...artistic use of neon signs” instead consider “when used for artistic expression or to reflect historic precedent”.	Recommend comment be incorporated into the revisions.



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Neighborhood & Stakeholder Comments Comments from Mount Vernon ARC

Chapter/Section	Comment	Staff Response
1.11 Lighting	Property owners need guidance for color temperature of light bulbs/LEDs. Suggest <3000° .	Could be included, staff needs to do more research to understand best practices.
1.5 Alternative Materials	“Where economic feasibility is a consideration, the cost of the alternative material will be compared to the cost of the original material.” Comment: Under what criteria will CHAP <i>decisions</i> be made after the comparison is made? Potential lifespan of the materials should also be a factor.	Yes, material lifespan is a factor in decisions and is provided to the commission. In the past the commission has preferred flexibility to inform decisions regarding economic feasibility. Criteria could be included, would need robust discussion.
1.7 Windows	“Historic windows are generally found to be better constructed than contemporary windows which have a limited lifespan.” & “...installing weather-stripping or exterior or interior storm windows, which greatly increase energy efficiency at a substantially lower cost than wholesale window replacement.” Comment: Both of the strike-through statements are true. Has the replacement window industrial complex asked for these statements to be removed?	These statements are not always true and do not add substance to the guidelines.

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Neighborhood & Stakeholder Comments Comments from Mount Vernon ARC

Chapter/Section	Comment	Staff Response
1.7.3 Window Replacement	<p>“Replacement windows shall match the historic windows in size, type, configuration, form, detail, and overall appearance.”</p> <ul style="list-style-type: none"> ○ Comment: “detail” should be defined: Rail and Stile profiles/dimensions and glass opening size should be the primary detail criteria (matching original). ○ Comment: Windows and doors are character-defining features. If the Commission wishes to delegate important window and/or door replacements to staff for review, there should be an appeal or public review process for community members if they disagree with staff decisions. ○ Comment: Criteria for visibility/appropriateness on corner houses and detached houses...all elevations visible from a named street should be considered primary elevations. 	<ul style="list-style-type: none"> • Details may be different for different windows. Staff agrees that rail and stile dimensions are important. • Staff has been approving window replacements regularly for many years as the commission’s designee, this just states it clearly. • These guidelines are for all historic districts; which have a wide variety of contexts. While it may generally be appropriate for corner houses and detached houses in Mount Vernon, it may not be appropriate in another historic district.



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Neighborhood & Stakeholder Comments Mount Vernon ARC - continued

Chapter/Section	Comment	Staff Response
1.8.1 General (Roofs)	<p>“Severely deteriorated roof features should be replaced to match existing features in size, form, shape, and color, and materials identical to the originals.” Comment: Encouragement should always be made to use original materials. Nonoriginal materials should be the rare exception, not the primary option.</p>	<p>Yes, a similar statement is included in the introduction to this section of the guidelines.</p>
1.8.2 Roof Replacement	<p>“When in-kind replacement is not feasible, install alternative materials that are visually physically, and chemically compatible with the historic roof materials.” Comment: Physical and chemical compatibility are important—for example, incompatible rates of expansion may lead to premature failure as will incompatible metals, which will lead to galvanic corrosion and premature failure.</p>	<p>The physical and chemical compatibility of materials are located in the various sections of the guidelines regarding material. Perhaps a note to review those sections would address this concern?</p>
1.8.9 Roof Decks	<p>“New roof decks must not be visible from the opposite side of the street of any primary elevation.” Comment: For visibility of decks, definition of primary elevation for corner houses must include both primary elevations (not just the elevation containing the front door or legal street address).</p>	<p>This was chosen based on commission actions over the last several years. Perhaps a discussion now can inform a proposed change for a future hearing. Guidelines are also used for Historic Tax Credits.</p>

Neighborhood & Stakeholder Comments

Comments from Mount Vernon ARC continued

Chapter/Section	Comment	Staff Response
1.9.1 Porches	<p>“Only replace porches or porch elements that are deteriorated beyond repair....”</p> <ul style="list-style-type: none"> ○ Comment: How is deterioration “beyond repair” determined? Almost always, this is influenced by the cost to repair, not the infeasibility. Example: Decaying ornate cast/wrought iron porch behind 717 Washington Place (717 N Charles Street). ○ Comment: Need community input for new decks and porches, since these may directly affect neighbors. 	<ul style="list-style-type: none"> • Defining deterioration beyond repair is under consideration by CHAP staff, but would need flexibility to allow for unforeseen circumstances. Open to discussion. • Community input is always requested for any ATP that would include replacement or construction of a porch or deck. Different historic districts has different conditions (rowhouse vs. detached dwelling)
1.9.3 Carriage Houses, Garages, Sheds, Outbuildings	<p>Comment: Need guidelines for garage doors for both historic garages/carriage houses and newer garages.</p>	<p>Agreed, this can be addressed in the next phase.</p>



Neighborhood & Stakeholder Comments

Comments from Mount Vernon ARC continued

Chapter/Section	Comment	Staff Response
4.2.4 Fences, Walls, and Gates	<ul style="list-style-type: none"> ○ Comment: Add razor wire to list of not allowed materials (same as barbed wire?) ○ Comment: Disagree with allowing any chain link or vinyl fencing in historic districts, unless they are not visible from any street, including “alley” streets, which are often pedestrian walking areas that “are significant features of historic neighborhoods that contribute to their overall character as well as to the safety and enjoyment of residents and visitors.” (4.2.5) ○ Comment: Fences and walls on primary streets (vs “alley” streets) should be more monumental and/or compatible in design and materials with the visual language of the primary street and other historical walls in the neighborhood. Often, walls built on “alley” streets were monumental too, and new or replacement walls should be compatible with that visual language. 	<ul style="list-style-type: none"> • Staff needs to verify if razor wire and barbed wire are the same. If not, the additional language can be added. • The previous bullet points in this section address this concern. Chain link and vinyl would only be allowed in districts where that fencing may be appropriate. (see next slide) • Each district and property is different and all proposals are reviewed against their unique context.



Neighborhood & Stakeholder Comments

Relevant guidelines for fences and walls:

- New fences and walls must be compatible with the character, height, scale, and design ~~and material~~ of comparable properties in the neighborhood.
 - In front yards or side yards visible from the street, wood or metal picket-type fences found in a number of styles are often appropriate. Short brick, stone, or cast stone walls or retaining walls may be appropriate.
 - In rear yards or side yards ~~not visible from the street,~~ wood fences, ~~and metal picket~~ fences and brick or stone walls may be appropriate. ~~vertical board, board-on-board and board-and-batten fences are appropriate.~~ Vinyl and chain link fences not visible from the street may be approved.
~~Brick or stone walls may be appropriate in some locations.~~
 - Chain link, vinyl, ~~s~~Stockade and split rail fences are typically not appropriate for use in Baltimore City historic districts. -



Neighborhood & Stakeholder Comments

Comments from Mount Vernon ARC continued

Chapter/Section	Comment	Staff Response
6.2 Murals	<p>“CHAP encourages the painting of murals on previously painted surfaces to avoid damage to historic masonry and to maintain historic streetscapes where unpainted masonry is a character defining feature.” Comment: This statement does not seem to make sense for two reasons. How does painting previously painted historic masonry avoid damage-- does this imply that <i>not</i> painting or removing paint will (always) actively damage historic masonry? Is painting the only way to “avoid damage”? Second question: How does painting of a mural maintain “historic streetscapes where unpainted masonry is a character defining feature”? These appear to be incompatible statements. If murals must be approved in an historic district, we suggest that they be painted on a separate fabric or other substrate, which is carefully attached to the masonry elevation.</p>	<ul style="list-style-type: none"> • The insertion of the word only per the commissioner’s comment may address the first point. Open for discussion on clearer language. • The intent was that one would avoid damage by not painting unpainted brick and not painting brick where it is a character defining feature.



Neighborhood & Stakeholder Comments

Comments from Mount Vernon ARC continued

Chapter/Section	Comment	Staff Response
6.2 Murals	<p>“CHAP review is limited to the location of murals; Content of proposed murals is not within CHAP purview; however, CHAP strongly encourages community input.”</p> <ul style="list-style-type: none"> ○ Comment: What entity is the final arbiter of content? What if a property owner wants to install an offensive mural? What if a property owner wants to install a mural that contains advertising (essentially a billboard)? In our opinion, murals are generally incompatible with historic districts. Neighbors must have a say in the content and location of a mural, which at the very least may affect their property values and rights. ○ Comment: For determining appropriateness of a mural, definition of primary elevation for corner houses must include both primary elevations (not just the elevation containing the front door or legal street address). 	<ul style="list-style-type: none"> • The intent was to allow the commission to consider community input, therefore if there was no support for an installation the commission could decline the request. • This point is open to discussion.



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Neighborhood & Stakeholder Comments Comments from Ten Hills ARC

Chapter/Section	Comment	Staff Response
Intro and How to Use	Comment: Although it should go without saying, it may be helpful to specifically reiterate the fact that while the guidelines should inform choices, even when the guidelines are followed closely, the work still requires ATP from CHAP. Or something about using to guidelines to guide the project plan as described it the ATP.	Recommend comment incorporated into the approved revisions.
1.5 Alternate Materials	Comment: In item 6, recommend clarifying that the cost of alternate material will be compared to the cost of <i>replacement using</i> original material.	Recommend comment incorporated into the approved revisions.
1.6 Doors	Concerns about the requirements for replacement doors.	Staff thinks most of these concerns are addressed based on context and site conditions.
1.8.5 Chimneys	Clarify that mortar should match when dry.	Recommend comment incorporated into the approved revisions.
1.8.6 Gutters and Downspouts	Would like more flexibility in the use of K-Style gutters.	Staff believes these concerns are addressed in the updated guidelines.

Recommendation:

Staff find that the revisions make the guidelines more consistent and easier to use and understand. Staff recommends the approval of the guidelines with the minor alterations proposed by the Sustainability Division of the Department of Planning, CHAP Commissioners, CHAP staff, and the limited comments from neighborhoods noted.

Some comments from neighborhoods and Commissioners warrant further study or discussion and should be shared with all stakeholders prior to adoption.



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