

**CITY OF BALTIMORE
COUNCIL BILL 23-0448
(First Reader)**

Introduced by: Councilmember Costello and President Mosby

At the request of: MCB HP Baltimore, LLC

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Introduced and read first time: October 30, 2023

Assigned to: Economic and Community Development Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Parking Authority for Baltimore City, Department of Housing and Community Development, Planning Commission, Department of Public Works, Commission for Historical and Architectural Preservation, Board of Municipal and Zoning Appeals, Baltimore Development Corporation, Department of Transportation, Department of Recreation and Parks, Office of Sustainability

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Urban Renewal – Inner Harbor Project I – Amendment 21**

3 FOR the purpose of amending the Urban Renewal Plan for Inner Harbor Project I; amending the
4 Development Area Controls for certain development areas; amending the Land Use and
5 Proposed Zoning exhibits to the Plan; waiving certain content and procedural requirements,
6 making the provisions of this Ordinance severable; providing the application of this
7 Ordinance in conjunction with certain other ordinances; and providing for a special effective
8 date.

9 BY authority of

10 Article 13 – Housing and Urban Renewal

11 Section 2-6

12 Baltimore City Code

13 (Edition 2000)

14 **Recitals**

15 The Urban Renewal Plan for Inner Harbor Project 1 was originally approved by the Mayor
16 and City Council of Baltimore by Ordinance No. 67-1045, as last amended by Ordinance 15-327.

17 An amendment to the Urban Renewal Plan for Inner Harbor Project I is necessary to update
18 the Development Area Controls for certain development areas and to amend the Land Use and
19 Proposed Zoning Exhibits to reflect changes to the Plan.

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

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1 Under Article 13, § 2-6 of the Baltimore City Code, no substantial change may be made in
2 any approved renewal plan unless the change is approved in the same manner as that required for
3 the approval of the renewal plan.

4 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the
5 following changes in the Urban Renewal Plan for Inner Harbor Project I are approved:

6 (1) In the Plan, amend Section III.B to read as follows:

7 III. Land Disposition

8 B. The Areas shown as available for disposition in Exhibits B, “Development
9 Areas”, and C, “Land Use”, are schematic and approximate, and the Agency
10 shall have the right, in its discretion, to fix their precise boundaries and size.
11 The Agency shall also have the right, [in order] to facilitate the most
12 advantageous development of the Project, to subdivide or combine the
13 Development Areas OR PORTIONS THEREOF, INCLUDING ADJUSTING THE
14 ESTABLISHED PARCEL AND LOT LINES OF DEVELOPMENT AREAS UNDER AGENCY
15 CONTROL, and in so doing to assign or consolidate, as the case may be, the
16 Standards and Controls applicable to said Development Areas. To carry out
17 this Plan, the Agency will formulate appropriate disposition policies and
18 procedures.

19 (2) In the Plan, amend Section V.B. to read as follows:

20 V. Standards and Controls

21 B. Size of Facilities:

22 The minimum and maximum sizes of the various types of facilities in each
23 Development Area shall be determined by [the Agency, provided that the
24 facilities defined in section IV.3 as Office, Housing, Transient Housing, and
25 Retail, in that portion of the Project to be disposed of, shall contain in the
26 aggregate not less than 2,000,000 square feet of gross building area nor more
27 than 4,000,000 square feet of gross building area, and provided further, that
28 the] THE ZONING FOR EACH PARCEL. THE facilities defined in Section IV.3 as
29 Parking, in that portion of the Project to be disposed of, shall contain in the
30 aggregate not less than 3,000 spaces nor more than 4,500 spaces. [The Agency
31 shall set maximum densities of residential development which shall not
32 exceed 250 dwelling units per net acre.]

33 (3) In the Plan, amend Section V.D. to read as follows:

34 V. Standards and Controls

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1 D. Servicing:

2 All servicing shall be off street, and except with respect to Development Areas
3 13 and 15a and to the properties not to be acquired, shall be within structures
4 and roofed, so as to be screened from public view. Loading docks will be
5 provided and in accordance with the Building Code of Baltimore City.
6 Open-air storage of equipment, merchandise, and materials is prohibited,
7 except in Development Areas 17a and 25. Outside exhibit or display of
8 merchandise is prohibited, EXCEPT IN DEVELOPMENT AREAS 13 AND 15A, AND
9 except where specifically permitted by the Department.

10 (4) In the Plan, amend V. P. Development Area 13 to read as follows:

11 V. Standards and Controls

12 P. Development Area Controls:

13 Development Area 13

14 a. General Use: Commercial AND RESIDENTIAL

15 b. Building Requirements:

16 i. Maximum Permitted Height: [Elevation 50 feet, except for limited
17 extensions of specialized construction as may be approved by the
18 Agency] SUBJECT TO THE ZONING OF THE UNDERLYING PARCEL.

19 ii. Vehicular Access: Access will be permitted from the surrounding
20 streets through Development Area 15, in such a manner as may be
21 approved by the Department.

22 iii. Parking: No Parking permitted except for special uses as may be
23 approved by the Department.

24 iv. Planning Review: All preliminary and final plans for Development
25 Area 13 shall be subject to review and comment by [an ad hoc
26 Advisory Task Force (hereinafter called Task Force) which shall be
27 established by the Commissioner of the Department of Housing and
28 Community Development to provide citizen input into the design
29 process for the improvements to be constructed within said
30 Development Area. The size and composition of the said Task force
31 shall be determined by the Commissioner at his sole discretion except
32 that the Task force shall include two representatives of the City
33 Council who shall be appointed by the President. The Department shall
34 retain final authority to approve or disapprove all proposed plans for
35 said area.] THE URBAN DESIGN AND ARCHITECTURE ADVISORY PANEL
36 (UDAAP), AS PART OF THE DESIGN REVIEW PROCESS ESTABLISHED BY
37 TITLE 4, SUBTITLE 4 {"DESIGN REVIEW"} OF THE ZONING CODE.

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1 (5) In the Plan, amend V. P. Development Area 14 as follows:

2 V. Standards and Controls

3 P. Development Area Controls:

4 Development Area 14

- 5 a. General Use: Public AND COMMERCIAL
- 6 b. Building Requirements: [No building construction will be permitted at or
7 above grade level except for that which is related and incidental to the
8 General Use of this Development Area, and which is approved by the
9 Agency, provided that vehicular circulation and parking at or above grade
10 are prohibited.]

11 BUILDING CONSTRUCTION, WHICH IS APPROVED BY THE AGENCY, SHALL BE
12 PERMITTED, PROVIDED THAT THE BUILDING CONSTRUCTION:

- 13 1. DOES NOT EXCEED 3 STORIES; OR
- 14 2. A TOTAL OF 20,000 GROSS SQUARE FEET IN THE AGGREGATE
15 ACROSS DEVELOPMENT AREA 14; AND
- 16 3. THAT VEHICULAR CIRCULATION AND PARKING AT OR ABOVE GRADE
17 ARE PROHIBITED.

18 (6) In the Plan, amend V. P. Development Area 15a to read as follows:

19 V. Standards and Controls

20 P. Development Area Controls:

21 Development Area 15a

- 22 a. General Use: Commercial AND RESIDENTIAL
- 23 b. Building Requirements:
- 24 i. Maximum Permitted Height: [Elevation 50 feet, except for limited
25 extensions of specialized construction as may be approved by the
26 Agency] SUBJECT TO THE ZONING OF THE UNDERLYING PARCEL.
- 27 ii. Vehicular Access: Access will be permitted from the surrounding
28 streets through Development Area 15, in such a manner as may be
29 approved by the Department.

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1 iii. Parking: [No Parking permitted except for special uses as may be
2 approved by the Department.] OFF-STREET PARKING IS PERMITTED
3 WHERE EXPRESSLY APPROVED BY THE DEPARTMENT, PROVIDED THAT
4 THE OFF-STREET PARKING IS NOT LOCATED AT GRADE AND IS SCREENED
5 FROM PUBLIC VIEW.

6 iv. Planning Review: All preliminary and final plans for Development
7 Area 13 shall be subject to review and comment by [an ad hoc
8 Advisory Task Force (hereinafter called Task Force) which shall be
9 established by the Commissioner of the Department of Housing and
10 Community Development to provide citizen input into the design
11 process for the improvements to be constructed within said
12 Development Area. The size and composition of the said Task force
13 shall be determined by the Commissioner at his sole discretion except
14 that the Task force shall include two representatives of the City
15 Council who shall be appointed by the President. The Department shall
16 retain final authority to approve or disapprove all proposed plans for
17 said area.] THE URBAN DESIGN AND ARCHITECTURE ADVISORY PANEL
18 (UDAAP), AS PART OF THE DESIGN REVIEW PROCESS ESTABLISHED BY
19 TITLE 4, SUBTITLE 4 {"DESIGN REVIEW"} OF THE ZONING CODE.

20 (7) Revise Exhibit B, "Development Areas" to reflect the changes in the Plan.

21 (8) Revise Exhibit C, "Land Use" to reflect the changes in the Plan.

22 (9) Revise Exhibit D, "Proposed Zoning" to reflect the changes in the Plan.

23 (10) Revise Exhibit E, "Right-of-Way Adjustments" to reflect the changes in the Plan.

24 **SECTION 2. AND BE IT FURTHER ORDAINED**, That the Urban Renewal Plan for Inner Harbor
25 Project I, as amended by this Ordinance and identified as "Urban Renewal Plan, Inner Harbor
26 Project I, revised to include Amendment 21, dated October 30, 2023", including Exhibit A,
27 "Land Acquisition", dated August 25, 1970, as most recently revised on October 6, 2000;
28 Exhibit B, "Development Areas", dated April 24, 1979, as most recently revised on _____;
29 Exhibit C, "Land Use", dated April 24, 1979, as most recently revised on _____; Exhibit D,
30 "Proposed Zoning", dated April 24, 1979, as most recently revised on _____; Exhibit E,
31 "Right of Way Adjustments", dated April 24, 1979, as most recently revised on _____; and,
32 Exhibit F, "Waterfront Area Controls", dated October 6, 2000, is approved. The Department of
33 Planning shall file a copy of the amended Urban Renewal Plan with the Department of
34 Legislative Reference as a permanent public record, available for public inspection and
35 information.

36 **SECTION 3. AND BE IT FURTHER ORDAINED**, That if the amended Urban Renewal Plan
37 approved by this Ordinance in any way fails to meet the statutory requirements for the content of
38 a renewal plan or for the procedures for the preparation, adoption, and approval of a renewal
39 plan, those requirements are waived and the amended Urban Renewal Plan approved by this
40 Ordinance is exempted from them.

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1 **SECTION 4. AND BE IT FURTHER ORDAINED,** That if any provision of this Ordinance or the
2 application of this Ordinance to any person or circumstance is held invalid for any reason, the
3 invalidity does not affect any other provision or any other application of this Ordinance, and for
4 this purpose the provisions of this Ordinance are declared severable.

5 **SECTION 5. AND BE IT FURTHER ORDAINED,** That if a provision of this Ordinance concerns
6 the same subject as a provision of any zoning, building, electrical, plumbing, health, fire, or
7 safety law or regulation, the applicable provisions shall be construed to give effect to each.
8 However, if the provisions are found to be in irreconcilable conflict, the one that establishes the
9 higher standard for the protection of the public health and safety prevails. If a provision of this
10 Ordinance is found to be in conflict with an existing provision of any other law or regulation that
11 establishes a lower standard for the protection of the public health and safety, the provision of
12 this Ordinance prevails and the other conflicting provision is repealed to the extent of the
13 conflict.

14 **SECTION 6. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the date it is
15 enacted.