

CITY OF BALTIMORE
COUNCIL BILL 14-0408
(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 23, 2014

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, Commission for Historical and Architectural Preservation, Baltimore Development Corporation, Department of Recreation and Parks, Baltimore City Parking Authority Board, Department of Transportation

A BILL ENTITLED

1 AN ORDINANCE concerning

2 style="text-align:center">**Urban Renewal – Fells Point Waterfront –**
3 style="text-align:center">**Amendment _**

4 FOR the purpose of amending the Urban Renewal Plan for Fells Point Waterfront to change the
5 location for the promenade that is to provide public access for Disposition Lot 22; waiving
6 certain content and procedural requirements; making the provisions of this Ordinance
7 severable; providing for the application of this Ordinance in conjunction with certain other
8 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 style="text-align:center">**Recitals**

15 The Urban Renewal Plan for Fells Point Waterfront was originally approved by the Mayor
16 and City Council of Baltimore by Ordinance 07-569.

17 An amendment to the Urban Renewal Plan for Fells Point Waterfront is necessary to change
18 the location for the promenade that is to provide public access for Disposition Lot 22.

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

22 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the
23 following change in the Urban Renewal Plan for Fells Point Waterfront is approved:

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

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

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B. Land Use Plan

3. Regulations, Controls and Restrictions

b. Provisions Applicable to All Land and Properties

(2) Controls on Disposition Lots

The following regulations, controls, and restrictions will be implemented where applicable by covenants or other provisions in the agreements for land disposition by the Mayor and City Council and instruments of conveyance executed pursuant thereto:

...
(b) Specific Lot Controls

Disposition Lot 22

Disposition Lot 22 shall be developed as a hotel and/or residential use in the context of a hotel, office space, retail, restaurant and bar, which may include outdoor seating, marina, maritime services, and parking.

This project is being redeveloped in accordance with the United States Department of the Interior’s Standards for Rehabilitation of Historic Properties, subject to approval of the Baltimore City Department of Planning.

Disposition Lot 22 shall be exempt from the Waterfront Area Controls, as specified in Appendix A of this Plan.

There shall be a promenade providing public access [to the open space on the south end of the pier] AT THE NORTHERN BOUNDARY OF THE SITE.

SECTION 2. AND BE IT FURTHER ORDAINED, That the Urban Renewal Plan for Fells Point Waterfront, as amended by this Ordinance and identified as “Urban Renewal Plan, Fells Point Waterfront, revised to include Amendment __, dated June 23, 2014”, is approved. The Department of Planning shall file a copy of the amended Urban Renewal Plan with the Department of Legislative Reference as a permanent public record, available for public inspection and information.

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

SECTION 4. AND BE IT FURTHER ORDAINED, That if any provision of this Ordinance or the 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 is
13 enacted.