



Legislation Text

File #: 19-0447, Version: 0

Explanation: Capitals indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

* **Warning:** This is an unofficial, introductory copy of the bill.
The official copy considered by the City Council is the first reader copy.

Introductory*

**City of Baltimore
Council Bill**

Introduced by: Councilmember Clarke

A Bill Entitled

An Ordinance concerning

Urban Renewal - Hampden Business Area - Amendment

For the purpose of amending the Urban Renewal Plan for Hampden Business Area to conform certain provisions and references to those of Article 32 - Zoning, to modify the duration of the Plan, to revise certain exhibits of the Plan to conform the references to the land use and the zoning district classifications of the Zoning Code that is now in effect, and to conform and correct certain language in the Plan; 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 Hampden Business Area was originally approved by the Mayor and City Council of Baltimore by Ordinance 77-285 and last amended by Ordinance 06-235.

An amendment to the Urban Renewal Plan for Hampden Business Area is necessary to conform certain provisions and references to those of Article 32 - Zoning, to modify the duration of the Plan, to revise certain exhibits of the Plan to conform the references to the land use and the zoning district classifications of the Zoning Code that is now in effect, and to conform and correct certain language in the Plan.

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 Hampden Business Area are approved:

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

B. Land Use Plan

2. Land Use Provisions and Standards

a. Permitted Uses

Only the uses shown on the Land Use Plan Map shall be permitted within the project area. The use classifications are Neighborhood Business[, Community Business] and Public. Accessory uses, including landscaping, off-street parking and off-street loading will be permitted. In addition, certain existing uses will be permitted to continue subject to the provisions governing [non-conforming] nonconforming uses set forth below in Section B.2.a. [(4)](3).

(1) Neighborhood Business

In the area designated as Neighborhood Business on the Land Use Plan Map, uses shall be limited to those permitted under the [B-1] C-1 category of the Zoning Code of Baltimore City. A retail goods establishment is allowed to display and sell its merchandise outdoors, subject to § 15-509 of the Zoning Code[, including residential, except the unenclosed display of merchandise for sale to the public is allowed]. A minor privilege permit is required to display merchandise on the public right-of-way. Displays on the public right-of-way must preserve 6 feet of clear width in order to maintain continuous pedestrian access and accessibility by disabled persons.

[(2) Community Business]

[In the area designated as Community Business on the Land Use Plan Map, uses shall be limited to those permitted under the B-2 category of the Zoning Code of Baltimore City, including residential and parking, except the unenclosed display of merchandise for sale to the public is allowed. A minor privilege permit is required to display merchandise on the public right-of-way. Displays on the public right-of-way must preserve 6 feet of clear width in order to maintain continuous pedestrian access and accessibility by disabled persons.]

(2) [(3)] Public

In the area designated as Public on the Land Use Plan Map, the use shall be limited to off-street parking.

(3) [(4)] [Non-Conforming] Nonconforming Use

A [non-conforming] nonconforming use is any lawfully existing use of a building or other structure, or of land [which] that does not conform to the applicable use regulations of the district in which it is located, according to the Zoning [Ordinance] Code of Baltimore City. [Non-conforming] Nonconforming uses shall be permitted to continue, subject to the provisions of the Zoning [Ordinance] Code of Baltimore City governing [non-conformance] nonconforming uses.

(2) In the Plan, amend F. to read as follows:

F. Duration of Provisions and Requirements

The provisions and requirements of this plan shall be in effect [for a period of not less than 40 years following the date of approval of this plan by the Mayor and City Council of Baltimore] until December 31, 2029. Written notification, by the URP Administrator, of the impending expiration date of this URP must be provided to the Hampden Community Council or its successor, the Hampden Village Merchants Association or its successor, and the representative councilmember(s) at least 6 months in advance of the expiration date.

- (3) In the Plan, revise Exhibit 1, “Land Use” and Exhibit 4, “Zoning Districts”, to conform the references in the Exhibits to the land use and the zoning district classifications of the Zoning Code that is now in effect.

Section 2. And be it further ordained, That the Urban Renewal Plan for Hampden Business Area, as amended by this Ordinance and identified as “Urban Renewal Plan, Hampden Business Area, revised to include Amendment __, dated September 9, 2019”, 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 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 4. 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 5. And be it further ordained, That this Ordinance takes effect on the date it is enacted.