

URBAN RENEWAL PLAN
HAMILTON BUSINESS AREA

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URBAN RENEWAL PLAN
HAMILTON BUSINESS AREA
DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
BALTIMORE, MARYLAND

ORIGINALLY APPROVED BY
THE MAYOR AND CITY COUNCIL OF BALTIMORE
BY ORDINANCE NO. 1207
DATED NOVEMBER 30, 1979

REVISIONS SINCE APPROVAL BY THE MAYOR AND CITY COUNCIL OF BALTIMORE:*

- I. Amendment No. 1, dated January 23, 1995, approved by the Mayor and City Council of Baltimore by Ordinance No. 564, dated June 13, 1995.

* Changes in the text of the Plan can be identified by the Roman Numeral which appears in the margin to the left of the revision.

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HAMILTON BUSINESS AREA

URBAN RENEWAL PLAN

A. PROJECT DESCRIPTION

1. BOUNDARY DESCRIPTION

BEGINNING FOR THE SAME AT A POINT FORMED BY THE INTERSECTION OF AN EXTENDED LINE OF THE NORTHERN LOT LINE OF LOT 16, WARD 27, SECTION 27/28, BLOCK 5412 AND THE WESTERN RIGHT-OF-WAY LINE OF HAMPNETT AVE; THENCE RUNNING IN A SOUTHERLY DIRECTION AND BINDING ON THE WESTERN RIGHT-OF-WAY LINE OF HAMPNETT AVENUE CROSSING HAMILTON AVENUE TO A POINT OF INTERSECTION WITH THE NORTHERN LOT LINE OF LOT 10, WARD 27, SECTION 27/28, BLOCK 5393; THENCE RUNNING IN AN EASTERLY DIRECTION AND BINDING ON THE NORTHERN LOT LINE OF LOT 10, WARD 27, SECTION 27/28, BLOCK 5393, TO A POINT OF INTERSECTION WITH THE EASTERN LOT LINE OF LOT 10, WARD 27, SECTION 27/28, BLOCK 5393; THENCE RUNNING IN A SOUTHERLY DIRECTION AND BINDING ON THE EASTERN LOT LINE OF LOT 10, WARD 27, SECTION 27/28, BLOCK 5393, AND CROSSING AN UNNAMED 20-FOOT ALLEY ALONG AN EXTENDED LINE OF THE EASTERN LOT LINE OF SAID LOT TO A POINT OF INTERSECTION WITH THE SOUTHERN RIGHT-OF-WAY LINE OF AN UNNAMED 20-FOOT ALLEY; THENCE RUNNING IN AN EASTERLY DIRECTION AND BINDING ON THE SOUTHERN RIGHT-OF-WAY LINE OF SAID 20-FOOT ALLEY TO A POINT OF INTERSECTION WITH THE EASTERN LOT LINE OF LOT 37, WARD 27, SECTION 27/28, BLOCK 5393; THENCE RUNNING IN A SOUTHERLY DIRECTION AND BINDING ON THE EASTERN LOT LINE OF LOT 37, WARD 27, SECTION 27/28, BLOCK 5393, CROSSING GIBBONS AVENUE ON AN EXTENDED LINE OF THE EASTERN LOT LINE OF LOT 37, WARD 27, SECTION 27/28, BLOCK 5393, TO A POINT OF INTERSECTION WITH THE SOUTHERN RIGHT-OF-WAY LINE OF GIBBONS AVENUE; THENCE RUNNING IN AN EASTERLY DIRECTION AND BINDING ON THE SOUTHERN RIGHT-OF-WAY LINE OF GIBBONS AVENUE TO A POINT OF INTERSECTION WITH THE WESTERN RIGHT-OF-WAY LINE OF

HARFORD ROAD; THENCE RUNNING IN A SOUTHERLY DIRECTION, BINDING ON THE WESTERN RIGHT-OF-WAY LINE OF HARFORD ROAD TO A POINT OF INTERSECTION WITH AN EXTENDED LINE OF THE SOUTHERN RIGHT-OF-WAY LINE OF GIBBONS AVENUE; THENCE RUNNING IN AN EASTERLY DIRECTION AND BINDING ON THE SAID EXTENDED LINE OF THE SOUTHERN RIGHT-OF-WAY LINE OF GIBBONS AVENUE AND CONTINUING ALONG THE SOUTHERN RIGHT-OF-WAY LINE OF GIBBONS AVENUE TO A POINT OF INTERSECTION WITH AN EXTENDED LINE OF THE EASTERN PROPERTY LINE OF LOT 9, WARD 27, SECTION 2, BLOCK 5774-A; THENCE RUNNING IN A NORTHERLY DIRECTION AND BINDING ON SAID EXTENDED LINE AND THE EASTERN PROPERTY LINE OF LOT 9, WARD 27, SECTION 2, BLOCK 5774-A, TO A POINT OF INTERSECTION WITH THE SOUTHERN RIGHT-OF-WAY LINE OF ST. JOHNS AVENUE; THENCE RUNNING IN AN EASTERLY DIRECTION AND BINDING ON THE SOUTHERN RIGHT-OF-WAY LINE OF ST. JOHNS AVENUE TO A POINT OF INTERSECTION WITH THE WESTERN LOT LINE OF LOT 1, L, WARD 27, SECTION 2, BLOCK 5774-A; THENCE RUNNING IN A NORTHERLY DIRECTION AND BINDING ON THE WESTERN LOT LINE OF LOT 1 L, WARD 27, SECTION 2, BLOCK 5774-A, AND THE WESTERN LOT LINE OF LOT 27, WARD 27, SECTION 2, BLOCK 5774-A, TO A POINT OF INTERSECTION WITH THE SOUTHERN RIGHT-OF-WAY LINE OF HAMILTON AVENUE; THENCE RUNNING IN AN EASTERLY DIRECTION AND BINDING ON THE SOUTHERN RIGHT-OF-WAY LINE OF HAMILTON AVENUE TO A POINT OF INTERSECTION WITH AN EXTENDED LINE OF THE EASTERN RIGHT-OF-WAY LINE OF ARABIA AVENUE; THENCE RUNNING IN A NORTHERLY DIRECTION AND BINDING ON SAID EXTENDED LINE AND THE EASTERN RIGHT-OF-WAY OF ARABIA AVENUE CROSSING WISTERIA AVENUE TO A POINT OF INTERSECTION WITH THE NORTHERN RIGHT-OF-WAY LINE OF WISTERIA AVENUE; THENCE RUNNING IN A WESTERLY DIRECTION AND BINDING ON THE NORTHERN RIGHT-OF-WAY LINE OF WISTERIA AVENUE TO A POINT OF INTERSECTION WITH THE EASTERN RIGHT-OF-WAY LINE OF RICHARD AVENUE; THENCE RUNNING IN A NORTHERLY DIRECTION AND BINDING ON THE EASTERN RIGHT-OF-WAY

LINE OF RICHARD AVENUE, CROSSING EVERGREEN AVENUE TO A POINT OF INTERSECTION WITH THE NORTHERN RIGHT-OF-WAY LINE OF EVERGREEN AVENUE; THENCE RUNNING IN A WESTERLY DIRECTION AND BINDING ON THE NORTHERN RIGHT-OF-WAY LINE OF EVERGREEN AVENUE CROSSING HARFORD ROAD TO A POINT OF INTERSECTION WITH THE WESTERN RIGHT-OF-WAY LINE OF HARFORD ROAD; THENCE RUNNING IN A SOUTHERLY DIRECTION AND BINDING ON THE WESTERN RIGHT-OF-WAY LINE OF HARFORD ROAD TO A POINT OF INTERSECTION WITH THE NORTHERN LOT LINE OF LOT 9/11, WARD 27, SECTION 27/28, BLOCK 5412; THENCE RUNNING IN A WESTERLY DIRECTION AND BINDING ON THE NORTHERN LOT LINE OF LOT 9/11, WARD 27, SECTION 27/28, BLOCK 5412 TO A POINT OF INTERSECTION WITH THE WESTERN LOT LINE OF LOT 9/11; THENCE RUNNING IN A SOUTHERLY DIRECTION AND BINDING ON THE WESTERN LOT LINE OF LOTS 9/11, 8 AND 6/7, WARD 27, SECTION 27/28, BLOCK 5412 TO A POINT OF INTERSECTION WITH THE NORTHERN LOT LINE OF LOT 21/22, WARD 27, SECTION 27/28, BLOCK 5412; THENCE RUNNING IN A WESTERLY DIRECTION AND BINDING ON THE NORTHERN LOT LINE OF LOTS 21/22, 20, 19, 18, 17 AND 16, WARD 27, SECTION 27/28, BLOCK 5412, CROSSING HAMPNETT AVENUE TO THE POINT OF THE BEGINNING.

2. PLAN OBJECTIVES

The basic goal of this Urban Renewal Plan is the revitalization of the Hamilton 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 the plan include:

- a. Establishing a positive and identifiable image for the Hamilton 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 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 Map, Exhibit 1.

2. Land Use Provisions and Standards

a. Permitted Uses

Only the uses shown on the Land Use Plan Map shall be permitted within the project area. The use classifications are Community Business, Community Commercial, and Public. Accessory uses, including landscaping, off-street parking and off-street loading will be permitted. In addition, certain existing uses will be permitted to continue subject to the provisions governing non-conforming uses set forth below in Section B.2.a.(4).

(1) Residential

In the areas designated as Residential on the Land Use Plan Map, uses shall be limited to those uses permitted under the R-3, R-4 and R-5 category of the Zoning Ordinance of Baltimore City.

(2) Office Residential

In the areas designated as Office Residential on the Land Use Plan Map, uses shall be limited to those uses permitted under the O-R-1 category of the Zoning Ordinance of Baltimore City, including parking.

I (3) Community Business

In the areas designated as Community Business on the Land Use Plan Map, uses shall be limited to those uses permitted under the B-2-2 category of the Zoning Ordinance of Baltimore City, including residential uses and parking; however, rent-to-own stores, bail bondsmen, poultry and rabbit killing establishments, pawnshops, liquor and package goods stores, taverns, and second hand stores not in existence on the date of enactment of the ordinance approving Amendment No. 1 of this plan shall not be permitted. Soup kitchens and check cashing as primary uses not in existence on the date of enactment of the ordinance approving Amendment No. 1 of this plan shall not be permitted.

I (4) 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 or bulk regulations of the district in which it is located according to the Zoning Ordinance of Baltimore City. Non-conforming uses shall be permitted to continue, subject to all of the provisions of Chapter 8 of the Zoning Ordinance of Baltimore City entitled "Non-Conformance". A non-conforming use may be sold as long as that use is not discontinued for a period of time which constitutes an abandonment for that class of use under Chapter 8 of the Zoning Ordinance of Baltimore City.

b. Regulations, Controls and Restrictions on Land to be 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) Provisions Applicable to All Land and Property to be 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:

(a) General Provisions

- i. No buildings, structure or parking areas shall be constructed over an easement within the project area without the prior consent of the Commissioner of the Department of Housing and Community Development and the Director of Public Works.
- ii. 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 the Baltimore City regulations regarding containers for garbage; the areas for such containers shall be properly screened.
- iii. Except as otherwise provided in specific lot controls, no signs other than those identifying the structure upon which they are installed or identifying the use conducted therein shall be permitted. No sign shall extend above the roof line or parapet wall of the building to which it is attached; no sign shall project more than 12 inches from the building to which it is attached. No animated or pulsating signs shall be permitted. The total area of exterior signs for each building shall not exceed in gross area three (3) feet times the 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.
- iv. 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 includes planting any, all or a combination of the following: trees, shrubs, ground cover, grass, and flowers. The amount of landscape treatment should be determined by the nature of the development and should serve to improve the utility of the site, soften and relieve the effects of structure and pavement, and provide a visual harmony.
- v. The setback areas abutting street right-of-way, with the exceptions 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.
- vi. Exterior ventilation equipment or any mechanical equipment placed outside of a building, including on the roof, shall be effectively screened.

(b) Off-Street Parking Requirements

- i. Parking spaces shall be provided on all lots for development as established in the Zoning Ordinance of Baltimore City, or in such lesser amount as may be authorized by 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 screening would inhibit the use of the area for parking and/or loading.

- ii. All required parking spaces shall be provided with proper ingress and egress to a public street or alley by means of access drives and aisles.
- iii. All parking facilities shall be effectively screened. 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 times 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.
- iv. All exterior (surface) parking areas shall be paved with a hard dust-free surface, and shall be properly illuminated.

(2) 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.b. 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 to be used to Achieve Plan Objectives

1. Rehabilitation Area

The entire project area is designated for rehabilitation. Property owners will be required to undertake rehabilitation of those structures which are capable of being brought up to the rehabilitation standards.

2. Acquisition

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

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

- (a) It may be necessary to acquire by purchase or 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:
 - i. Any property in the project area containing a non-salvable structure, i.e., a structure which in the opinion of the Commissioner of the Department of Housing and Community Development cannot be economically rehabilitated.
 - ii. 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 24 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.

c. Actions to be Followed by the Department of Housing and Community Development Upon Acquisition of Properties as Non-Salvable or for Non-Compliance with Provisions

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 for uses in accordance with this plan.
- (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) Rehabilitation 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.

d. Relocation

- (1) The Department of Housing and Community Development assures that before individuals or families are displaced from their dwelling units due to the requirements of the 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.
- (2) 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 redevelopment proposals.

3. Property Rehabilitation Standards

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.

a. Building Fronts and Sides Abutting Streets

- (1) 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 that building.
- (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, 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) Windows:

- (a) Windows not in the front of buildings 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 material design and finish of the adjacent wall. Plywood will 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 upper floors of the front of the building shall not be 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 backing is painted in a manner that is compatible with the exterior facade of the building. Window panes shall not be painted.

(4) Show Windows:

- (a) A show window as a part of the building facade shall be defined to include:
 - i. the building face, porches and the entrances are leading to the door.
 - ii. The door, side-lights, transoms, 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.
- (b) Show windows, entrances, signs, lighting, sun protection, porches, security grilles, etc., shall be compatible, harmonious and consistent with the original scale and character of the structure. All show window elements must be located within 13 feet of grade.
- (c) Enclosures and housings for security grilles and screens shall be inconspicuous as possible and compatible with other elements of the facade.
- (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 they can be opened or removed. Such screens and grilles shall be opened or removed during the normal business hours of that business.
- (f) Show windows shall not be painted for advertising purposes but may be painted for authorized identification of the place of business when authorized by the Department of Housing and Community Development.
- (g) Show windows with aluminum trim, mullions or muntins shall be consistent and compatible with the overall facade design, and must be painted with a paint suitable for metal surfaces to simulate a bronze anodized finish.
- (h) Decalcomanias one square foot or less in area may be affixed to show windows or entrance door windows when same are supplied by credit card companies and carry no text or message other than the identification of such companies.

- (5) Solid or permanently enclosed or covered store fronts shall not be permitted, unless treated as an integral part of the building facade 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.
- (6) Awnings:
 - (a) Soft, retractable awnings are permitted over the first floor and on upper floors above windows only.
 - (b) They must be flame proofed.
 - (c) They 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 awnings, sun screens or permanent canopies are not permitted on any portion of the building front.
- (7) 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.
- (8) All exterior front or side 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 masonry walls shall have loose material removed and 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 walls by means of sandblasting shall not be permitted. Painting of a front building facade shall be of a color that is approved by the Department of Housing and Community Development.
- (9) Applied facing materials shall be treated as follows:
Aluminum siding, corrugated/ribbed metal and wood, if in good condition shall be painted with a paint suitable for metal surfaces in an earth toned color to be approved by D.H.C.D.; all other materials shall be repaired as necessary according to the minimum standards set forth in this ordinance; 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 colored in warm earth tones and shall be approved by the D.H.C.D for color, design and material type.
- (10) Dormer windows on roofs sloping toward the shopping street shall be treated in accordance with the same criteria as building fronts.
- (11) Existing miscellaneous elements on the building fronts, such as empty electrical or other conduits, unused sign brackets, etc. shall be eliminated.
- (12) 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 cleaned or painted to present a neat, fresh and uniform appearance. Rear walls shall be painted to cover evenly all miscellaneous patched and filled areas 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 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 mechanical equipment placed on a roof shall be so located as to be hidden from view from the shopping streets, and to be 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 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.

d. Auxiliary Structures

Structures at the rears 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 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 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 screening 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 of 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 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, and shall be properly illuminated, and 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.
- (2) 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.
- (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 from all adjacent street and properties except where such screening would inhibit the use of the area for parking and/or loading. Appropriate screening shall include, but is not necessarily limited to, solid and perforated masonry walls 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 use of the property and shall not be excessive in size.

(4) Enclosures of Yards

A rear yard may 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 not be less than five feet nor more than five feet six inches in height. Use of barbed wire or broken glass on top of walls shall not be permitted.

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 repaired and cleaned or painted to present a neat, fresh and uniform appearance.
- (5) Provision 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 first floor occupants of buildings

immediately adjacent to both sides of such 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 of darkness. When security gates are “open”, they shall be fixed to the wall either by a metal latch or wood device.

g. Signs

(1) No new signs other than those identifying the property where they are installed or identifying the use conducted therein shall be permitted. Advertising by material or product manufacturer shall not be permitted except as primary identification of an establishment. Single advertising/supplier product identification signs shall be permitted provided product/supplier advertising area does not exceed 15% of the allowable sign size. Only one such sign shall be permitted on any face of a building. Material and design of all signs shall be approved by H.C.D. 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. Existing flat signs will be permitted to remain if they solely identify the name of the business within the building and if the product/supplier advertising does not exceed 15% of the existing sign size.

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(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 frontage of the building. In the case of corner properties, each facade is to be calculated separately as to size allowed for each. 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 H.C.D. Lettering, including but not limited to neon signs, applied to ground floor show windows or entrance doors shall not exceed three feet in height and logos shall not exceed three feet in height and the text shall be limited to identification of the business. 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. No more than 50% of the entire window area on each side of the building may be obstructed from view.

(3) Marquees for theaters in operation shall be permitted. Should the theater cease to operate as such, the marquee may be permitted to remain only as long as all of the following conditions are met:

- (a) The theater is owned by the same owners of record as of the enactment of this ordinance, and;
- (b) The marquee is properly maintained, and
- (c) Temporary messages of community interest or those relating to special events are displayed. Temporary messages related to persons or organizations leasing the theater proper will be permitted. Businesses leasing space within the building and not the theater proper may not use the marquee for business identification or advertising unless it is in conjunction with a special event for which the theater proper has been leased on a temporary basis.

Should these conditions cease to exist or should the theater proper be leased to a business for a use other than those aforesated, the marquee shall be treated as an overhanging sign and subject to the conditions of this ordinance.

(4) Painted signs on building surfaces or use of separate cutout letters shall be permitted in accordance with the above limits for flat signs.

- I (5) Non-illuminated secondary signs shall be permitted for the identification of commercial tenants occupying the upper floors of a building. Such signs shall not exceed four (4) square feet in area and shall not project more than one inch beyond the surface of the building, nor shall they be placed higher than (13) feet above grade level.
- (6) Roof top signs, signs above the parapet of a building, billboards, or outdoor advertising signs painted or mounted on structures other than billboards, except as otherwise herein provided, shall not be permitted.
- (7) Painted or inlaid signs on cloth awnings are permitted.
- (8) Flashing or moving signs other than barber poles shall not be permitted.
- I (9) All signs not conforming to the above regulations shall be removed within two years from date of enactment of this plan except billboards larger than sixty square feet, which shall be removed within five years. All signs not conforming to the sign regulations adopted by Amendment No. 1 to this plan shall be removed within two years from the date of enactment of the ordinance approving Amendment No. 1 of this plan. Future minor privilege permits for signs shall be issued only for those signs meeting project design criteria.
- (10) 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.

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 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 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 arm. Housing to prevent glare at pedestrian eyeline.
 - (d) Internally illuminated (except projecting signs) 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 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 Hamilton Business Area and are not generally required elsewhere, the work necessary to meet such requirements shall be completed within two (2) years 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.

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, modification, repairs, rehabilitation or painting affecting the exterior of the existing buildings, 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 obtaining the necessary permits and 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.
- (h) Design and construction of exterior footways and footway elements such as street trees and driveways.

D. Review of Developer's Plans

1. Department of Housing and Community Development Review

The Department of Housing and Community Development specifically reserves the right to review and approve the Redeveloper's plans and specifications for development 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 surrounding.

2. Design Objectives

- a. 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.

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 facades shall be complementary to those adjacent.

- b. Parking Design Objectives

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 except where such screening would inhibit the use of the area for parking and/or loading by dense screen planting and/or masonry screening walls.

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 plantings 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 of 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 the 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 by 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.

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.

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 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 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 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 Requirements of State and Local Laws

1. Land Disposition

- a. Land and property interests acquired by the Mayor and City Council within the area will be disposed of by sale, lease, conveyance or 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 within the project area. No zoning district changes are proposed by this plan. Existing Zoning Districts are indicated on Exhibit No. 4, Zoning Districts.

3. Reasons for the Various Provisions of this Plan

- a. Establishing a positive and identifiable image for the Hamilton 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.

F. Duration of Provisions and Requirements

The provisions and requirements of this plan, as it may be amended from time to time, shall be in effect for a period of not less than twenty (20) years following the date of the approval of this plan by the Mayor and City Council of Baltimore.

G. Procedures for Changes in Approved Plan

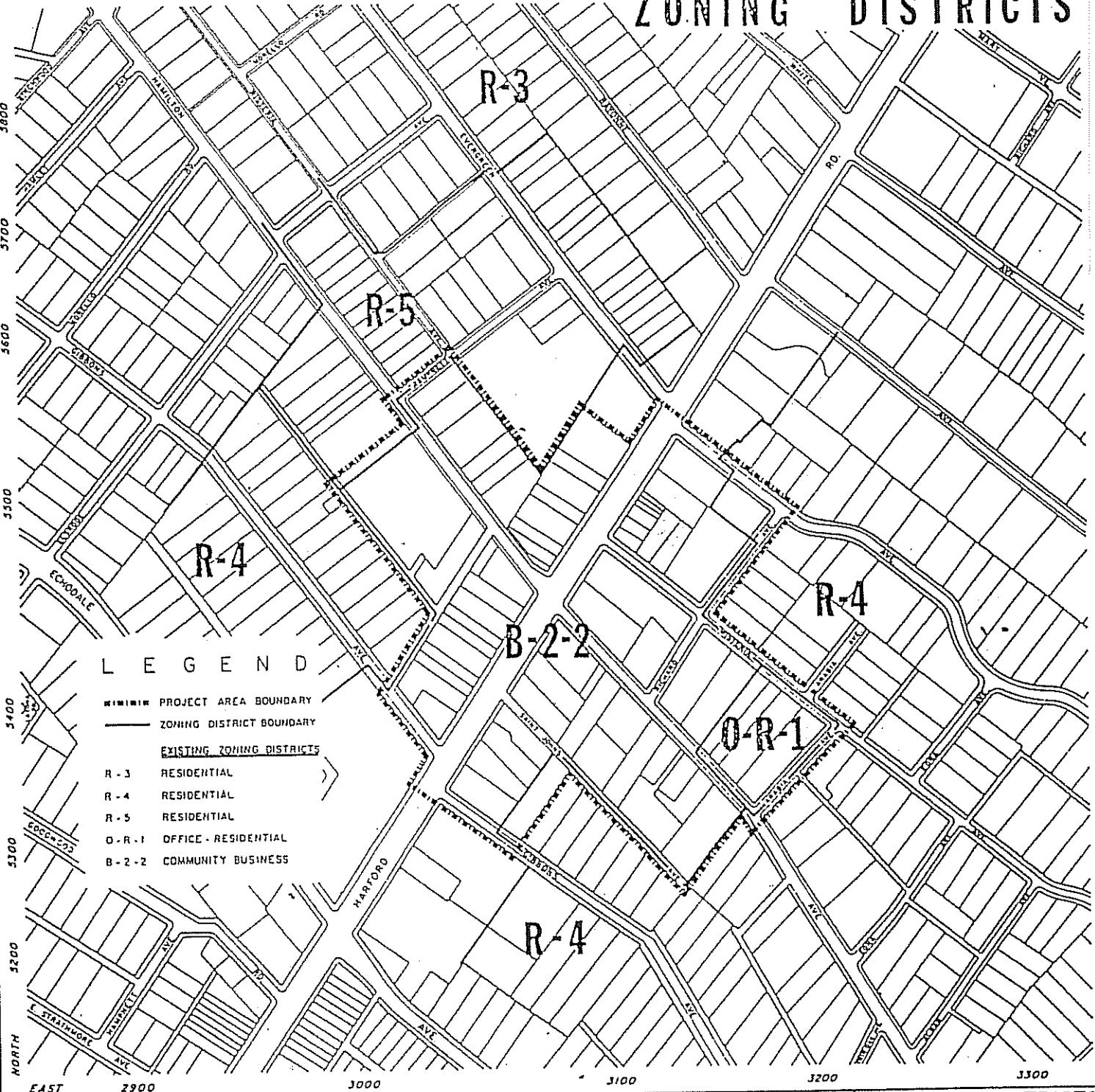
1. The Urban Renewal Plan may be amended from time to time upon compliance with the requirements of law, provided that prior to passage of any ordinance amending the Plan, a public hearing shall be held.
2. The Department of Housing and Community Development shall submit to the Hamilton Businessmen's Association and local improvement associations or their successors, for their review and comments, all proposed amendments to the Urban Renewal Plan no later than the time the proposed amendments are submitted to the City Planning Commission by the Department of Housing and Community Development. Response should be made no later than three (3) weeks after they have been submitted to the Hamilton Businessmen's Association and local improvement associations, or their successor; otherwise, it is presumed that the proposed changes are satisfactory. Prior to the passage of any ordinance amending the Urban Renewal Plan, a public hearing shall be held and the Hamilton Businessmen's Association and local improvement associations or their successors, 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 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.

ZONING DISTRICTS



HAMILTON BUSINESS AREA

PLANNING DIVISION

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT



ZONING DISTRICTS

| | |
|------------------|------------|
| DATE: 11/31/79 | REVISIONS: |
| DRAWN BY: J.A.G. | |
| APPROVED BY: | |

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EXHIBIT

BALTIMORE, MARYLAND