

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 08-0018

Introduced by: The Council President
At the request of: The Administration (Department of Planning)
Introduced and read first time: January 28, 2008
Assigned to: Land Use and Transportation Committee

Committee Report: Favorable with amendments
Council action: Adopted
Read second time: March 23, 2009

AN ORDINANCE CONCERNING

**Maritime Industrial Overlay District – Extending “Sunset” –
Owner ~~Opt-Out~~ Petition Exclusion**

FOR the purpose of extending the automatic termination of the Maritime Industrial (Zoning) Overlay District; providing for the ability of property owners to apply for removal of their properties from the District; clarifying certain language; providing for the creation of a committee to study and report on the District; and general relating to the Maritime Industrial Overlay District.

BY repealing and reordaining, with amendments
Ordinance 04-804
Section(s) 6

BY repealing and reordaining, with amendments
Article - Zoning
Section(s) 8-411
Baltimore City Revised Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Laws of Baltimore City read as follows:

Ordinance 04-804
{“Zoning – Maritime Industrial Overlay District”}

SECTION 6. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted. This Ordinance will remain effective [for 10 years] THROUGH DECEMBER 31, 2024; [at the end of] AFTER that [period] DATE, with no further action by the Mayor and City Council, this Ordinance will be abrogated and of no further effect.

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.
Underlining indicates matter added to the bill by amendment.
~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from existing law by amendment.

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Baltimore City Revised Code

Article – Zoning

Title 8. Overlay Districts

Subtitle 4. Maritime Industrial Overlay District

§ 8-411. Proposed MAP amendments.

(A) OWNER APPLICATION.

(1) ON OR AFTER ~~JANUARY 1~~ SEPTEMBER 12, 2014 ~~UNTIL SEPTEMBER 11, 2015~~, AN OWNER OF PROPERTY WITHIN THE MARITIME INDUSTRIAL OVERLAY DISTRICT MAY APPLY TO THE CITY COUNCIL FOR A MAP AMENDMENT TO REMOVE THE PROPERTY FROM THE DISTRICT.

(2) THE APPLICATION MUST BE IN THE FORM OF A PROPOSED ORDINANCE OF THE MAYOR AND CITY COUNCIL OF BALTIMORE, CONTAINING THE INFORMATION AND ACCOMPANIED BY THE DOCUMENTS THAT THE CITY COUNCIL REQUIRES.

(B) [(a)] REVIEW – In general.

[Any] AN APPLICATION UNDER SUBSECTION (A) OF THIS SECTION AND ANY OTHER proposed amendment to the Maritime Industrial Overlay District map must be reviewed AS A CHANGE IN ZONING CLASSIFICATION in accordance with Title 16 {“Legislative Authorizations”} of this article.

(C) [(b)] REVIEW – Planning Commission [review].

In addition, the Planning Commission must ~~consider~~ FIND the proposed amendment ~~in relation to:~~

(1) ~~the Master Plan~~ IS CONSISTENT WITH THE MOST CURRENT BALTIMORE CITY COMPREHENSIVE MASTER PLAN;

(2) SUSTAINS OR ENHANCES TRANSPORTATION ACCESS INTO AND OUT OF THE PORT;

(3) (2) the need to ensure ENSURES the long-term preservation of the deep water assets of the Port of Baltimore for maritime INDUSTRIAL use; ~~and~~

(4) (3) the need to protect PROTECTS maritime INDUSTRIAL LAND uses from the intrusion of non-industrial uses.

(5) SUSTAINS OR ENHANCES THE CURRENT AND FUTURE MARITIME INDUSTRIAL ECONOMIC DEVELOPMENT GROWTH IN THE DISTRICT;

(6) ENSURES DEVELOPMENT IS DESIGNED TO ADEQUATELY SEPARATE NON-INDUSTRIAL LAND USES FROM MARITIME INDUSTRIAL USES; AND

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1 (7) ADHERES WITH FEDERAL AND STATE LAWS REGARDING HOMELAND SECURITY,
2 GENERALLY, AND PORT SAFETY, SPECIFICALLY.

3 **SECTION 2. AND BE IT FURTHER ORDAINED, That:**

4 (a) In January 2010, the Mayor shall appoint an ad hoc committee to evaluate the
5 operations of the Maritime Industrial Overlay District and the effect of the District on
6 the economic development and growth of the City generally. This ad hoc committee
7 shall serve at the pleasure of the Mayor.

8 (b) The committee shall utilize findings from the Maritime Industrial Overlay District
9 annual reports in addition to any other analyses.

10 (c) The committee shall ~~comprise a wide-range of relevant interests, including~~
11 ~~representatives of:~~ consist of 12 members representing:

12 (1) Maritime-related industries operating in the district (2 members);

13 (2) Port-related manufacturers in Baltimore City (1 member);

14 (3) Owners of property in the district (1 member);

15 (4) Private developers (1 member);

16 (5) The Maryland Port Administration (1 member);

17 (6) The Maryland Department of Business and Economic Development (1
18 member);

19 (7) Financial service providers operating in the City (1 member);

20 (8) The Baltimore Development Corporation (1 member);

21 (9) The Baltimore City Department of Planning (1 member);

22 (10) The Baltimore City Council (1 member); and

23 (11) The Mayor or the Mayor's designee.

24 ~~(1) Port-related industries,~~

25 ~~(2) Warehousing and distribution companies,~~

26 ~~(3) Private developers,~~

27 ~~(4) the Maryland Port Administration,~~

28 ~~(5) the Maryland Department of Business and Economic Development,~~

29 ~~(6) the Baltimore County government,~~

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1 ~~(7) the Baltimore Development Corporation,~~

2 ~~(8) the Baltimore Department of Planning,~~

3 ~~(9) the City Council, and~~

4 ~~(10) the Mayor.~~

5 (d) The Mayor shall appoint a chair for the committee.

6 (e) ~~(d)~~ On or before October 31, 2010, the committee shall report to the Mayor and City
7 Council on:

8 (1) the state of the Maritime Industrial Overlay District, and

9 (2) the committee’s recommendations for improving the District, whether by
10 amendment to the Zoning Code provisions governing the District or otherwise
11 consistent with the criteria specified in Zoning Code § 8-411(b).

12 **SECTION 3. AND BE IT FURTHER ORDAINED,** That the catchlines contained in this Ordinance
13 are not law and may not be considered to have been enacted as a part of this or any prior
14 Ordinance.

15 **SECTION 4. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30th day
16 after the date it is enacted.

Certified as duly passed this _____ day of _____, 20__

President, Baltimore City Council

Certified as duly delivered to Her Honor, the Mayor,

this _____ day of _____, 20__

Chief Clerk

Approved this _____ day of _____, 20__

Mayor, Baltimore City