
CITY OF BALTIMORE

BRANDON M. SCOTT
Mayor



DEPARTMENT OF LAW
EBONY THOMPSON
ACTING CITY SOLICITOR
100 N. HOLLIDAY STREET
SUITE 101, CITY HALL
BALTIMORE, MD 21202

January 22, 2024

The Honorable President and Members
of the Baltimore City Council
Attn: Executive Secretary
Room 409, City Hall
100 N. Holliday Street
Baltimore, Maryland 21202

Re: City Council Bill 23-0448 – Inner Harbor Project I – Amendment 21

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 23-0448 for form and legal sufficiency. The bill would amend the Urban Renewal Plan for Inner Harbor Project I. Specifically, it would update the Development Area Controls for certain development areas and amend the Land Use and Proposed Zoning Exhibits to reflect changes to the Plan. Among other changes, it would: allow for specific development area boundaries to be modified to reflect changes to parcel lines; amend Section V.B. of the Plan to make the minimum and maximum facility sizes in each Development Area determined by the zoning for each parcel; add residential uses to Development Area 13, with maximum height subject to the underlying zoning and preliminary and final development plans subject to review by the Urban Design and Architectural Advisory Panel (“UDAAP”) pursuant to Title 4, Subtitle 4 of the Zoning Code; add commercial uses to Development Area 14, with accompanying building restrictions pertaining to stories, square feet, and vehicular circulation and parking; add residential uses to Development Area 15a, with maximum height subject to the underlying zoning, development plans subject to review by UDAAP, and off-street parking permitted with restrictions; and revise Exhibits B, C, D, and E, to reflect changes in the Plan.

Any changes in an Urban Renewal plan, such as these changes, must be made by ordinance. City Code, Art. 13, § 2-6(g)(1). Since this is not a technical amendment, it requires the same notice as that required to adopt the original ordinance that created the Plan. City Code, Art. 13, § 2-6(g)(2), (3). Thus, notice of the City Council hearing must be posted in the neighborhood of the area involved at least ten days prior to the hearing. City Code, Art. 13, § 2-6(d)(3)(i). Additionally, notice of the City Council hearing must be published once a week for two consecutive weeks in a newspaper of general circulation in Baltimore City. City Code, Art. 13, § 2-6(d)(3)(ii).

As for substance, the addition of residential uses and off-street parking to certain Development Areas may conflict with Section 9 of Article I of the Charter, which currently does not allow for residential uses or off-street parking within the Inner Harbor Park boundaries. However, the Law Department is aware that Bill 23-0444 is pending and, if passed by the Council and by City voters, would amend the Charter to permit such uses. If that does not happen, these use changes within the Plan would be ineffective.

Provided that the notice requirements outlined above are met, the Law Department may approve City Council Bill 23-0448 for form and legal sufficiency.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Jeffrey Hochstetler', with a long horizontal flourish extending to the right.

Jeffrey Hochstetler
Chief Solicitor

cc: Ebony Thompson, Acting City Solicitor
Nina Themelis, Mayor's Office of Government Relations
Elena DiPietro, Chief Solicitor, General Counsel Division
Hilary Ruley, Chief Solicitor
Ashlea Brown, Chief Solicitor
Michelle Toth, Assistant Solicitor
Teresa Cummings, Assistant Solicitor