

**CITY OF BALTIMORE
COUNCIL BILL 07-0630
(First Reader)**

Introduced by: The Council President
At the request of: The Administration (Department of Housing and Community Development)
Introduced and read first time: March 26, 2007
Assigned to: Urban Affairs and Aging Committee

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

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Urban Renewal – Key Highway –**
3 **Amendment __**

4 FOR the purpose of amending the Urban Renewal Plan for Key Highway to amend certain
5 development area controls for Development Area A and to add new Exhibit G; waiving
6 certain content and procedural requirements; making the provisions of this Ordinance
7 severable; providing for the application of this Ordinance in conjunction with certain other
8 ordinances; and providing for a special effective date.

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

14 **Recitals**

15 The Urban Renewal Plan for Key Highway was originally approved by the Mayor and City
16 Council of Baltimore by Ordinance 86-622 and last amended by Ordinance 04-829.

17 An amendment to the Urban Renewal Plan for Key Highway is necessary to amend the
18 development area controls for Development Area A.

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

22 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the
23 following changes in the Urban Renewal Plan for Key Highway are approved:

24 (1) In the Plan, amend III.C. Development Area A.(4) and (5) to read as follows:

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

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1 III. Regulations, Controls and Restrictions.

2 C. Development Area Controls.

3 Development Area A.

4 4) Coverage: Building [coverge] COVERAGE on the platform and fast
5 land areas may not exceed the following percentages of the
6 existing aggregate of those areas:

7 a) Grade to El. [36] 60 feet: 65%

8 b) El. [36] 60 feet to El. 150 feet: 30%

9 c) El. 150 feet to El. 390 feet: 16%

10 5) Structural Footprint and Spacing:

11 No structure located between El. 150 feet and El. 390 feet shall
12 exceed 14,000 square feet in area nor be located less than 100 feet
13 from any other structure located between El. 150 feet and El. 390
14 feet, PROVIDED THAT THE REQUIREMENT OF A 100 FOOT
15 SEPARATION BETWEEN STRUCTURES LOCATED BETWEEN EL. 150
16 FEET AND EL. 390 FEET SHALL NOT APPLY TO STRUCTURES
17 LOCATED ON THE WESTERN PORTION OF LOT 3 OF THE
18 HARBORVIEW SUBDIVISION WITHIN THE AREA OUTLINED IN RED AS
19 SHOWN ON EXHIBIT G.

20 (2) Add new Exhibit G, "Development Area A, Lot 3", dated March 15, 2007, to the
21 Plan.

22 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the Urban Renewal Plan for Key
23 Highway, as amended by this Ordinance and identified as "Urban Renewal Plan, Key Highway,
24 revised to include Amendment __, dated March 26, 2007", is approved. The Department of
25 Planning shall file a copy of the amended Urban Renewal Plan with the Department of
26 Legislative Reference as a permanent public record, available for public inspection and
27 information.

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

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

37 **SECTION 5. AND BE IT FURTHER ORDAINED,** That if a provision of this Ordinance concerns
38 the same subject as a provision of any zoning, building, electrical, plumbing, health, fire, or

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1 safety law or regulation, the applicable provisions shall be construed to give effect to each.
2 However, if the provisions are found to be in irreconcilable conflict, the one that establishes the
3 higher standard for the protection of the public health and safety prevails. If a provision of this
4 Ordinance is found to be in conflict with an existing provision of any other law or regulation that
5 establishes a lower standard for the protection of the public health and safety, the provision of
6 this Ordinance prevails and the other conflicting provision is repealed to the extent of the
7 conflict.

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