

**CITY OF BALTIMORE
COUNCIL BILL 08-0139
(First Reader)**

Introduced by: The Council President
At the request of: The Administration (Department of Housing and Community Development)
Introduced and read first time: June 9, 2008
Assigned to: Urban Affairs and Aging Committee

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

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Urban Renewal – Inner Harbor Project I-A –**
3 **Amendment _**

4 FOR the purpose of amending the Urban Renewal Plan for Inner Harbor Project I-A to amend the
5 height restrictions for certain property within the project area; waiving certain content and
6 procedural requirements; making the provisions of this Ordinance severable; providing for
7 the application of this Ordinance in conjunction with certain other ordinances; and providing
8 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 Project I-A was originally approved by the Mayor
16 and City Council of Baltimore by Ordinance 78-710.

17 An amendment to the Urban Renewal Plan for Inner Harbor Project I-A is necessary to
18 amend the height restrictions for certain property within the project area.

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

22 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the
23 following changes in the Urban Renewal Plan for Inner Harbor Project I-A are approved:

24 (1) In Appendix A of the Plan, delete A.5 and substitute new A.5 to read as follows:

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

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1 A. Exterior Rehabilitation Guidelines

- 2 5. [Vertical expansion of existing structures is prohibited. Should an existing
3 structure within the project area be demolished, new construction not be
4 permitted to exceed the building envelope of the existing structure prior to
5 demolition.] NO VERTICAL EXPANSION OF EXISTING STRUCTURES WILL BE
6 PERMITTED. IN THE EVENT OF DEMOLITION OF AN EXISTING STRUCTURE OR
7 PART THEREOF, NEW CONSTRUCTION ON THE SITE SHALL NOT EXCEED THE
8 HEIGHT OF THE PREVIOUS STRUCTURE OR PART THEREOF. FOR THE PROPERTY
9 KNOWN AS 100 E. MONTGOMERY STREET (BLOCK 899, LOT 1), THIS
10 PARAGRAPH 5 PERMITS THE RESTORATION OF THE HISTORIC MANSARD ROOF
11 AND/OR PREVIOUSLY EXISTING BUILDING HEIGHTS, SUBJECT TO
12 DEPARTMENTAL APPROVAL.

13 (2) In Appendix A of the Plan, add new paragraph B.4. to read as follows:

14 B. Guidelines for Exterior Signs

- 15 4. NOTWITHSTANDING THE PROVISIONS OF THIS SECTION B, ANY WALL-OR
16 SURFACE-MOUNTED SIGN THAT REPLICATES, IN AN IDENTICAL OR SIMILAR
17 MANNER, PREVIOUS HISTORIC SIGNAGE ON THE ORIGINAL STRUCTURE IS
18 PERMITTED, SUBJECT TO DEPARTMENTAL APPROVAL. ROOF-TOP SIGNS OR
19 SIGNS EXTENDING ABOVE ROOF PARAPETS ARE NOT PERMITTED.

20 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the Urban Renewal Plan for Inner Harbor
21 Project I-A, as amended by this Ordinance and identified as “Urban Renewal Plan, Inner Harbor
22 Project I-A, revised to include Amendment __, dated June 9, 2008”, is approved. The Department
23 of Planning shall file a copy of the amended Urban Renewal Plan with the Department of
24 Legislative Reference as a permanent public record, available for public inspection and
25 information.

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

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

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

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