


FROM	NAME & TITLE	Alfred H. Foxx, Director	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	Department of Public Works 600 Abel Wolman Municipal Building		
	SUBJECT	CITY COUNCIL BILL 11-0691		

DATE: October 25, 2011

TO
 The Honorable President and Members
 of the Baltimore City Council
 c/o Karen Randle
 Room 400 - City Hall

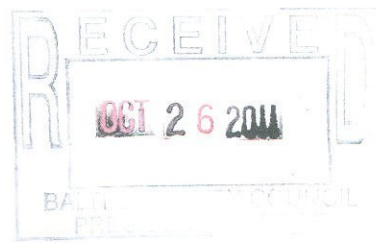
I am herein reporting on City Council Bill 11-0691 introduced by Council members Branch, Stokes and Welch.

The purpose of the Bill is to amend the Urban Renewal Plan for Broadway East to amend and clarify certain land uses, to correct, clarify and conform certain language and references, and to correct and clarify certain provisions concerning nonconforming uses and non-complying structures; waive certain content and procedural requirements; make the provisions of this Ordinance severable; and provide for the application of this Ordinance in conjunction with certain other ordinances.

Ordinance 88-156 established the Urban Renewal Plan for Broadway East and was last amended by Ordinance 11-454. This urban renewal area is primarily residential with some corner commercial establishments, churches, the Collington Square Park, and an industrial area near the railroad line. It is part of the overall plan for portions of East Baltimore near Johns Hopkins Hospital for the biotechnical and residential redevelopment project.

Some urban renewal plans, including the Broadway East Plan, refer to "non-complying uses" and are very restrictive in their allowance within the urban renewal area. These uses are defined as being "any lawfully existing use of a building or other structure, or of land, which does not comply with the land use regulations of the Plan." Strict criteria are applied to the uses, including removal of the non-complying use designation if the use is discontinued for more than 12 months. The Zoning Code does not use this term, but does refer to "nonconforming uses" and "non-complying structures." Subsequent changes to the Zoning Code provides that if a non-conforming use has been discontinued for 12 consecutive months, then the nonconforming use status ceases to be lawful. City Council Bill 11-0691, if approved, would clarify and conform language in the Urban Renewal Plan to reflect the terminology that exists in the Zoning Code, and would remove language that imposes certain restrictions on non-conforming uses. The expected result of the proposed changes would be to provide more viable options for some of the corner store and other non-conforming use buildings with uses more suitable for neighborhoods.

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Based on these findings, the Department of Public Works supports passage of City Council
Bill 11-0691.



Alfred H. Foxx
Director

AHF/MMC:pat

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