

**CITY OF BALTIMORE
COUNCIL BILL 08-0260
(First Reader)**

Introduced by: Councilmember Cole
Introduced and read first time: December 4, 2008
Assigned to: Urban Affairs and Aging Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Board of Municipal and Zoning Appeals, Planning Commission, 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 – Central Business District –**
3 **Amendment _____**

4 FOR the purpose of amending the Urban Renewal Plan for the Central Business District to limit
5 hours of operation for certain uses within the portion of the National Historic Landmark
6 District that lies within the Project Area; waiving certain content and procedural
7 requirements; making the provisions of this Ordinance severable; providing for the
8 application of this Ordinance in conjunction with certain other ordinances; and providing for
9 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 the Central Business District was originally approved by the
17 Mayor and City Council of Baltimore by Ordinance 01-170.

18 An amendment to the Urban Renewal Plan for the Central Business District is necessary to
19 further recognize the cultural and architectural value of the buildings in the portion of the
20 National Historic Landmark District that lies within the Project Area

21 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the
22 following changes in the Urban Renewal Plan for the Central Business District are approved:

23 (1) In the Plan, amend Section D to add a new subsection D.4, as follows:

24 D. Land Use Provisions.

25 4. OPERATING HOURS.

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

Council Bill 08-0260

1 A. WITHIN THE PORTION OF THE NATIONAL HISTORIC LANDMARK
2 DISTRICT THAT LIES WITHIN THE PROJECT AREA, CONVENIENCE STORE
3 ESTABLISHMENTS ARE PROHIBITED FROM OPERATING BETWEEN THE
4 HOURS OF 11 P.M. AND 5 A.M.

5 B. THE PORTION OF THE NATIONAL HISTORIC LANDMARK DISTRICT THAT
6 LIES WITHIN THE PROJECT AREA IS AS FOLLOWS:

7 BEGINNING AT THE SOUTHWEST CORNER OF CATHEDRAL STREET
8 AND CENTRE STREET; THENCE EASTERLY, BINDING ON THE SOUTH
9 SIDE OF CENTRE STREET, 825 FEET, MORE OR LESS, TO INTERSECT
10 THE EAST SIDE OF ST. PAUL STREET; THENCE SOUTHWESTERLY,
11 BINDING ON THE WEST SIDE OF ST. PAUL STREET, 250 FEET, MORE
12 OR LESS, TO THE SOUTHWEST CORNER OF ST. PAUL STREET AND
13 HAMILTON STREET; THENCE WESTERLY, BINDING ON THE SOUTH
14 SIDE OF HAMILTON STREET, 726 FEET, MORE OR LESS, TO
15 INTERSECT CATHEDRAL STREET; THENCE NORTHERLY, BINDING ON
16 THE WEST SIDE OF CATHEDRAL STREET, 241 FEET, MORE OR LESS
17 TO THE PLACE OF BEGINNING.

18 (2) Revise Exhibit C, “Land Use Plan”, to reflect the changes in the Plan.
19

20 **SECTION 2. AND BE IT FURTHER ORDAINED**, That the Urban Renewal Plan for the Central
21 Business District, as amended by this Ordinance and identified as “Urban Renewal Plan, Central
22 Business District, revised to include Amendment ____, dated _____”, is approved.
23 The Department of Planning shall file a copy of the amended Urban Renewal Plan with the
24 Department of Legislative Reference as a permanent public record, available for public
25 inspection and 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.

Council Bill 08-0260

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