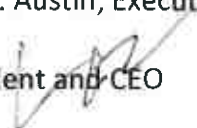




MEMORANDUM

TO: Honorable President and Members of the City Council
Attention: Natawna B. Austin, Executive Secretary

FROM: William H. Cole, President and CEO 

DATE: April 20, 2018

SUBJECT: City Council Bill No. 18-0184
Zoning – Use Regulation – Health-Care Clinics

The Baltimore Development Corporation (BDC) has been asked to comment on City Council Bill No. 18-0184, for the purpose of providing health-care clinics in the C-1, C-1-VC, C-1-E, C-2, and C-3 Zoning Districts require conditional use approved by Ordinance of the Mayor and City Council. The BDC has reviewed this Bill and is very concerned about the potential impacts that it will have on both the business community and City residents.

The healthcare sector is certainly among the most impactful drivers of Baltimore's economy, as our City is home to some of the finest medical institutions in the world, in both academic and community hospital settings. Within that realm, healthcare delivery methods continue to evolve at a rapid pace, as the ever-increasing emphasis on preventive care services and cost efficiency are driving unprecedented growth in community-based ambulatory care facilities. Healthcare providers, patients and insurers are increasingly demanding access to quality care on a more localized, neighborhood scale. Such facilities and services have proven to be among the most effective anchors in solidifying stable communities and revitalizing disadvantaged ones. This bill would severely restrict the establishment of these facilities in our communities.

The types of establishments affected by this bill also extend far beyond "clinics" in a traditional sense. Health-Care Clinics, as defined by the zoning code, broadly captures all uses where "the examination and treatment of individuals on an outpatient basis by 1 or more...licensed healthcare practitioners." This legislation would affect family doctors and dentists, traditional commercial retail uses like pharmacies, and even grocery stores with a pharmacy inside.

BDC strongly believes that there is a need for commercial uses to be allowed "by-right" in commercially zoned areas. Yet this bill gives the same treatment to a doctor's office or pharmacy that the zoning code gives to: A Fraternity or Sorority House; a Bail Bond Establishment; a Banquet Hall; a Check Cashing Establishment; and a Retail Goods Establishment with Alcoholic Beverage Sales. Those are the only other uses in the zoning code that are conditional by ordinance in commercial areas.



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It is unreasonable to expect a pediatrician, dentist, psychologist, physical therapist etc. – to have to pursue a City Council Ordinance just to be able to legally operate in commercially zoned areas. Many of these practitioners run small operations that provide tremendous benefit to the community. These are traditionally commercial uses, and they should be allowed in commercial districts in the same way that retail shops, restaurants, and non-medical offices are. Additionally, pharmacies like Walgreens, CVS and Rite Aid, which in many places not only serve a Health-Care function, but provide access to food and retail goods in many neighborhoods without other retail options, would not be able to operate by-right in major commercial corridors throughout the City.

The attached maps prepared by the Department of Planning show the areas where Health-Care Clinics are currently Permitted (Exhibit A), and where they will be Permitted if this bill passes (Exhibit B). With very limited exceptions, there would be no Permitted land for this use north of 25th Street and east of Falls Road. That includes existing commercial corridors along York Rd., Belair Rd. and Harford Rd. West of I-83 and north of North Ave., only on small stretches of North Avenue and Reisterstown Road would these uses be permitted as part of these major commercial corridors. Virtually every commercial area outside of Downtown would be affected by this.

Unfortunately, this bill would strongly deter or prevent these businesses from locating in the majority of the City's commercial areas. The substantial reduction of Permitted areas for these uses will lead to vacancies in the City's commercial districts, where these businesses are stable and important tenants; will concentrate these uses in a few commercial areas that are far away or inconvenient to most city residents; and will increase costs to the business – which may be passed along to residents - both by requiring higher compliance costs to seek an Ordinance, or through higher rent from the restriction on the supply of eligible land and/or the forced location into high-rent C-4 and C-5 districts. This is not only a business-unfriendly measure. This is unfriendly to any City resident who wants a convenient place to pick up prescriptions or buy a new pair of eyeglasses (if the shop also provides eye exams, which many do), not to mention take a sick child to a pediatrician.

BDC opposes restricting the placement of traditional commercial uses in commercially zoned areas, and believes that doing so in this case will be a disservice to the residents of Baltimore City that deserve convenient access to health care options in their communities. BDC opposes Bill No. 18-0184.

cc: Kyron Banks

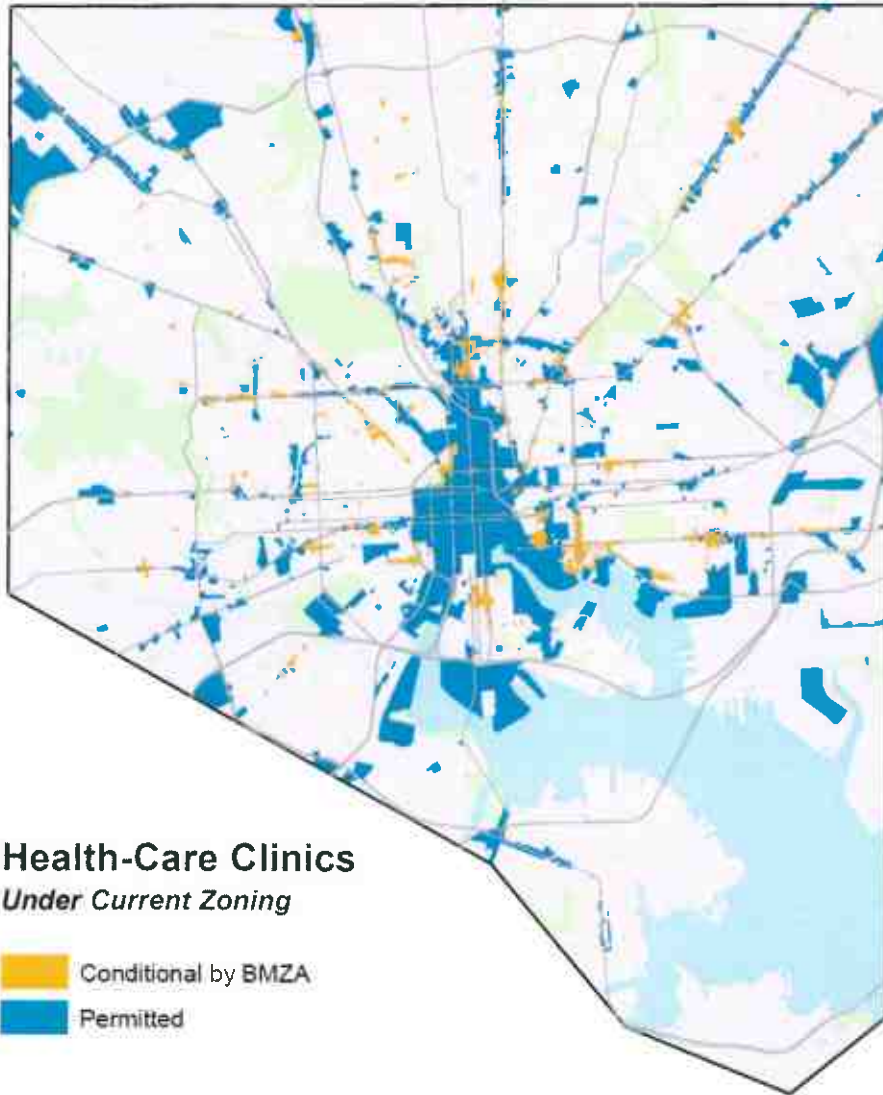


EXHIBIT A

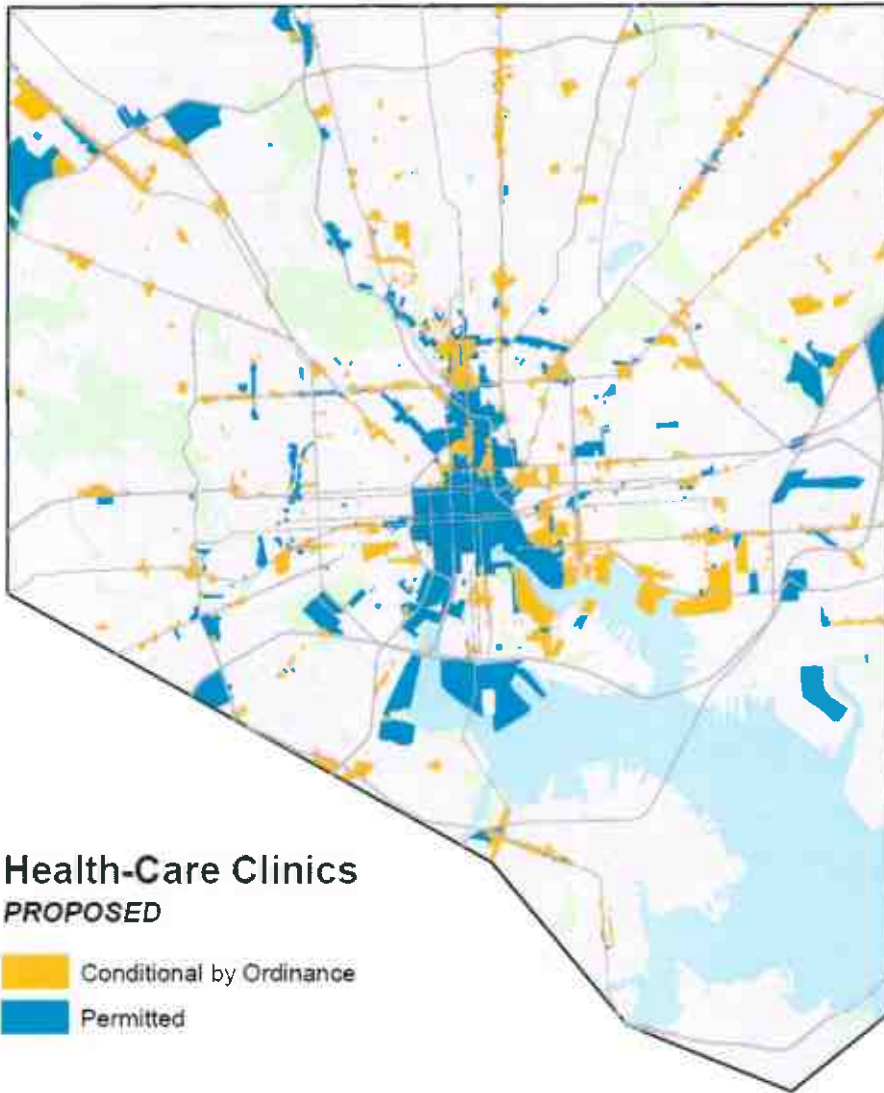


EXHIBIT B