

**CITY OF BALTIMORE
COUNCIL BILL 16-0731
(First Reader)**

Introduced by: Councilmember Costello

At the request of: Balti-West 300, LLC

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Introduced and read first time: August 15, 2016

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, Commission for Historical and Architectural Preservation, Baltimore Development Corporation, Department of Transportation

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Urban Renewal – Market Center –**
3 **Amendment** __

4 FOR the purpose of amending the Urban Renewal Plan for Market Center to amend Exhibit 3 of
5 the Plan to reflect the change in zoning, upon approval by separate ordinance, for the property
6 known as 325 West Baltimore Street; waiving certain content and procedural requirements;
7 making the provisions of this Ordinance severable; providing for the application of this
8 Ordinance in conjunction with certain other ordinances; and providing for a special effective
9 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 Market Center was originally approved by the Mayor and City
17 Council of Baltimore by Ordinance 77-579 and last amended by Ordinance 14-312.

18 An amendment to the Urban Renewal Plan for Market Center is necessary to amend Exhibit 3
19 of the Plan to reflect the change in zoning, upon approval by separate ordinance, for the property
20 known as 325 West Baltimore Street.

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.

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1 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the
2 following change in the Urban Renewal Plan for Market Center is approved:

3 Upon approval of rezoning, by separate ordinance, amend Exhibit 3, “Zoning Districts”,
4 to reflect the change in zoning for the property known as 325 West Baltimore Street, from
5 the B-4-1 Zoning District to the B-4-2 Zoning District.

6 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the Urban Renewal Plan for Market
7 Center, as amended by this Ordinance and identified as “Urban Renewal Plan, Market Center,
8 revised to include Amendment __, dated August 15, 2016”, is approved. The Department of
9 Planning shall file a copy of the amended Urban Renewal Plan with the Department of
10 Legislative Reference as a permanent public record, available for public inspection and
11 information.

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

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

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

30 **SECTION 6. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect when it is
31 enacted.