

URBAN RENEWAL PLAN
EAST HIGHLANDTOWN BUSINESS AREA

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URBAN RENEWAL PLAN

EAST HIGHLANDTOWN BUSINESS AREA

FEBRUARY 15, 1991

APPROVED BY

THE MAYOR AND CITY COUNCIL OF BALTIMORE

BY ORDINANCE 790

DATED JULY 10, 1991

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

BALTIMORE, MARYLAND

EAST HIGHLANDTOWN BUSINESS AREA

URBAN RENEWAL PLAN

TABLE OF CONTENTS

| | | |
|----|---|----|
| A. | PROJECT DESCRIPTION | 1 |
| 1. | Boundary Description | 1 |
| 2. | Plan Objectives | 1 |
| 3. | Types of Proposed Renewal Action | 2 |
| B. | LAND USE PLAN | 2 |
| 1. | Land Use Map | 2 |
| 2. | Permitted Uses | 2 |
| a. | Community Business | 2 |
| b. | Public | 2 |
| c. | Non-Conforming | 2 |
| d. | Non-Complying | 2 |
| C. | TECHNIQUES USED TO ACHIEVE PLAN OBJECTIVES | 3 |
| 1. | Acquisition | 3 |
| 2. | Relocation | 4 |
| 3. | Rehabilitation | 4 |
| a. | Windows | 4 |
| b. | Building Fronts and Sides Abutting Street | 5 |
| c. | Rear and Side Walls | 8 |
| d. | Roofs | 8 |
| e. | Signs | 8 |
| f. | Lighting for Fronts and Sides | 10 |
| g. | Footways | 10 |
| h. | Off-Street Parking Requirements | 10 |
| i. | Off-Street Loading, Storage and Service | 11 |
| j. | Yards | 11 |
| k. | Period of Compliance | 12 |
| l. | Design Review and Approval | 12 |
| m. | Penalty for Non-Compliance | 13 |
| D. | REVIEW OF DEVELOPMENT | 13 |
| 1. | Department of Housing and Community Development Review | 13 |
| 2. | Design Objectives | 13 |
| 3. | Developer's Obligations | 14 |
| 4. | New Construction and Rehabilitation | 14 |
| 5. | Demolition | 15 |
| E. | OTHER PROVISIONS NECESSARY TO MEET STATE AND LOCAL REQUIREMENTS | 15 |
| 1. | Land Disposition | 15 |
| 2. | Zoning | 15 |

| | | |
|----|---|----|
| F. | DURATION OF PROVISIONS AND REQUIREMENTS | 15 |
| G. | PROCEDURES FOR CHANGES IN APPROVED PLAN | 15 |
| H. | SEPARABILITY | 16 |

EXHIBITS:

1. Land Use Plan, dated February 15, 1991
2. Zoning Districts, dated February 15, 1991

URBAN RENEWAL PLAN
EAST HIGHLANDTOWN BUSINESS AREA

A. PROJECT DESCRIPTION

1. Boundary Description

Beginning for the same at the intersection of the west side of Ponca Street and the south side of Eastern Avenue; thence binding on the south side of Eastern Avenue easterly to intersect the west side of Quail Street; thence binding on the west side of Quail Street southerly to intersect the south side of the first twenty foot alley south of Eastern Avenue; thence binding on the south side of said twenty foot alley westerly, crossing Ponca Street, and continuing on the south side of the first ten foot alley south of Eastern Avenue westerly to intersect the east side of the first ten foot alley west of Ponca Street; thence binding on the east side of said ten foot alley southerly to intersect a line formed by extending the southern property line of Lot 14G, Block 6554; thence binding on said line and the southern property line of said Lot 14G, as extended, westerly to intersect the west side of Oldham Street; thence binding on the west side of Oldham Street northerly to intersect the south side of the first ten foot alley south of Eastern Avenue; thence binding on the south side of said ten foot alley westerly to intersect the west side of S. Newkirk Street; thence binding on the west side of S. Newkirk Street northerly to intersect the south side of the first ten foot alley south of Eastern Avenue; thence binding on the south side of said ten foot alley westerly to intersect the west side of S. Lehigh Street; thence binding on the west side of S. Lehigh Street northerly to intersect the southern property line of Lot 1, Block 6550; thence binding on said property line westerly to intersect the east side of the first ten foot alley west of S. Lehigh Street; the binding on the east side of said ten foot alley as extended northerly to intersect the north side of the Eastern Avenue Underpass; thence binding on the north side of Eastern Avenue Underpass southeasterly to intersect the south side of Portugal Street; thence binding on the south side of Portugal Street easterly to intersect the east side of the first ten foot alley east of S. Lehigh Street as extended southward 34 feet; thence binding on the east side of said alley northerly to intersect the northern property line of Lot 11/13, Block 6326; thence binding on said property line easterly to intersect the east side of S. Macon Street; thence binding on the east side of S. Macon Street southerly to intersect the north side of the first ten foot alley north of Eastern Avenue; thence binding on the north side of said ten foot alley easterly to intersect the east side of the first the foot alley east of S. Newkirk Street; thence binding on the east side of said ten foot alley northerly to intersect the northern property line of Lot 11, Block 6330; thence binding on said northern property line as extended easterly to intersect the east side of Oldham Street; thence binding on the east side of Oldham Street northerly to intersect the northern property line of Lots 1 and 1A, Block 6332; thence binding on said property line easterly to intersect the west side of Ponca Street; thence binding on the west side of Ponca Street southerly to the point of beginning.

2. Plan Objectives

- a. Establishing a positive and identifiable image for the East Highlandtown Business Area;
- b. Promoting new retail business activity in the area;
- c. Establishing minimum, comprehensive design and rehabilitation standards that will enhance the business area through private investment; and
- d. Bringing about a general physical improvement of the area through coordinated public improvements.

3. Types of Proposed Renewal Action

- a. Coordinated public improvements; and
- b. Property rehabilitation that shall comply with the codes and ordinances of the City of Baltimore, and the requirements set forth in this Plan.

B. LAND USE PLAN

1. Land Use Map

Predominant land uses, streets and all other public right-of-way proposed or existing to remain, within the project area, are shown on the Land Use Plan, Exhibit 1.

2. Permitted Uses

Only the use categories shown on the Land Use Plan, Exhibit 1, shall be permitted within the project area. These are Community Business and Public. Accessory uses including landscaping, off-street parking and loading will also 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.

a. Community Business

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

b. Public

In the area designated as Public on the Land Use Plan, uses shall be limited to parks, playgrounds, plazas, and malls; active and passive recreation; schools and related educational facilities; neighborhood centers; public offices; libraries; fire houses; parking; and other public facilities.

c. 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 the Zoning Ordinance of Baltimore City. These non-conforming uses shall be permitted to continue subject to the provisions in Chapter 8 of the Zoning Ordinance of Baltimore City, titled "Non-Conformance".

d. Non-Complying

A non-complying structure, as set forth in Chapter 8 of Article 30 of the Baltimore City Code (1983 Replacement Volume, as amended), titled "Zoning", is any lawfully existing use of a building or other 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:

- (1) Any non-complying land use which is discontinued a period exceeding twelve (12) months shall not be reestablished.
- (2) No change in the permanent physical members of a structure, such as bearing walls, columns, beams, or girders, or no substantial change in the roof or in the exterior walls shall be made in or to a building or structure except those required by law or except to make the building and use thereof conform to the regulations of this Plan.
- (3) No non-complying land use shall be changed to any other non-complying land use.

C. TECHNIQUES USED TO ACHIEVE PLAN OBJECTIVES

1. Acquisition

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

(1) Non-Salvable and Non-Compliance with Provisions

It may be necessary to acquire by purchase or by condemnation for urban renewal purposes the fee simple interest or any lesser interest in and to such remaining properties not specifically designated for acquisition, as may be deemed necessary and proper by the Commissioner of the Department of Housing and Community Development to effect the proper implementation of the project. This may include:

- (a) any property in the project area containing a non-salvable structure, i.e., a structure which is (*sic!*) the opinion of the Commissioner of the Department of Housing and Community Development cannot be economically rehabilitated.
- (b) any property the owner of which is unable or unwilling to comply or conform to the codes and ordinances of Baltimore City and the Property Rehabilitation Standards set forth in this Plan within 12 months from the date of written notice of the required improvements. The Department of Housing and Community Development, after due consideration that the property owner has failed to achieve substantial conformity with the codes and ordinances of Baltimore City, may acquire such property pursuant to the Eminent Domain Law of this State as if the property had originally been planned for acquisition after 90 days written notice to the owner. The Department of Housing and Community Development reserves the right to acquire any such non-complying property for a period of two (2) years from the date of said written 90 days notice by the Department of Housing and Community Development.

- b. Actions to be followed By the Department of Housing and Community Development Upon Acquisition of Properties

Upon the acquisition of such properties, the Department of Housing and Community Development will either:

- (1) demolish the structure or structures thereon and dispose of the land for redevelopment uses in accordance with this Plan; or
- (2) sell or lease the property subject to rehabilitation in conformance with the codes and ordinances of Baltimore City and the Property Rehabilitation Standards set forth in this Plan; or
- (3) rehabilitate the property in conformance with the codes and ordinances of Baltimore City and the Property Rehabilitation Standards set forth in this Plan and dispose of property in accordance with applicable regulations. If sale cannot be consummated by the time rehabilitation is accomplished, property may be rented pending continuing sale efforts.

2. 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 area 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 the review of commercial and industrial development proposals.

3. Rehabilitation

Within the project area certain rehabilitation standards over and above the codes and ordinances of the City of Baltimore shall be applied to all non-residential properties. The owner of these properties will be required to undertake the rehabilitation of those properties which are capable of being brought up to the rehabilitation standards, whether occupied or not. The East Highlandtown Rehabilitation Standards are as follows:

- a. Windows
 - (1) Windows not in the front of the building shall be kept properly repaired or, with Fire Department approval, may be closed, in which case sills, lintels and frames must be removed and the opening properly closed to match the material, design and finish of the adjacent wall.

- (2) All windows must be tight-fitting and have sashes of proper size and design. Sashes with rotten wood, broken joints or loose mullions or muntins shall be replaced. All broken and missing windows and glass blocks shall be replaced with glass or approved plastic glazing. All exposed wood shall be repaired and painted.
- (3) Window openings in the front of the building shall not be filled, boarded up, or covered by any flat or projecting signs. Windows in unused areas of the upper floors may be backed by a solid dark colored surface on the inside of the glass. Window panes shall not be painted.
- (4) Shutters of the proper size (same height as window and one-half the width) may be provided on windows above the first floor level on the front of buildings. They shall be constructed of wood and affixed to the wall by either a metal latch or be held permanently open (fastened to the wall). The use of shutters shall be approved prior to installation by the Department of Housing and Community Development, and shall not be allowed in case where shutters would be inharmonious with the design of the building.

b. Building Fronts and Sides Abutting Street

- (1) All defective structural and decorative elements of building fronts and sides abutting streets shall be repaired or replaced in a workmanlike manner to match as closely as possible the original materials and construction of that building. All damaged, sagging or otherwise deteriorated storefronts, show windows or entrances shall be repaired or replaced.
- (2) All cornices, upper story windows and all other portions of a building containing wood trim shall be made structurally sound. Rotten or weakened portions shall be removed and repaired or replaced to match as closely as possible the original patterns. All exposed wood shall be painted or stained, or otherwise treated for protection.
- (3) A storefront as part of the building façade shall be defined to include:
 - (a) the building face and the entrance area leading to the door;
 - (b) the door, sidelights, transoms, show windows, display platforms, devices (including lighting and signing) designed to be viewed from the public right-of-way and/or the areas visible to the public prior to entering the interior portion of the structure.
- (4) Existing show windows, entrances, signs, lighting, sun protection, security grilles, etc., shall be compatible, harmonious and consistent with the scale and character of the structure. All show window elements must be located within 13 feet of the grade on buildings proposed for construction or substantial rehabilitation subsequent to the effective date of this Plan.
- (5) Storefronts on single story buildings shall be designed for the full height to the cornice unless existing traditional architectural elements are present, in which case the new construction shall be harmonious with those elements. Cornice lines shall be maintained.

- (6) Adjoining buildings used by the same occupant shall be rehabilitated in a unified and harmonious manner. Each building shall be rehabilitated and repaired with materials and in a manner consistent with the original construction techniques where feasible.
- (7) Enclosures and housing for security grilles and screens shall be as inconspicuous as possible and compatible with other elements of the façade.
- (8) All exposed portions of the grille, screen or enclosure which are normally painted and all portions which require painting to preserve protect or renovate the surface shall be painted. Non-metal grilles and screens shall be prohibited.
- (9) All screens and grilles protecting entrances and show windows must be constructed so that they can be opened or removed. Such screens and grilles shall be opened or removed during the normal business hours of that business. All new security screens shall be mesh type rather than solid.
- (10) The total area of any temporary or permanent sign or signs affixed or placed against the inside surface of a show window shall not exceed 20% of the area of that show window.
- (11) Decalcomanias one square foot or less in area may be affixed to show windows or entrance door windows.
- (12) No new solid or permanently enclosed or covered storefronts shall be permitted.
- (13) Awnings
 - (a) Soft (vinyl or canvas) awnings may be provided for storefront windows. Fixed soft awning may be allowed at the discretion of the Commissioner where they would not impede the public right-of-way.
 - (b) They must be flameproofed.
 - (c) They shall not project more than seven (7) feet from the building front and shall otherwise conform with the provisions of City ordinances.
 - (d) They shall terminate against the building at a height not to exceed thirteen (13) feet above the pavement, or one inch below the second floor window sill, whichever is lower.
 - (e) New rigid (aluminum, fiberglass) awnings, sun screens or permanent canopies are not permitted on any portion of the building front.
 - (f) Soft awnings may also be provided on upper floors over windows only.

- (g) Awnings shall be properly cleaned and repaired in workmanlike manner.
- (14) All exterior front walls shall be repaired and cleaned or painted in a workmanlike manner. Painted walls shall be scraped and repainted a single color except for trim which may be another color. Patched walls shall match the existing adjacent surfaces as to materials, color, bond and joining. Cleaning of masonry surfaces by means of sandblasting shall not be permitted except where it 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.
- (15) Materials used on building fronts shall be consistent with the character of other buildings in the Business Area as well as existing materials on the building itself. Other factors such as durability, ease of maintenance and historical accuracy of materials shall be considered in choosing facing materials. Formstone, simulated wood shakes, pebble-faced plywood, or any other material not approved by the Commissioner, shall not be permitted for any future use.
- (16) The restrictions and suggestions previously listed for front walls also apply to storefronts. Thus, aluminum and vinyl siding shall not be permitted for future installation on storefronts. Wood shakes or wood clapboards shall not be permitted for future installation on storefronts unless the entire building is to be covered in the same material. Existing corrugated metal facing shall be cleaned or painted an approved color. Corrugated metal facing may be used in the future provided it has a permanently bonded finish in an approved color.
- (17) Dormer windows on roofs sloping toward the shopping street shall be treated in accordance with the same criteria as building fronts.
- (18) Existing miscellaneous elements on the building fronts, such as empty electrical or other conduits, unused sign brackets, etc., shall be removed.
- (19) Sheet metal gutters and downspouts shall be repaired or replaced as necessary and shall be neatly located and securely installed. Gutters and downspouts should be painted to harmonize with the other building front colors.
- (20) No new mechanical equipment shall be allowed to project through building fronts.
- (21) No dumpsters or rubbish containers shall be exposed at the fronts of buildings except those specifically designated and intended for public use.
- (22) Existing formstone may be painted.
- (23) Colors to be used in painting shall be limited to white or pastel shades approved by the Department of Housing and Community Development.

c. Rear and Side Walls

- (1) Rear and side walls shall be repaired and painted to present a neat and fresh appearance. Rear walls shall be painted to cover evenly all miscellaneous patched and filled areas or be stuccoed or otherwise surfaced to present an even and uniform surface.
- (2) Side walls, where visible from any of the streets, shall be finished or painted so as to harmonize with the front of the building.

d. Roofs

- (1) Chimneys, elevator penthouses or any other auxiliary structures on the roofs shall be repaired and cleaned as required for rear and side walls. Any construction visible from the street or from other buildings shall be finished so as to be harmonious with other visible building walls.
- (2) Any new mechanical equipment placed on a roof shall be so located as to be hidden from view from the shopping streets, and to be as inconspicuous as possible from other viewpoints. New equipment shall be screened with suitable elements of a permanent nature, finished so as to harmonize with the rest of the building. Where such screening is unfeasible, equipment shall be installed in a neat, presentable manner, and shall be painted in such a manner as to minimize its visibility.
- (3) Television and radio antennae shall be located so as to be as inconspicuous as possible.
- (4) Roofs shall be kept free of trash, debris, or any other element which is not a permanent part of the building or a functioning element of its mechanical or electrical system.

e. Signs

The intention of the following regulations is to promote a harmonious appearance of the business area by reducing sign clutter.

- (1) Existing signs may remain, provided they conform to this Renewal Plan. Signs that do not conform to this Plan must be removed.
- (2) All flat signs shall be attached to and placed parallel to the building face and shall not project more than 12" from the surface of the building and shall not exceed in area three times the width in feet of the façade of the building. Signs on the sides of buildings shall be calculated separately at the same rate, except that no side sign may be larger than the front sign for the same building. The top edge of flat signs must be below the second floor window sills or 13 feet above grade level, whichever is lower. The bottom edge of the sign must be 10 feet above grade level. Where the sign cannot be placed within these limits, an alternative placement may be approved by the Department of Housing and Community Development.

- (3) The primary sign for a shop may be painted or be applied directly to the show window where no other sign is being used on the front of the building.
- (4) Signs shall be permitted at rear entrance doors but shall not exceed six square feet in size, except where authorized by the Department of Housing and Community Development.
- (5) Existing freestanding signs (pole signs, planter signs) shall be permitted provided that such signs not exceed 24 feet in height and 80 square feet in area (total of both faces). New freestanding signs are permitted only if they include a planter or landscaping, do not exceed 16 feet in height and 48 square feet in area (total of both faces). Freestanding signs shall not project in to the public right-of-way. Freestanding signs are permitted only on sites where buildings are set back from their property line, subject to the approval of the Department of Housing and Community Development. Only one freestanding sign is permitted per property as described above.
- (6) Painted signs on building surfaces or use of separate cutout letters shall be permitted in accordance with the above limits for flat signs.
- (7) Non-illuminated secondary flat signs shall be permitted only for businesses located on upper floors. Such signs shall not exceed two (2) square feet in area and shall not project more than one inch beyond the surface of buildings, not shall they be placed higher than 13 feet above grade level.
- (8) All unused existing rooftop and façade mounted sign brackets and hardware shall be removed. All remaining brackets shall be scraped and painted in a color to make them as inconspicuous as possible.
- (9) Marquees or overhanging signs shall not be allowed on buildings other than existing operating theatres or ballrooms.
- (10) Painted or inlaid signs on cloth awnings are permitted.
- (11) Flashing or moving signs other than barber poles shall not be permitted.
- (12) Signs not conforming to the above regulations shall be removed within twenty-four months from date of enactment of this Plan. Future minor privilege permits for signs shall be issued only for those signs meeting project design criteria.
- (13) No private signs shall be permitted except as herein provided or as otherwise authorized by the Department of Housing and Community Development for temporary purposes not exceeding thirty days.
- (14) Each store is required to display a postal address number on the storefront. Number size, style, location and design shall be approved by the Commissioner.

- (15) All signs must be properly maintained. Scaling paint, missing or unlit letters, broken, faded or cracked signs must be repaired or replaced or the entire sign must be removed.
- (16) Roof top signs are not permitted.
- (17) Billboards shall be exempt from the provisions of this subsection E.

f. Lighting for Fronts and Sides

- (1) The following lighting methods are not permitted:
 - (a) Exposed fluorescent lighting.
 - (b) Exposed quartz or mercury vapor lamps.
 - (c) Exposed, incandescent lamps other than low wattage, purely for decorative lighting.
- (2) The following lighting methods are permitted:
 - (a) Fully recessed downlights or wallwashers in projecting metal box. Box must run full length of storefront at top of sign area.
 - (b) Shielded fluorescent lamps with diffusers in projecting metal box. Box must run full length of storefront at top of sign zone.
 - (c) “Gooseneck incandescent”, porcelain enamel reflector on bent metal tube. Housing to prevent glare at pedestrian eyeline.
 - (d) Internally illuminated signs or back-lit (halo) letters.
- (3) All lighting and electrical elements such as wires, conduits, junction boxes, transformers, ballasts, switches and panel boxes shall be concealed from view as much as possible.

g. Footways

Footways adjacent to all properties within the area boundaries shall be maintained in a manner consistent with applicable Baltimore City Codes. In addition, when required footways shall be repaired or replaced to present a neat and fresh appearance and in a manner that is compatible with the materials, design and finish of adjacent footway surfaces.

h. Off-Street Parking Requirements

- (1) Parking spaces shall be provided on all lots as established in the Zoning Ordinance of Baltimore City, or in such lesser amount as may be authorized by the Board of Municipal and Zoning Appeals as a Special Exception or Variance. In addition to these requirements, off-street parking areas shall be visually screened from public streets and adjacent properties.

- (2) All required parking spaces shall be provided with the proper ingress and egress to a public street or alley by means of access drives and aisles.
- (3) All parking facilities, accessory parking areas, and gas stations shall be effectively screened. Screening shall consist of a masonry wall or durable fence, or combination thereof, not less than (3) feet in height; in lieu of such wall or fence a compact evergreen hedge of not less than (3) feet in height at time of original planting may be used. Screening and landscaping shall be maintained in good condition and shall be so designed and placed so as not to obstruct vehicle sight distances at entrances and exits. The design of the lot screening shall be approved by the Department of Housing and Community Development.
- (4) All exterior (surface) parking areas shall be paved with a hard, dust-free surface, shall be properly illuminated, and shall be maintained in a neat and clean manner. Lighting shall not shine directly into the windows of adjacent residential buildings.
- (5) A sign not exceeding six (6) square feet may be used to identify and control parking and loading.

i. Off-Street Loading, Storage and Service

- (1) Where permitted by the Zoning Ordinance of Baltimore City, front, side or rear yards may be used for loading, storage or service. In addition to any requirements of the Zoning Ordinance, these areas shall be appropriately screened/ landscaped from all adjacent streets and properties. Appropriate screening/ landscaping shall include, but is not necessarily limited to solid and perforated masonry wall at least five feet, six inches in height, solid fences and trees, and shrubs planted at appropriate intervals or a combination of these.
- (2) All yards used for loading and vehicle storage and service shall be provided with the proper ingress and egress to a public street or alley by means of access drives and aisles. Such drives and aisles shall be consistent with the intended uses of the property and shall not be excessive in size.
- (3) All outside storage of vehicles shall be restricted to three per service bay.
- (4) No storage of trash containers shall be allowed except when housed in or screened by permanent structures of acceptable design. Trash storage areas shall be maintained in a neat and clean manner at all times.
- (5) Service areas shall be properly illuminated as in off-street parking areas.

j. Yards

- (1) A yard may be enclosed along property lines by an appropriate wall/ landscaping consistent and harmonious in design with the walls of the building. Solid doors or solid gates may be used to the extent necessary for access and delivery. Such walls/ landscaping shall not be less than five feet

nor more than six feet in height. Use of barbed wire or broken glass on top of walls shall not be permitted. Structures at rears of buildings attached or unattached to the principal commercial structure which are structurally deficient shall be properly repaired or demolished. All yards adjacent to residential property must be screened in a manner consistent with the allowed screening methods covered elsewhere in this Plan under Off-Street Loading, Storage and Service.

(2) Yards shall be properly illuminated as in off-street parking areas.

k. Period of Compliance

To the extent that rehabilitation requirements for commercial uses are specifically applicable to the East Highlandtown Business Area and are not generally required elsewhere, the work necessary to meet such requirements shall be completed within twenty-four (24) months from the effective date of this Plan, unless specifically outlined elsewhere in this Plan. No work, alterations or improvements shall be undertaken after enactment of this Plan which do not conform with the requirements herein. Nothing herein shall be construed to permit any sign, construction, alteration, change, repair, use or any other matter otherwise forbidden or restricted or controlled by any other public law.

l. Design Review and Approval

(1) It shall be the responsibility of the Department of Housing and Community Development to supervise that part of this Renewal Plan dealing with design, code enforcement and inspection.

(2) Designs for all improvements, modifications, repairs, rehabilitation or painting affecting the exterior of the existing building, yards or show window, signs, and new construction shall be submitted to the Department of Housing and Community Development and written approval by the Department shall be required before proceeding with the work.

(3) The Department of Housing and Community Development shall be concerned with all aspects of design affecting exterior appearance, and in particular with the following:

(a) Colors to be used on buildings and signs.

(b) Design of show windows and entrance area, including choice of materials and types of security devices.

(c) Design of signs, methods of illumination, colors, materials, methods of suspension.

(d) Conditioning of rear yard spaces, location of delivery signs.

(e) All exterior materials and colors.

(f) Design of awnings, shutters and upper floor windows.

(g) Compatibility of new construction as to scale, color, materials and signing.

m. Penalty for Non-Compliance

Any person violating the provisions contained in Section C.3., Rehabilitation, of this Urban Renewal Plan shall be subject to a fine not exceeding One Hundred Dollars (\$100.00) and that each day's violation shall constitute a separate offense.

D. REVIEW OF DEVELOPMENT

1. Department of Housing and Community Development Review

- a. The Department of Housing and Community Development specifically reserves the right to review and approve the Developer's plans and specifications for development or rehabilitation with respect to their conformance with the provisions of the Renewal Plan and in order to achieve harmonious development of the project area. Such review and approval shall 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.
- b. 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 landscape design.

2. Design Objectives

a. Building Design Objectives

- (1) Each building unit, whether existing or proposed, shall be an integral element of the overall site design and shall reflect and complement the character of the surrounding area.
- (2) Non-residential buildings shall be located so as to be compatible with surrounding living areas and organized in a manner to coordinate employee and customer physical requirements. Building façades shall be complementary to those adjacent in terms of amenity and appearance.

b. Parking Design Objectives

- (1) Off-street parking areas shall be designed with careful regard given to orderly arrangement, landscaping, ease of access and as an integral part of the total site design. All parking areas shall be screened from adjacent streets by dense screen planting and/or masonry screening walls.
- (2) Vehicular access to the parking areas shall be direct and not in conflict with vehicular movement which services the various uses within the site. Ingress and egress points shall be well distanced from intersections to avoid congestion and interference with traffic.

c. Loading Design Objectives

Loading space shall be provided to the maximum extent possible in convenient off-street facilities to serve business uses in the area.

d. Street, Pedestrian Walkways and Open Space Objectives

Developers shall provide adequate open space in combination with the proper siting of buildings and location of off-street parking areas. Streets, pedestrian walkways and open spaces including street furniture and signs, shall be designed as an integral part of the overall design, properly related to adjacent existing and proposed buildings.

e. Landscape Design Objectives

A coordinated landscape program shall be developed covering the entire area to incorporate the landscape treatment for open space, streets and parking areas into a coherent and integrated arrangement. Landscaping shall include trees, shrubbery and planting in combination with related paving and surface treatment.

3. Developer's Obligations

a. The Developer 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 non-discrimination 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 Developer shall comply with all State and local laws, in effect from time to time, prohibiting discrimination or segregation.

b. The Developer shall devote the land to those uses specified in this Plan and to no other uses.

c. The Developer shall agree to retain the interest he acquires in the property transferred to him until he has completed the improvements, construction, and development in the area required with this Plan and 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 Department of Housing and Community Development or until the Department shall have certified in writing that the Developer has completed the improvements, construction and development in the area.

4. New Construction and Rehabilitation

All plans for new construction (including parking lots), rehabilitation, or change in use of 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. Upon finding that the proposed plans are consistent with the objectives (*sic!*) the urban renewal plan, the

Commissioner of the Department of Housing and Community Development shall 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.

5. 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 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.

E. OTHER PROVISIONS NECESSARY TO MEET STATE AND LOCAL REQUIREMENTS

1. Land Disposition

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

2. 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 2, 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).

F. DURATION OF PROVISIONS AND REQUIREMENTS

The East Highlandtown Urban Renewal Plan, as it may be amended from time to time, shall remain in full force and effect for a period of twenty (20) years from the date of original approval of this Plan by the Mayor and City Council of Baltimore.

G. PROCEDURES FOR CHANGES IN APPROVED PLAN

The Department of Housing and Community Development shall submit to the East Highlandtown Business Association or its successor, for its review and comment, all proposed amendments to the urban renewal plan no later than the time the proposed amendments are submitted to the Director of the Department of Planning. The written comments and recommendations from this review shall be submitted to the Department of Housing and Community Development no later than 3 weeks after they have been submitted to the East Highlandtown Business Association, or its successor; otherwise, it is presumed the proposed changes are satisfactory. Prior to passage of any ordinance




amending the urban renewal plan, a public hearing shall be held. The East Highlandtown Business Association, or its successors shall receive, at least ten (10) days prior to such hearing, notice of the time and place of such hearing. With respect to any land in the project area previously disposed of by the City for use in accordance with the urban renewal plan, the then owner of such land whose interests therein are materially affected by such changes shall receive at least ten days prior to such hearing written notice of the time and place of such hearing and information as to where a copy of the proposed amendments may be inspected.

H. 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.



LEGEND

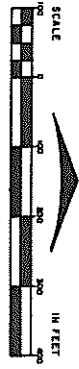
-  PROJECT AREA BOUNDARY
-  COMMUNITY BUSINESS
-  PUBLIC

EAST HIGHLANDTOWN BUSINESS AREA

PLANNING DIVISION



DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

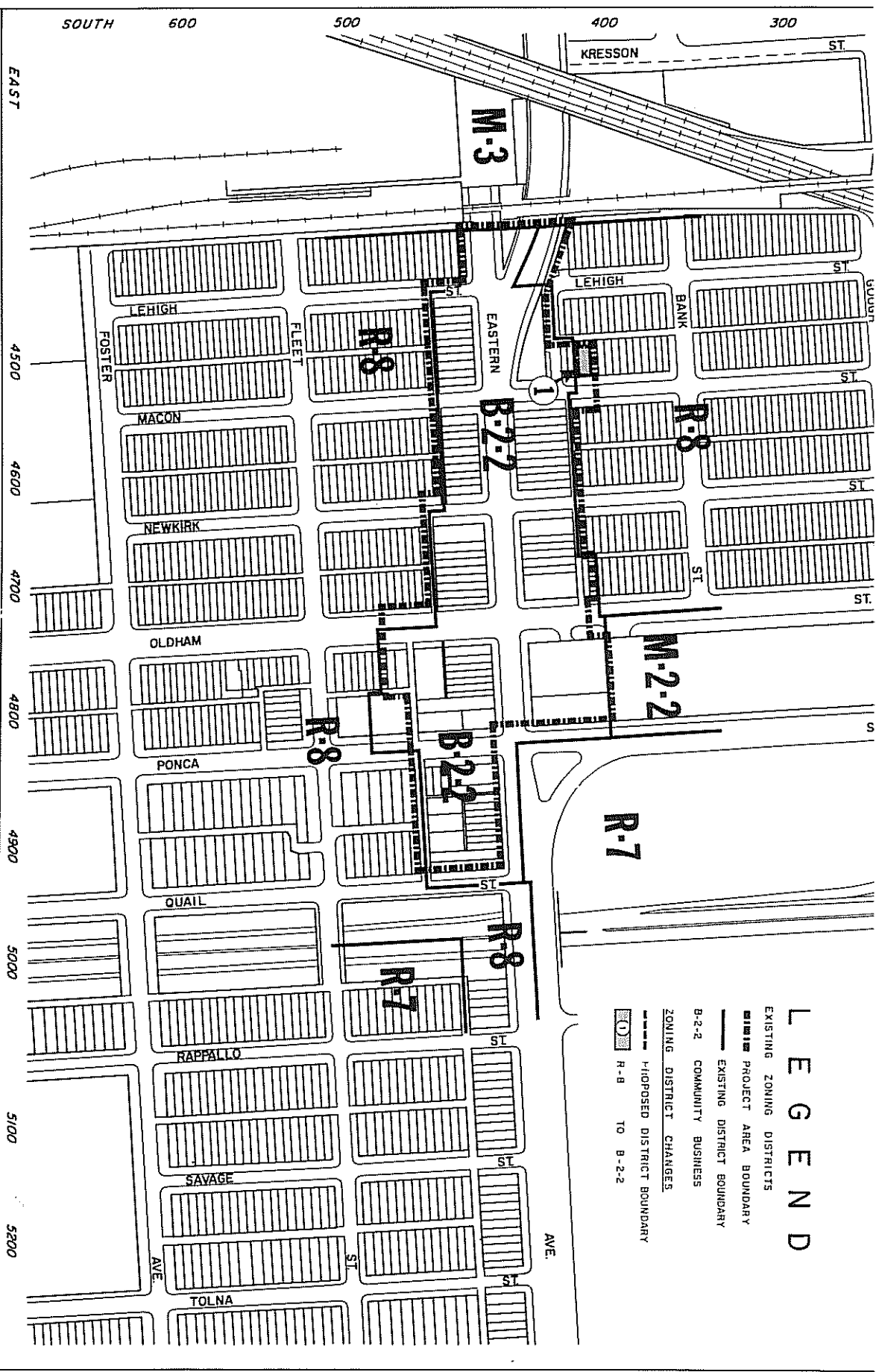


LAND USE PLAN

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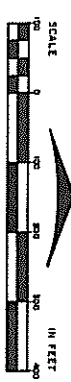
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| DATE: 2/15/91 | REVISION: |
| DRAWN BY: A.J.M. | |
| APPROVED BY: | |
| EXHIBIT | |

BAITMORE MARYLAND



EAST HIGHLANDTOWN BUSINESS AREA

PLANNING DIVISION
 DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT



ZONING DISTRICTS

DATE: 2/16/91
 DRAWN BY: A.J.K.
 APPROVED BY:

2

BALTIMORE, MARYLAND

EXHIBIT