



City of Baltimore

City Council
City Hall, Room 408
100 North Holliday Street
Baltimore, Maryland 21202

Legislation Text

File #: 15-0472, **Version:** 0

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 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

A BILL ENTITLED

AN ORDINANCE concerning
Urban Renewal - Franklin Square - Amendment
FOR the purpose of amending the Urban Renewal Plan for Franklin Square to amend certain Exhibits to reflect the change in the land use plan and the change in zoning, on approval by separate ordinance, for the property known as 31-35 North Fulton Avenue; 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 Franklin Square was originally approved by the Mayor and City Council of Baltimore by Ordinance 78-831 and last amended by Ordinance 87-919.

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

Under Article 13, § 2-6 of the Baltimore City Code, no 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 Franklin Square are approved:

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

SECTION 2. AND BE IT FURTHER ORDAINED, That the Urban Renewal Plan for Franklin Square, as amended by this Ordinance and identified as "Urban Renewal Plan, Franklin Square, revised to include Amendment __, dated November 10, 2014", 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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