

**CITY OF BALTIMORE
COUNCIL BILL 19-0328
(First Reader)**

Introduced by: Councilmember Dorsey
Introduced and read first time: January 28, 2019
Assigned to: Housing and Urban Affairs 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, Baltimore City Parking Authority Board, Department of Transportation

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Urban Renewal – Hamilton Business Area –**
3 **Amendment _**

4 FOR the purpose of amending the Urban Renewal Plan for Hamilton Business Area to modify the
5 list of prohibited uses in the Community Business (now known as Community Commercial
6 per the enactment of Article 32 - Zoning) District; 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 Hamilton Business Area was originally approved by the Mayor
17 and City Council of Baltimore by Ordinance 79-1207 and last amended by Ordinance 08-91.

18 An amendment to the Urban Renewal Plan for Hamilton Business Area is necessary to
19 modify the list of prohibited uses in the Community Business (now known as Community
20 Commercial per the enactment of Article 32 - Zoning) District.

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.

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

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

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

2 B. Land Use Plan

3 2. Land Use Provisions and Standards

4 a. Permitted Uses

5 . . .

6 (3) Community Business

7 In the areas designated as Community Business on the Land Use Plan
8 Map, the following restrictions apply:

9 (a) Uses shall be limited to those uses permitted under the B-2-2
10 category of the Zoning Code of Baltimore City, with the exception
11 of the following uses, which are prohibited:

- 12 Bail bondsmen
- 13 Liquor and package goods stores
- 14 Pawnshops
- 15 Poultry and rabbit killing establishments
- 16 Rent-to-own stores
- 17 [Second hand stores]
- 18 Taverns.

19 . . .

20 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the Urban Renewal Plan for Hamilton
21 Business Area, as amended by this Ordinance and identified as “Urban Renewal Plan, Hamilton
22 Business Area, revised to include Amendment __, dated January 28, 2019”, is approved. The
23 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

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1 establishes a lower standard for the protection of the public health and safety, the provision of
2 this Ordinance prevails and the other conflicting provision is repealed to the extent of the
3 conflict.

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