

CITY OF BALTIMORE
COUNCIL BILL 07-0745
(First Reader)

Introduced by: Councilmembers Kraft, D'Adamo, Mitchell, Crider

Introduced and read first time: July 16, 2007

Assigned to: Urban Affairs and Aging Committee

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

A BILL ENTITLED

AN ORDINANCE concerning

**Urban Renewal – Hispanic Town –
Renewal Area Designation and Urban Renewal Plan**

FOR the purpose of designating as a “Renewal Area” an area situated in Baltimore City, Maryland known as Hispanic Town, bounded generally by East Lombard Street to the north, Bank Street to the south, the western property lot lines of the even numbered addresses of Broadway to the west, and the eastern property lot lines of the odd numbered addresses of Broadway to the east, in addition to 1704 Gough Street; approving a Renewal Plan for Hispanic Town; establishing the objectives of the Plan; establishing permitted land uses and uses permitted in any Planned Unit Development in the Renewal Area; providing for review by the Department of Housing and Community Development of development in the Renewal Area; providing for height limitations; providing that where there may be a conflict between the provisions of the Renewal Plan and the provisions of any Planned Unit Development, the provisions of the Planned Unit Development control; providing for review by the Commission for Historical and Architectural Preservation of development in the Renewal Area, according to the standards that it has set for the Fells Point Local Historic District; providing that the provisions of the Zoning Code of Baltimore City apply to the properties in the Project Area; providing for the term of the Plan; establishing procedures for amending the Plan; approving an exhibit for the Plan; waiving certain content and procedural requirements; making the provisions of this Ordinance severable; and providing for the application of this Ordinance in conjunction with certain other ordinances.

By authority of

Article 13 - Housing and Urban Renewal
Section 2-6
Baltimore City Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the area known as Hispanic Town, as more particularly described in Section 2, is established.

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

Council Bill 07-0745

SECTION 2. AND BE IT FURTHER ORDAINED, That the Urban Renewal Plan for Hispanic Town is adopted to read as follows:

Urban Renewal Plan Hispanic Town

A. Project Description

1. Boundary Description

Beginning at a point on the centerline of E. Lombard Street (50 feet wide), 198 feet west of the centerline of S. Broadway (130 feet wide); thence running southerly 145 feet to the northern property line of 112 S. Broadway; thence westerly a distance of 84 feet to the eastside of S. Bethel Street (20 feet wide); thence southerly a distance of 70 feet to the southern property line of 116 S. Broadway; thence easterly a distance of 69 feet 8 inches to the rear property line of 113 S. Bethel Street; thence southerly a distance of 96 feet to the rear property line of 1646 E. Pratt Street; thence easterly a distance of 99 feet 6 inches to the eastern property line of 1646 E. Pratt Street; thence south a distance of 4 feet; thence easterly a distance of 12 feet to the eastern property line of 1648 E. Pratt Street; thence southerly a distance of 98 feet to the centerline of E. Pratt Street (60 feet wide); thence westerly a distance of 51 feet 6 inches; thence southerly, along the rear property line of 200 S. Broadway, a distance of 190 feet to the southern property line of 210-14 S. Broadway; thence easterly a distance of 23 feet, to the rear property line of 216 S. Broadway; thence southerly a distance of 16 feet 6 inches; thence westerly a distance of 44 feet 9 inches, to the rear property line of 218 S. Broadway; thence southerly a distance of 16 feet 6 inches to the northern property line of 220 S. Broadway; thence westerly a distance of 42 feet; thence southerly a distance of 16 feet 6 inches to the southern property line of 220 S. Broadway; thence easterly a distance of 32 feet to the rear property line of 222 S. Broadway; thence southerly a distance of 83 feet 6 inches to the northern property line of 230 S. Broadway; thence westerly a distance of 82 feet to the east side of S. Bethel Street; thence southerly a distance of 92 feet to the northern property line of 245 S. Bethel Street; thence easterly a distance of 112 feet; thence southerly a distance of 72 feet to the northern property line of 246 S. Broadway; thence westerly a distance of 75 feet to the rear property line of 248 S. Broadway; thence southerly 105 feet to the centerline of Gough Street (70 feet wide); thence easterly a distance of 65 feet 9 inches to the east side of a 12 foot alley; thence southerly a distance of 248 feet to the rear property line of 1630 Bank Street; thence easterly a distance of 44 feet to the rear property line of 322 S. Broadway; thence southerly a distance of 125 feet to the centerline of Bank Street (70 feet wide); thence easterly a distance of 393 feet 3 inches to the western property line of 1730/1732 Bank Street; thence northerly a distance of 123 feet 11 inches to the rear property line of 1730/1732 Bank Street; thence easterly and south along the rear property of 1730/1732 Bank Street a distance of 40 feet 9 inches to the west side of Register Street (40 feet wide); thence north a distance of 26 feet 10 inches; thence westerly a distance of 60 feet; thence northerly a distance of 200 feet to the south side of Gough Street; thence westerly a distance of 64 feet 8 inches; thence southerly a distance of 100 feet; thence westerly a distance of 64 feet 8 inches; thence southerly a distance of 100 feet; thence westerly a distance of 32 feet; thence northerly along a 10 feet alley a distance of 135 feet to the

Council Bill 07-0745

centerline of Gough Street (70 wide); thence easterly a distance of 100 feet 6 inches; thence northerly a distance of 101 feet 9 inches; thence westerly a distance of 71 feet 6 inches; thence northerly a distance of 7 feet 7 inches; thence westerly a distance of 7 feet; thence northeasterly, easterly, and northerly along the rear property lines of 229-245 S. Broadway, a distance of 218 feet 6 inches; thence easterly a distance of 60 feet; thence northerly a distance of 13 feet; thence westerly a distance of 60 feet; thence northerly a distance of 29 feet; thence easterly a distance of 60 feet; thence northerly a distance of 28 feet; thence westerly a distance of 60 feet; thence northerly and along the rear property lines of 204-220 S. Regester Street, a distance of 116 feet 9 inches; thence westerly and along the rear property line of 1713 E. Pratt Street, a distance of 93 feet; thence northerly a distance of 14 feet; thence westerly a distance of 10 feet; thence northerly and along the west side of a 10 foot alley a distance of 106 feet to the centerline of E. Pratt Street; thence easterly a distance of 12 feet; thence northerly a distance of 94 feet; thence easterly a distance of 14 feet; thence northerly a distance of 22 feet; thence easterly along the rear property lines of 1708-1716 E. Pratt Street a distance of 76 feet; thence northerly a distance of 25 feet; thence westerly a distance of 115 feet; thence northerly a distance of 29 feet; thence easterly a distance of 41 feet 7 inches; thence northerly a distance of 27 feet; thence easterly a distance of 13 feet; thence northerly a distance of 71 feet; thence westerly a distance of 30 feet; thence northerly along the west side of Narrowway Couth (15 feet wide) a distance of 84 feet 6 inches; thence westerly a distance of 15 feet 4 inches; thence northerly along the rear property lines of 101 and 102 S. Broadway a distance of 61 feet to the centerline of E. Lombard Street (50 feet wide); then westerly along the centerline of E. Lombard Street a distance of 360 feet to the beginning.

2. Objectives and reasons for Various Provisions of this Plan

- a. To provide for the continuation and maintenance of an urban neighborhood of diverse and compatible uses.
- b. To create opportunities for diverse, viable economic development.
- c. To establish a positive identity for Broadway as a commercial area.
- d. To protect and enhance views of the Harbor from Hispanic Town north/south streets.

B. Land Use Plan

1. Zoning

Unless otherwise stated, land use is governed by the provisions of the Zoning Code of Baltimore City.

- a. In the area designated "Community Business" in the Land Use Plan, permitted uses are limited to those authorized by the Zoning Code of Baltimore City as permitted uses in a B-2 District; however, the following uses that are permitted uses in the City's B-2 Zoning Districts are prohibited in this Plan:

Council Bill 07-0745

Liquor stores: package goods
Physical culture and health services: gymnasiums, reducing salons, and public
baths
Rooming houses
Taverns - but not including live entertainment or dancing

- b. In the area designated “Community Business” in the Land Use Plan, conditional uses are limited to those authorized by the Zoning Code of Baltimore City as conditional uses in a B-2 District; however, the following uses that are conditional uses in the City’s B-2 Zoning Districts are prohibited in this Plan:

Firearm sales, ammunition sales, or both - when in a business establishment that is permitted in a Business District and located at least 100 yards from the boundary line of a park, religious institution, educational institution, public building, or other place of public assembly
Gasoline service stations
Homes for the rehabilitation of non-bedridden alcoholics and for the care and custody of homeless persons
Massage salons
Pawnshops
Poultry- and rabbit-killing establishments
Public utility uses, as follows:
(i) Bus and transit turnarounds
(ii) Railroad rights-of-way and passenger stations - but not including railroad yards and shops
(iii) Repeater, transformer, pumping, booster, switching, conditioning, and regulating stations, and similar installations

2. Planned Unit Developments

In all portions of the Project Area that are now or may later be subject to any Planned Unit Development created under Title 9 of the Zoning Code of Baltimore City, all uses permitted by the PUD are permitted in the portions of the Project Area covered by the PUD in accordance with the terms and conditions of the PUD.

3. Regulations, Controls, and Restrictions

a. Plan Review Requirement

In order to insure that development is consistent with the requirements and objectives of this Urban Renewal Plan, all plans and specifications must be submitted to and approved by the Department of Housing and Community Development as follows:

- (1) Review of Plans for New Construction, Exterior Rehabilitation, or Change in Use by the Department of Housing and Community Development

All plans for new construction (including parking lots), exterior rehabilitation, or change in use on any property shall be submitted to the

Council Bill 07-0745

Department of Housing and Community Development for review. Only upon finding that the proposed plans are consistent with the objectives of the Urban Renewal Plan shall the Commissioner of the Department of Housing and Community Development authorize the processing of the plans for issuance of a building permit. The provisions of this section are in addition to and not in lieu of all other applicable laws and ordinances relating to new construction.

(2) Review of Development by the Commission for Historical and Architectural Preservation

Review of development and questions of new construction, renovation, preservation, and demolition will be under the consideration of the Commission for Historical and Architectural Preservation, according to its guidelines and procedures set for the Fells Point Local Historic District.

b. PUD Standards and Controls

To the extent of any conflict between the provisions of this Renewal Plan and the provisions of any PUD, or to the extent that standards and controls, permitted uses, or any other provisions contained in any PUD are not contained in the Renewal Plan, the standards and controls, permitted uses, or any other provisions of the PUD shall control.

c. Height limitations

Buildings may not exceed 40 feet in height.

C. Duration of Provisions and Requirements

The provisions and requirements of this Urban Renewal Plan, as it may be amended from time to time, remain in full force and effect for a period of 40 years from the date the Renewal Plan is last amended by the City.

D. Procedures for Changes in Approved Plan

The Department of Housing and Community Development shall submit to the appropriate community organizations within the Renewal Area, as listed in the Community Association Directory that is maintained by the Department of Planning, for their review and comment, all proposed amendments to the Urban Renewal Plan no later than the time the proposed amendments are submitted to the Director of the Department of Planning by the Department of Housing and Community Development. Any written comments and recommendations by the community organizations shall be transmitted to the Department of Housing and Community Development no later than 4 weeks after the proposed amendments have been submitted to the appropriate community organizations. Prior to passage of any ordinance amending the Urban Renewal Plan, a public hearing shall be held, and the community organizations shall receive at least 10 days prior to the hearing, written notice of the time and place of the hearing.

Council Bill 07-0745

1 E. Separability

2 In the event it be judicially determined that any word, phrase, clause, sentence,
3 paragraph, section or part of this Plan, or the application thereof to any person or
4 circumstances is invalid, the remaining provisions and the application of such
5 provisions to other persons or circumstances shall not be affected thereby, it being
6 hereby declared that the remaining provisions of the Plan without the word, phrase,
7 clause sentence, paragraph, section or part, or the application thereof, so held invalid
8 would have been adopted and approved.

9 **SECTION 3. AND BE IT FURTHER ORDAINED,** That the Urban Renewal Plan for Hispanic
10 Town, identified as “Urban Renewal Plan, Hispanic Town, including Exhibit A, “Zoning/Land
11 Use Plan”, dated July 10, 2007”, is approved, and the Clerk of the City Council is directed to file
12 a copy of the Renewal Plan with the Department of Legislative Reference as a permanent public
13 record and to make the same available for public inspection and information.

14 **SECTION 4. AND BE IT FURTHER ORDAINED,** That if the Urban Renewal Plan approved by
15 this Ordinance in any way fails to meet the statutory requirements for the content of a renewal
16 plan or for the procedures for the preparation, adoption, and approval of a renewal plan, those
17 requirements are waived and the amended Urban Renewal Plan approved by this Ordinance is
18 exempted from them.

19 **SECTION 5. AND BE IT FURTHER ORDAINED,** That if any provision of this Ordinance or the
20 application of this Ordinance to any person or circumstance is held invalid for any reason, the
21 invalidity does not affect any other provision or any other application of this Ordinance, and for
22 this purpose the provisions of this Ordinance are declared severable.

23 **SECTION 6. AND BE IT FURTHER ORDAINED,** That if a provision of this Ordinance concerns
24 the same subject as a provision of any zoning, building, electrical, plumbing, health, fire, or
25 safety law or regulation, the applicable provisions shall be construed to give effect to each.
26 However, if the provisions are found to be in irreconcilable conflict, the one that establishes the
27 higher standard for the protection of the public health and safety prevails. If a provision of this
28 Ordinance is found to be in conflict with an existing provision of any other law or regulation that
29 establishes a lower standard for the protection of the public health and safety, the provision of
30 this Ordinance prevails and the other conflicting provision is repealed to the extent of the
31 conflict.

32 **SECTION 7. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30th day
33 after the date it is enacted.