



Legislation Text

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

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INTRODUCTORY*

CITY OF BALTIMORE
COUNCIL BILL

Introduced by: Councilmember Curran

A BILL ENTITLED

AN ORDINANCE concerning
Urban Renewal - Hamilton Business Area - Amendment _

FOR the purpose of amending the Urban Renewal Plan for the Hamilton Business Area to specify uses to be allowed, not allowed, regulated, conditioned, or otherwise limited in a certain land use area, clarifying certain language, and conforming certain references; waiving certain content and procedural requirements; making the provisions of this Ordinance severable; providing for the application of this Ordinance in conjunction with certain other ordinances; and providing for a special effective date.

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

Recitals

The Urban Renewal Plan for the Hamilton Business Area was originally approved by the Mayor and City Council of Baltimore by Ordinance 79-1207 and last amended by Ordinance 95-564.

An amendment to the Urban Renewal Plan for the Hamilton Business Area is necessary to specify uses to be allowed, not allowed, regulated, conditioned, or otherwise limited in a certain land use area, to clarify certain language, and to conforming certain references.

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

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

(1) In the Plan, amend B.2.a.(3) and (4) to read as follows:

(3) Community Business

(A) In the areas designated as Community Business on the Land Use Plan Map, uses shall be limited to those uses permitted under the B-2-2 category of the Zoning [Ordinance] CODE of Baltimore City, including residential uses and parking[; however, rent-to-own stores, bail bondsmen, poultry and rabbit killing establishments, pawnshops, liquor and package goods stores, taverns, and second hand stores not in existence on the date of enactment of the Ordinance approving Amendment No. 1 of this plan shall not be permitted. Soup kitchens and check cashing as primary uses not in existence on the date of enactment of the ordinance approving Amendment No. 1 of this plan shall not be permitted].

(B) THE FOLLOWING USES AS DEFINED BY THE ZONING CODE OF BALTIMORE CITY ARE NOT ALLOWED IN THE COMMUNITY BUSINESS AREA:

BAIL BONDSMEN
CHECK CASHING AGENCIES
LIQUOR AND PACKAGE GOODS STORES
PAWNSHOPS
POULTRY AND RABBIT KILLING ESTABLISHMENTS
RELIGIOUS INSTITUTIONS, AS FOLLOWS: CHURCHES, TEMPLES, AND
SYNAGOGUES
RENT-TO-OWN STORES
SECOND-HAND STORES
SOUP KITCHENS
TAVERNS

(4) [Non-Conforming] NONCONFORMING USE

[A non-conforming use is any lawfully existing use of a building or other structure or of land which does not conform to the applicable use or bulk regulations of the district in which it is located according to the Zoning Ordinance of Baltimore City. Non-conforming uses shall be permitted to continue, subject to all the provisions of Chapter 8 of the Zoning Ordinance of Baltimore City entitled "Non-Conformance". A non-conforming use may be sold as long as that use is not discontinued for a period of time which constitutes abandonment for that class of use under Chapter 8 of the Zoning Ordinance of Baltimore City.]

A LAWFULLY EXISTING USE OF A BUILDING OR OTHER STRUCTURE OR OF LAND THAT DOES NOT CONFORM TO THE APPLICABLE USE REGULATIONS OF THE ZONING CODE OF BALTIMORE CITY MAY BE CONTINUED AS A "NONCONFORMING USE" ONLY AS PROVIDED IN TITLE 13 OF THE ZONING CODE. A LAWFULLY EXISTING USE OF A BUILDING OR OTHER STRUCTURE OF LAND THAT DOES NOT COMPLY WITH THE LAND USE REGULATIONS OF THIS RENEWAL PLAN IS ALLOWED TO CONTINUE FOR AN INDEFINITE PERIOD OF TIME.

SECTION 2. AND BE IT FURTHER ORDAINED, That the Urban Renewal Plan for the Hamilton Business Area, as amended by this Ordinance and identified as "Urban Renewal Plan, Hamilton Business Area, revised to include Amendment __, dated January 28, 2008", is approved. The Department of Planning shall file a copy of the amended Urban Renewal Plan with the Department of Legislative Reference as a permanent public record, available for

public inspection and information.

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

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

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

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

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