

URBAN RENEWAL PLAN

BELAIR – ERDMAN BUSINESS AREA

DECEMBER 12, 1990

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

BALTIMORE, MARYLAND

APPROVED BY

THE MAYOR AND CITY COUNCIL OF BALTIMORE

BY ORDINANCE 789

JULY 10, 1991

REVISIONS SINCE APPROVAL BY THE MAYOR AND CITY COUNCIL OF BALTIMORE

- I. Amendment No. 1, dated October 1, 1999, approved by the Mayor and City Council of Baltimore by Ordinance No. 99-572, dated December 6, 1999.
- II. Amendment No. 2, dated March 16, 2009, approved by the Mayor and City Council of Baltimore by Ordinance No. 10-280, dated May 21, 2010.

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EXHIBITS:

1. Land Use Plan, dated as revised October 1, 1999
2. Zoning Districts, dated as revised October 1, 1999
3. Property Acquisition/ Land Disposition, dated December 12, 1990
4. “Summary Map”/ “Zoning Districts”, dated as revised October 1, 1999 *

* *Ordinance 99-572 enacted revisions of “Exhibit 4”, title “Summary Map” according to the text of the ordinance, on a map also titled “Zoning Districts, Amendment No. 1 to the Belair-Erdman Business Urban Renewal Plan, Map dated October 1, 1999”. The map titled “Exhibit 4” appears to combine elements of revised Exhibit 2 and of original Exhibit 3.*

URBAN RENEWAL PLAN

BELAIR – ERDMAN BUSINESS AREA

A. PROJECT DESCRIPTION

1. Boundary Description

Beginning for the same at the intersection of the northwest side of Belair Road and the northeast side of Clifton Park Terrace; thence from said point of beginning and binding on the northwest side of Belair Road southwesterly to intersect a line formed by extending the northeast side of Mareco Avenue; thence binding on said line and the northeast side of Mareco Avenue southeasterly to intersect the northwest side of the first 10 foot alley southeast of Belair Road; thence binding on the northwest side of said 10 foot alley northeasterly to intersect the northeast side of the first 10 foot alley northeast of Mareco Avenue; thence binding on the northeast side of said 10 foot alley and continuing on said alley which widens to 15 foot northeasterly, crossing Annetta Avenue, to intersect the southeast side of Annetta Avenue; thence binding on the southeast side of Annetta Avenue southwesterly to intersect the northeast side of the first 12 foot alley northeast of Lakeview Avenue; thence binding on the northeast side of said 12 foot alley southeasterly to intersect the division line between 3222 Lawnview Avenue and 3241 Erdman Avenue; thence binding on said division line southeasterly to intersect the northwest side of Edison Highway; thence binding on the northwest side of Edison Highway northeasterly to intersect a line extending the northeast side of the first 12 foot alley northeast of Lawnview Avenue; thence binding on said line and the northeast side of said 12 foot alley southeasterly to intersect a line extending the division line between 3101 Edison Highway and 3328 Lawnview Avenue; thence binding on said extended line and said division line southeasterly to intersect the northwest side of Lawnview Avenue; thence binding on the northwest side of Lawnview Avenue northeasterly, crossing Erdman Avenue, to intersect the northeast side of Erdman Avenue; thence binding on the northeast side of Erdman Avenue northwesterly to intersect the center line of Brehms Lane; thence binding on the center line of Brehms Lane and continuing on the center line of Mannasota Avenue northeasterly to intersect a line extending the southwest side of the first 15 foot alley northeast of Erdman Avenue; thence binding on said line and the southwest side of said 15 foot alley northwesterly to intersect the southeast side of the first 15 foot alley southeast of Belair Road; thence binding on the southeast side of said 15 foot alley northeasterly, crossing Mayfield Avenue, to intersect the northeast side of Mayfield Avenue; thence binding on the northeast side of

Mayfield Avenue southeasterly to intersect the center line of the first 30 foot alley southeast of Belair Road; thence binding on the center of said alley northeasterly, crossing Lake Avenue, to intersect the northeast side of Lake Avenue; thence binding on the northeast side of Lake Avenue southeasterly to intersect the northwest side of Findlay Road; thence binding on the northwest side of Findlay Road northeasterly to intersect the northeast side of the first 12 foot alley southwest of Brendan Avenue; thence binding on the northeast side of said 12 foot alley northwesterly, crossing Kavon Avenue, to intersect the southeast side of the first 10 foot alley southeast of Belair Road; thence binding on the southeast side of said 10 foot alley northeasterly, crossing Brendan Avenue, to intersect the northeast side of Brendan Avenue; thence binding on the northeast side of Brendan Avenue northwesterly to intersect the division line between 3000 and 3002 Brendan Avenue; thence binding on said division line northeasterly, crossing the first 14 foot alley northeast of Brendan Avenue and continuing northeasterly on the division line between 3505/09 Belair Road and 3003 Kentucky Avenue; thence binding on said division line northeasterly, crossing Kentucky Avenue, to intersect the northeast side of Kentucky Avenue; thence binding on the northeast side of Kentucky Avenue southeasterly to intersect the northwest side of the first 10 foot alley southeast of Belair Road; thence binding on the northwest side of said 10 foot alley northeasterly, crossing Pelham Avenue, to intersect the northeast side of Pelham Avenue; thence binding on the northeast side of Pelham Avenue northwesterly to intersect the northwest side of the first 10 foot alley southeast of Belair Road; thence binding on the northwest side of said 10 foot alley northeasterly, crossing Chesterfield Avenue, to intersect the southwest side of Kenyon Avenue; thence binding on the southwest side of Kenyon Avenue northwesterly, crossing Belair Road, to intersect the northwest side of Belair Road; thence binding on the northwest side of Belair Road southwesterly to intersect the northeast side of Chesterfield Avenue; thence binding on the northeast side of Chesterfield Avenue northwesterly to intersect a line formed by extending the division line between 2885 and 2887 Chesterfield Avenue; thence binding on said division line southwesterly to intersect the southwest side of the first 15 foot alley southwest of Chesterfield Avenue; thence binding on the southwest side of said 15 foot alley northwesterly to intersect the division line between 2890 and 2892 Pelham Avenue; thence binding on said division line southwesterly, crossing Pelham Avenue, to intersect the southwest side of Pelham Avenue; thence binding on the southwest side of Pelham Avenue northwesterly to intersect the division line between 2889 and 2891 Pelham Avenue; thence binding on said division line southwesterly, crossing the first 15 foot alley southwest of Pelham Avenue, to intersect the southwest side of said 15 foot alley; thence binding on the southwest side of said 15 foot alley northwesterly to intersect the division line between 2888 and 2890 Kentucky Avenue; thence binding on said division line southwesterly, crossing Kentucky

Avenue, to intersect the southwest side of Kentucky Avenue; thence binding on the southwest side of Kentucky Avenue southeasterly to intersect the northwest side of Belair Road; thence binding on the northwest side of Belair Road southwesterly to intersect the northeast side of Brendan Avenue; thence binding on the northeast side of Brendan Avenue northwesterly to intersect a line formed by extending the southeast side of the first 15 foot alley northwest of Belair Road; thence binding on said line and the southeast side of said 15 foot alley southwesterly, crossing Lake Avenue, to intersect the northeast side of the first 15 foot alley southwest of Lake Avenue; thence binding on the northeast side of said 15 foot alley southeasterly to intersect a line formed by extending the division line between 2880 and 2882 Mayfield Avenue; thence binding on said division line southwesterly, crossing Mayfield Avenue, to intersect the southwest side of Mayfield Avenue; thence binding on the southwest side of Mayfield Avenue northwesterly to intersect the division line between 2879 and 2881 Mayfield Avenue; thence binding on said division line southwesterly, crossing the first 20 foot alley southwest of Mayfield Avenue, to intersect the southwest side of said 20 foot alley; thence binding on the southwest side of said 20 foot alley northwesterly to intersect the division line between 3312/16 Belair Road and 2928 Erdman Avenue; thence binding on said division line southwesterly to intersect the division line between 3312/16 Belair Road and 3000 and 3002 Erdman Avenue; thence binding on said division line southeasterly to intersect the division line between 3002 and 3004/20 Erdman Avenue; thence binding on said division line southwesterly, crossing Erdman Avenue, to intersect the southwest side of Erdman Avenue; thence binding on the southwest side of Erdman Avenue southeasterly to intersect the southeast side of the first 10 foot alley northwest of Belair Road; thence binding on the southeast side of said 10 foot alley southwesterly to intersect the northeast side of the first 10 foot alley northeast of Clifton Park Terrace; thence binding on the northeast side of said 10 foot alley southeasterly to intersect a line formed by extending the division line between 3036 and 3038 Clifton Park Terrace; thence binding on said division line southwesterly to intersect the northeast side of Clifton Park Terrace; thence binding on the northeast side of Clifton Park Terrace southwesterly to the point of beginning.

2. Plan Objectives

The basic goal of this Urban Renewal Plan is the revitalization of the Belair – Erdman Business Area in order to create a unique neighborhood retail business district with enhanced viability, attractiveness, and convenience for residents of the surrounding community and of the City as a whole. The objectives of this Plan include:

- a. Establishing a positive and identifiable image for the Belair – Erdman 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;
- d. Bringing about a general physical improvement of the area through coordinated public improvements; and
- e. Protecting the area from blighting influences by enforcement of applicable codes and ordinances and through acquisition of blighted property when deemed necessary by the City.

B. LAND USE PLAN

1. Land Use Plan 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. Land Use Provisions and Standards

a. Permitted Uses

Only the use categories shown on the Land Use Plan, Exhibit 1, shall be permitted within the project area. These are Residential, Community Business, and Community Commercial. Accessory uses including landscaping, off-street parking and loading will be permitted. In addition, certain uses will be permitted to continue subject to the provisions governing nonconforming and noncomplying uses set forth below.

(1) Residential

In the areas designated as Residential on the Land Use Plan, uses shall be limited to those uses permitted under the applicable categories of the Zoning Ordinance of Baltimore City.

(2) Community Business

In the areas designated as Community Business on the Land Use Plan Map, the following restrictions apply:

- (a) Uses shall be limited to those uses permitted under the B-2-2 category of the Zoning Code of Baltimore City, with the exception of the following uses, which are prohibited:

Bail bondsmen
Check cashing agency
Firearm sales
Liquor and package goods stores
Pawnshops

The following uses are only permitted as accessory: tax services and massage salon.

- (b) Street-facing ground floor uses must be primarily retail service, or office.
- (c) Unenclosed display of merchandise for sale to the public is allowed. A minor privilege permit is required to display merchandise on the public right-of-way. Displays on the public right-of-way must preserve 6 feet of clear width in order to maintain continuous pedestrian access and accessibility by disabled persons.

(3) Community Commercial

In the areas designated as Community Commercial on the Land Use Plan Map, the following restrictions apply:

- (a) uses shall be limited to those uses permitted under the B-3-2 category of the Zoning Code of Baltimore City, with the exception of the following uses, which are prohibited:

After hours establishments, other than private clubs*; amusement arcades*; amusement parks and permanent carnivals*; automobile laundries; bail bondsmen; building and lumber materials sales establishments with shops and yards; check cashing agencies; contractor and construction shops and yards; firearm sales; garages, for storage, repair, and servicing of motor vehicles - including body repair, painting and engine rebuilding*; garages and lots for bus and transit vehicles; highway maintenance shops and yards; industrial supplies – sales; liquor and package goods stores; accessory and non-accessory microwave antennas (satellite dishes); milk and dairy products – processing and distribution; moving and storage establishments; parcel collection and delivery stations; pawnshops; pool halls and billiard parlors*; stables for horses; taverns, including live entertainment and dancing; tattoo parlors*; overhead transmission lines (above 69-kv) on rights-of-way acquired prior to January 1, 1969*; and warehousing and wholesale establishments, and storage other than accessory to permitted uses.

*conditional uses in a B-3 district as defined by the Zoning Code of Baltimore City.

The following uses are only permitted as accessory: tax services and massage salon.

- (b) Street-facing ground floor uses must be primarily retail, service, or office.

(4) Nonconforming

A nonconforming use is any lawfully existing use of a building or other structure, or of land that does not conform to the applicable use regulations of the zoning district in which it is located according to the Zoning Code of Baltimore City. These nonconforming uses shall be permitted to continue, subject to the provisions of Title 13 of the Zoning Code of Baltimore City.

(5) Noncomplying

A noncomplying structure, as set forth in Title 13 of the Zoning Code of Baltimore City, is any lawfully existing use of a building or other structure that does not comply with the bulk regulations of the zoning district in which it is located. These noncomplying structures shall be permitted to continue, subject to the provisions of Title 13.

In addition, a noncomplying 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 noncomplying uses shall be permitted to continue for an indefinite period of time, except that:

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

b. Regulations, Controls and Restrictions on Land Acquired by the City

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

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

- (2) No materials shall be stored or permitted to remain outside buildings. No waste material, refuse, or garbage shall be permitted to remain outside buildings except as permitted by Baltimore City regulations regarding containers for garbage; the area for such containers shall be properly screened from adjacent properties and public streets and alleys.
- (3) All land not covered by structures, paved parking, loading or related service areas, paved areas for pedestrian circulation, or decorative surface treatments shall be provided with landscape treatment. Landscape treatment encompasses the planting of any, all or a combination of the following: trees, shrubs, ground cover, grass, flowers. The amount of landscape treatment should be determined by the nature of the development site and should serve to improve the utility of the site, soften and relieve the effects of structure and pavement, and provide a visual harmony. Landscaping must be maintained in a healthy and vigorous manner.
- (4) Exterior ventilation equipment or any mechanical equipment placed outside of a building, including on the roof, shall be effectively screened.
- (5) No sign shall extend above the roof line or parapet wall of the building to which it is attached; no flat sign shall project more than 12 inches from the building to which it is attached. No animated or pulsating signs shall be permitted except those designated as historical in nature as determined by the Commissioner of Housing and Community Development. The total area of exterior signs for each building shall not exceed in gross area three (3) feet times principal street frontage, in feet, of the building; except that signs not exceeding six (6) square feet in area erected for the purpose of directing motorists to the entrance or exit points of off-street parking areas shall be permitted when attached to a fence, screening wall or building wall and shall not be included in the total area calculated for exterior signs.
- (6) Off Street Parking Requirements
 - (a) Parking spaces on all lots for development shall be provided according to the requirements as established by the Zoning Ordinance of Baltimore

City, or in such lesser amount as may be approved by the Commissioner of the Department of Housing and Community Development and authorized by the Board of Municipal and Zoning Appeals as a special exception or variance.

- (b) 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.
- (c) All parking facilities shall be effectively screened from public streets and adjacent properties except where such screening would inhibit the use of the area for parking and/or loading. Screening shall consist of a masonry wall or durable fence, or combination thereof, not less than four (4) feet in height; in lieu of such wall or fence a compact evergreen hedge of not less than four (4) feet in height at time of original planting may be used. Screening and landscaping shall be maintained in good condition and shall be 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.
- (d) 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.

c. Applicability of Provisions and Requirements to Property Not To Be Acquired

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

C. TECHNIQUES USED TO ACHIEVE PLAN OBJECTIVES

1. Acquisition

A Property Acquisition/Land Disposition Map, which designates those properties to be acquired, is attached as Exhibit 3.

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 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 such noncomplying 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.

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 consideration, but not necessarily priority, by the Department of Housing and Community Development in the review of commercial and industrial redevelopment proposals.

3. Rehabilitation

Over and above the codes and ordinances of the City of Baltimore, the following additional standards shall be applied to all non-residential properties within the project area, whether occupied or vacant. Property owners will be required to undertake rehabilitation of those structures which are capable of being brought up to these standards.

- a. Building Fronts and Sides Abutting Streets
 - (1) New security grates, grilles, and bars are prohibited on the exterior façade of a building. Interior bars are permitted but must be removed during business working hours to prevent window and door blockage. Interior bars must be painted in a manner that is compatible with the exterior façade of the building. Window blinds may be used to cover windows but only during non-business working hours.
 - (2) All 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 the building.

- (3) 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. Exposed cinder blocks are prohibited on building facades.
- (4) Glass storefronts shall not be blocked, covered, or tinted during business hours. 85% of the combined total square footage of all glass on a storefront must remain open and unblocked to maintain a clear sight line into the business.
- (5) Windows
 - (a) Windows not in the front of the building shall be kept properly repaired or, with Fire Department approval, may be closed with materials and a design that match or are compatible with the adjacent wall. Plywood shall not be allowed as an infill material.
 - (b) 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 shall be replaced with glass, plexiglass or lexan. All exposed wood shall be repaired and painted.
 - (c) Window openings in the building front or on sides facing streets shall not be tinted, glazed, filled or boarded up. Windows in unused areas of the upper floors may be backed by a solid surface on the inside of the glass providing that the backing is painted in a manner that is compatible with the exterior façade of the building. Window panes shall not be painted.
- (6) Show Windows
 - (a) A show window as a part of the building façade shall be defined to include:
 - (i) the building face and the entrance area leading to the door;

- (ii) the door, sidelights, transoms, display platforms, devices including lighting and signing designed to be viewed from the public right-of-way and/or areas visible to the public prior to entering the interior portion of the structure.
- (b) Show windows, entrances, signs, lighting, sun protection, porches, 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 grade.
- (c) Enclosures and housing for security grilles and screens shall be as inconspicuous as possible and compatible with other elements of the façade.
- (d) 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.
- (e) All exterior screens and grilles must be constructed so that they can be opened and removed. Such screens and grilles shall be opened or removed during the normal business hours of that business.
- (f) Show windows with aluminum trim, mullions or muntins shall be consistent and compatible with the overall façade design, and may be painted with a paint suitable for metal surfaces.
- (g) Decalcomanias one square foot or less in area may be affixed to show windows or entrance door windows.
- (h) Only 15% of show windows may be covered or blocked during business hours. Examples of items considered into the blockage calculation include exterior grates, signage and banners as well as interior items such as shelves, boxes, posters, set back advertisements and bars. Tinting or glazing of storefront show windows is prohibited.

- (7) Solid or permanently enclosed or covered store fronts shall not be permitted, unless treated as an integral part of the building façade using wall materials and window detailing compatible with the upper floors, or other building surfaces; all damaged, sagging or otherwise deteriorated store fronts, show windows or entrances shall be repaired or replaced.
- (8) Awnings
 - (a) Soft, retractable and non-retractable awnings are permitted over the first floor and on upper floors above windows only.
 - (b) They must be flame proofed.
 - (c) First floor awnings shall not project more than seven (7) feet from the building front, shall not be lower than eight (8) feet above grade, 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) Rigid or fixed metal awnings, sun screens or permanent canopies are not permitted on any portion of the building front, unless approved by the Commissioner of the Department of Housing and Community Development.
 - (f) Awnings must be kept clean and in good repair, otherwise the awnings and associated hardware must be removed.
- (9) 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.
- (10) All exterior front walls which have not been wholly or partially resurfaced or built over shall be repaired and cleaned or painted in an acceptable manner. Brick walls

shall be pointed where necessary. Painted brick walls on the front façade shall be restored to their natural finish. Painted masonry walls shall have loose material removed and must be painted 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. Painting of a front building façade shall be of a color that is approved by the Department of Housing and Community Development.

- (11) Applied facing materials shall be treated as follows: Aluminum siding, corrugated/ ribbed metal and wood, if in good condition, shall be cleaned or painted with a paint suitable for metal surfaces in a color to be approved by the Department of Housing and Community Development. All other materials shall be repaired as necessary according to the minimum standards set forth herein. Aluminum siding, formstone, real or simulated wood shakes or pebble faced plywood shall not be permitted for any future use. All new materials shall be approved by the Department of Housing and Community Development for color, design, and material type.
- (12) Dormer windows on roofs sloping toward the shopping street shall be treated in accordance with the same criteria as building fronts.
- (13) Existing miscellaneous elements on the building fronts, such as empty electrical or other conduits, unused sign brackets, etc., shall be removed.
- (14) Sheet metal gutters and downspouts shall be repaired or replaced as necessary and shall be neatly located and securely installed. Gutters and downspouts shall be painted to harmonize with the other building front colors.

b. 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.

c. Roofs

- (1) Chimneys, elevator penthouses or 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 buildings walls.
- (2) Any new mechanical equipment placed on a roof or elsewhere on a building shall be located so as to be hidden from view from the shopping streets, and to be as inconspicuous as possible from other viewpoints. Equipment shall be screened with suitable elements of a permanent nature or 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 and satellite dishes shall be located so as to be as inconspicuous as possible.
- (4) Roofs shall be kept free of trash, debris, and any other element which is not a permanent part of the building or a functioning element of its mechanical or electrical system.

d. Auxiliary Structures

Structures at the rear of buildings attached or unattached to the principal commercial structure which are structurally deficient, shall be properly repaired or demolished.

e. Yards

Where a front, side or rear yard exists or is created through the demolition of structures, the owner shall condition the open areas in a manner consistent with the following standards. The owner shall submit his proposal for use of space to the Department of Housing and Community Development for approval.

(1) Off-Street Parking Requirements

- (a) 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 except where such screen would inhibit the use of the area for parking and/or loading.
- (b) 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.
- (c) All parking facilities shall be effectively screened except where such screening would inhibit the use of the area for parking and/or loading. Screening shall consist of a masonry wall or durable fence, or combination thereof, not less than four (4) feet in height; in lieu of such wall or fence a compact evergreen hedge of not less than four (4) feet in height at time of original planting may be used. Screening and landscaping shall be maintained in good condition and shall be designed and placed so as not 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.
- (d) 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.
- (e) A sign not exceeding six (6) square feet may be used to identify and control parking and loading.

- (f) Unnecessary and dangerous curb cuts as determined by the Departments of Transportation and Housing and Community Development shall be eliminated.
- (2) No storage or trash containers shall be allowed except where 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.
- (3) Off-Street Loading, Storage and Service
 - (a) 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 except where such screening would inhibit the use of the area for parking and/or loading. 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.
 - (b) 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. Unnecessary and dangerous curb cuts as determined by the Departments of Transportation and Housing and Community Development shall be eliminated.
- (4) Enclosure of Yards

A rear yard may be enclosed along side and rear property lines by an appropriate wall, consistent and harmonious in design with the rear walls on the building. Solid doors or solid gates may be used to the extent necessary for access and delivery. Such walls must be not less than five feet six inches in height. Use of barbed wire or broken glass on top of walls shall not be permitted.

(5) Setbacks

The setback areas abutting street rights-of-way, with the exception of driveways, sidewalks, and other walkways, shall be used exclusively for the planting and growing of trees, shrubs, lawn and other ground covering material. These areas shall not be used for, nor considered in computing the parking and/or loading space requirement.

f. Existing Passageways

- (1) All existing passageways fronting on any street or alley shall comply with the terms of this Plan, especially maintenance and repair of exterior walls.
- (2) They shall be kept structurally intact and free from hazards to the general public.
- (3) They shall be kept free of debris.
- (4) All masonry surfaces shall be pointed and cleaned or painted to present a neat, fresh and uniform appearance.
- (5) Provisions for metal security gates at each end of such passageways shall be the responsibility of the occupants of buildings immediately adjacent. These gates must be provided with a lock. Non-metal gates and non-metal locks are not permitted. It shall be the responsibility of the first floor occupants of buildings immediately adjacent to both sides of passageways to lock gates after normal business hours. Passageways must be provided with sufficient lighting if gates are to be left unlocked during normal business hours after dark. When security gates are “open”, they shall be fixed to the wall either by a metal latch or wood device.

g. Signs

(1) General

Existing signs may remain provided they conform to the provisions herein. All signs must be properly maintained or repaired in a workmanlike manner, otherwise they shall be removed. All signs for businesses which no longer exist and associated sign hardware shall be removed. Product

advertising or supplier product signs shall be permitted provided that such sign or signs in total are no larger than 15% of the area of the allowable sign for the building or 12 square feet, whichever is smaller. All lighting and electrical elements such as wires, conduits, junction boxes, transformers, ballast switches and panel boxes shall be concealed from view as much as possible.

- (2) Flat signs shall be 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 principal frontage of the building. In the case of corner properties, each façade is to be calculated separately based on the linear frontage of the shorter façade. The tops of flat signs shall be placed no higher than the bottom of the second story window where windows exist or 13 feet above grade level, whichever is lower. Signs may be placed higher than 13 feet if such placement is consistent with the exterior design of the building and is approved by the Department of Housing and Community Development. Lettering applied to ground floor show windows or entrance doors shall not exceed two and one half (2-1/2) inches in height. Signs identifying the occupant 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.
- (3) New marquees shall not be permitted. Marquees in use shall be permitted if properly maintained. If it is not properly maintained, the marquee shall be treated as an overhanging sign and subject to the conditions herein.
- (4) Freestanding signs (pole signs) shall only be permitted on sites where buildings are sufficiently set back from their property lines so that visibility of a flat sign from at least one direction is hindered. In these cases, the need for a freestanding sign must be verified by the Commissioner of the Department of Housing and Community Development. Such signs shall not exceed 20 feet in height and 80 square feet in area (total of both faces).
- (5) Signs which project more than 12" from the surface of the building are prohibited.

- (6) Painted signs on building surfaces or use of separate cutout letters shall be permitted in accordance with the above limits on flat signs.
- (7) Non-illuminated secondary flat signs shall be permitted. Such signs shall not exceed two (2) square feet in area and shall not project more than one inch beyond the surface of the buildings, nor shall they be placed higher than 13 feet above grade level.
- (8) One projecting secondary overhanging perpendicular or blade sign shall be permitted. These signs must be double faced and be oriented 90 degrees to the building face. Such signs shall not exceed 6 square feet in area or 12 inches in width and shall not be placed higher than 13 feet above grade level or the bottom of the second story window, whichever is lower. Lettering for projecting signs shall not exceed 12 inches in height. Three dimensional specialty signs (i.e., hammer for a hardware store, eyeglasses for an optician) are encouraged for projecting signs. All projecting signs must be attached to the building using a decorative lever arm not to exceed 4 feet in length. Wires or rope shall not be permitted in the hanging or stabilization of overhanging perpendicular or blade signs. No part of the projecting sign or lever shall extend farther than 4 feet from the building façade. Discreet spotlighting is permitted, but internal illumination is prohibited. Overhanging signs are subject to minor privilege fees. The yearly minor privilege fee depends on the size of the overhanging sign. Business owners must obtain a minor privilege permit prior to installing any overhanging signs.
- (9) The total area of primary and secondary signs combined shall not exceed in area 3 times the width in feet of the principal frontage of the building.
- (10) 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.
- (11) Painted or inlaid signs on cloth awnings are permitted.
- (12) Flashing or moving signs other than barber poles shall not be permitted except if designated as historical in nature by

the Commissioner of the Department of Housing and Community Development.

- (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) No new general advertising signs (exterior banners, billboards and poster boards) shall be permitted. All other signs not conforming to the above regulations shall be removed within one year from the date of enactment of the ordinance approving this Plan, except existing general advertising signs which have not been approved by the Board of Municipal and Zoning Appeals as required by law. These unapproved signs shall be removed immediately.
- (15) No new metal back-lit box signs will be permitted.
- (16) Each business is required to display a postal address number on the front and rear of the business so that it is visible from the street and alley when the business is both opened and closed.

h. Lighting

- (1) The following lighting methods are not permitted to illuminate the front of any building or any side fronting on a major street:
 - (a) Exposed fluorescent lighting.
 - (b) Exposed quartz, sodium, or mercury vapor lamps.
 - (c) Exposed, incandescent lamps other than low wattage, purely decorative lighting.

- (2) The following lighting methods are permitted:
- (a) Fully recessed down lights or wall washers in projecting metal box. Box must run full length of the 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 arm. Housing to prevent glare at pedestrian eye line.
 - (d) Internally lit or back-lit (halo) letters.

i. 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 even appearance and in a manner that is compatible with the materials, design and finish of adjacent footway surfaces.

j. Period of Compliance

To the extent that rehabilitation requirements for commercial uses are specifically applicable to the Belair – Erdman Business Area and are not generally required elsewhere, the work necessary to meet such requirements shall be completed within one (1) year from the date of approval of the ordinance approving this Plan, unless specifically outlined elsewhere herein. Thereafter, all work shall be completed in accordance with the date of completion set forth in the notice from the Commissioner of the Department of Housing and Community Development. 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.

k. 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, show windows, signs, exterior footways 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 yard spaces, location of delivery signs.
 - (e) All exterior materials, colors, and methods of construction.
 - (f) Design of awnings, shutters and upper floor windows.
 - (g) Compatibility of new construction as to scale, color, materials and signing.
 - (h) Design and construction of exterior footways and footway elements such as street trees and driveways.

D. REVIEW OF DEVELOPMENT

1. Department of Housing and Community Development Review

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.

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. Community Review

The Department of Housing and Community Development may submit to the Belair – Edison Improvement Association, or its successor or assignee, for review and comment, the form and content of all proposals to redevelop land to be disposed of and the preliminary and proposed final construction plans for each disposition lot designated in the Plan. The Belair – Edison Improvement Association, or its successor or assignee shall advise the Department of Housing and Community Development of its recommendations in writing regarding the acceptability and/or priority of the plans and proposals submitted to them. The written comments shall be transmitted to the Department no later than 2 weeks after the proposals and/or plans have been submitted to said Association; otherwise, it is presumed that the proposals and/or plans are acceptable. The Commissioner of the Department of Housing and Community Development retains the final authority to approve or disapprove all plans and to grant or withhold development priorities, disposing of redevelopment land through procedures established by the Department.

3. 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. **Streets, 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 an adjacent existing and proposed buildings.

4. **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 in 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, constructions and development in the area.

5. 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 of 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 ordinance relating to new construction.

6. 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.

The disposition parcels shown on Exhibit 3, Property Acquisition/ Land Disposition Mp, are schematic and approximate. The Department of Housing and Community Development shall have the right, in its discretion, to fix their precise boundaries and size. For purposes of disposition, the parcels or lots, as shown on Exhibit 3, may be subdivided or combined.

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 provisions and requirements of this Renewal Plan, as it may be amended from time to time, shall remain in full force and effect for a period of 40 years from the date the Renewal Plan is last amended by the City.

G. PROCEDURES FOR CHANGES IN APPROVED PLAN

1. The Urban Renewal Plan may be amended from time to time upon compliance with the requirements of law, provided that prior to passage of any ordinance amending the Plan, a public hearing shall be held.
2. The Department of Housing and Community Development shall submit to the Belair – Edison Improvement Association or its successor, for review

and comment, all the proposed amendments to the urban renewal plan no later than at 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 this 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 Belair – Edison Improvement Association, or its successor, shall receive, at least ten (10) days prior to such hearing, written 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 circumstance 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.

I. VIOLATIONS

Any person who violates any of the provisions of this Renewal Plan is subject to a fine not exceeding \$500, and each day's violation constitutes a separate offense.