

**CITY OF BALTIMORE
COUNCIL BILL 07-0628
(First Reader)**

Introduced by: Councilmembers Kraft, Curran
At the request of: Harbor East Parcel D - Acquisition, LLC
Address: c/o H&S Properties Development Corp., 1515 Fleet Street, Baltimore, Maryland
21231
Telephone: 443-573-4000
Introduced and read first time: March 26, 2007
Assigned to: Urban Affairs and Aging Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Planning Commission, Department of Housing and Community Development, Department of Public Works, Baltimore Development Corporation, Board of Municipal and Zoning Appeals, Baltimore City Parking Authority Board, Department of Transportation

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Urban Renewal – Inner Harbor East –**
3 **Amendment __**

4 FOR the purpose of amending the Urban Renewal Plan for Inner Harbor East to revise the
5 specific lot controls applicable to Development Area Q3 and correcting certain references;
6 waiving certain content and procedural requirements; making the provisions of this
7 Ordinance severable; providing for the application of this Ordinance in conjunction with
8 certain other ordinances; and providing for a special effective 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 East was originally approved by the Mayor and
16 City Council of Baltimore by Ordinance 71-1188 and last amended by Ordinance 03-614.

17 An amendment to the Urban Renewal Plan for Inner Harbor East is necessary to revise the
18 specific lot controls applicable to Development Area Q3 and to make minor technical
19 corrections.

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

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

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

3 (1) In the Plan, amend F.2.b.(3) to read as follows:

4 (3) Planned Development: Such other uses as are permitted in certain portions of the
5 Urban Renewal Area that are now or may later be subject to any Planned UNIT
6 Development (“PUD”), created pursuant to [Chapter 12 of Article 30 of the
7 Baltimore City Code] TITLE 9 OF THE ZONING CODE OF BALTIMORE CITY.

8 (2) In the Plan, amend G.14.a.(2) to read as follows:

9 (2) Development Area Q3

10 THE SPECIFIC LOT AREA CONTROLS AND THE SPECIFIC DEVELOPMENT PROGRAM
11 WITHIN DEVELOPMENT AREA Q3 SHALL BE AS SET FORTH IN ANY APPLICABLE
12 PUD. It is HOWEVER the objective of this Plan that within this Development
13 Area, the following development program shall be outlined:

14 A minimum of [275,000] 800,000 square feet in the aggregate of primary office
15 space, residential UNITS and/or [ground floor] retail[;], provided that a maximum
16 of 250 hotel rooms may be developed AS WELL, so long as such development is
17 completed as part of an overall development plan for this Development Area that
18 ALSO includes the foregoing office, residential, and/or retail space.

19 The size and configuration of the Development Area shall generally be as
20 illustrated on Exhibit B.

21 (3) In the Plan, amend G.14.e. to read as follows:

22 e. Development Area Q3:

23 The maximum permitted building height on Development Area Q3 [is 180.0 feet
24 above grade] SHALL NOT EXCEED THE HEIGHTS SET FORTH IN ANY APPLICABLE
25 PUD.

26 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the Urban Renewal Plan for Inner Harbor
27 East, as amended by this Ordinance and identified as “Urban Renewal Plan, Inner Harbor East,
28 revised to include Amendment __, dated March 26, 2007”, is approved. The Department of
29 Planning shall file a copy of the amended Urban Renewal Plan with the Department of
30 Legislative Reference as a permanent public record, available for public inspection and
31 information.

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

37 **SECTION 4. AND BE IT FURTHER ORDAINED,** That if any provision of this Ordinance or the
38 application of this Ordinance to any person or circumstance is held invalid for any reason, the

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1 invalidity does not affect any other provision or any other application of this Ordinance, and for
2 this purpose the provisions of this Ordinance are declared severable.

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

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