

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 15-0472

Introduced by: Councilmember Welch
At the request of: Bon Secours Baltimore Health Corporation
Address: c/o Ryan J. Potter, Esquire, Gallagher Evelius & Jones LLP, 218 North Charles Street,
Suite 400, Baltimore, Maryland 21202
Telephone: 410-951-1404
Introduced and read first time: January 12, 2015
Assigned to: Urban Affairs and Aging Committee

Committee Report: Favorable with amendments
Council action: Adopted
Read second time: May 4, 2015

AN ORDINANCE CONCERNING

**Urban Renewal – Franklin Square –
Amendment 3**

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

Recitals

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

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

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

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.
Underlining indicates matter added to the bill by amendment.
~~Strike out~~ indicates matter stricken from the bill by
amendment or deleted from existing law by amendment.

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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 Franklin Square are approved:

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

9 **SECTION 2. AND BE IT FURTHER ORDAINED**, That the Urban Renewal Plan for Franklin
10 Square, as amended by this Ordinance and identified as “Urban Renewal Plan, Franklin Square,
11 revised to include Amendment 3, dated November 10, 2014”, is approved. The Department of
12 Planning shall file a copy of the amended Urban Renewal Plan with the Department of
13 Legislative Reference as a permanent public record, available for public inspection and
14 information.

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

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

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

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

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Certified as duly passed this _____ day of _____, 20__

President, Baltimore City Council

Certified as duly delivered to Her Honor, the Mayor,
this _____ day of _____, 20__

Chief Clerk

Approved this _____ day of _____, 20__

Mayor, Baltimore City