

**CITY OF BALTIMORE  
COUNCIL BILL 15-0472  
(First Reader)**

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Introduced by: Councilmember Welch

At the request of: Bon Secours Baltimore Health Corporation

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Introduced and read first time: January 12, 2015

Assigned to: Urban Affairs and Aging Committee

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REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Planning Commission, Department of  
Housing and Community Development, Department of Public Works, Commission for Historical  
and Architectural Preservation, Baltimore Development Corporation, Department of  
Transportation

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A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Urban Renewal – Franklin Square –**  
3 **Amendment \_**

4 FOR the purpose of amending the Urban Renewal Plan for Franklin Square to amend certain  
5 Exhibits to reflect the change in the land use plan and the change in zoning, on approval by  
6 separate ordinance, for the property known as 31-35 North Fulton Avenue; waiving certain  
7 content and procedural requirements; making the provisions of this Ordinance severable;  
8 providing for the application of this Ordinance in conjunction with certain other ordinances;  
9 and providing for a special effective date.

10 BY authority of  
11 Article 13 - Housing and Urban Renewal  
12 Section 2-6  
13 Baltimore City Code  
14 (Edition 2000)

15 **Recitals**

16 The Urban Renewal Plan for Franklin Square was originally approved by the Mayor and City  
17 Council of Baltimore by Ordinance 78-831 and last amended by Ordinance 87-919.

18 An amendment to the Urban Renewal Plan for Franklin Square is necessary to amend  
19 Exhibits 1 and 4 of the Urban Renewal Plan to reflect the change in the land use plan and the  
20 change of zoning, upon approval by separate ordinance, for the property known as 31-35 North  
21 Fulton Avenue.

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

**Council Bill 15-0472**

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

- 6 1. Upon approval of rezoning by separate ordinance, amend Exhibit 1, “Land Use Plan”,  
7 to reflect the change in the land use category for the property known as 31-35 North  
8 Fulton Avenue, from Residential to Community Business.
- 9 2. Upon approval of rezoning by separate ordinance, amend Exhibit 4, “Zoning  
10 Districts”, to reflect the change of zoning for the property known as 31-35 North  
11 Fulton Avenue, from the R-9 Zoning District to the B-2-2 Zoning District.

12 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the Urban Renewal Plan for Franklin  
13 Square, as amended by this Ordinance and identified as “Urban Renewal Plan, Franklin Square,  
14 revised to include Amendment \_\_, dated November 10, 2014”, is approved. The Department of  
15 Planning shall file a copy of the amended Urban Renewal Plan with the Department of  
16 Legislative Reference as a permanent public record, available for public inspection and  
17 information.

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

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

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

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