

CITY OF BALTIMORE
ORDINANCE 06 - 314
Council Bill 05-0022

Introduced by: The Council President
At the request of: The Administration (Department of Housing and Community Development)
Introduced and read first time: January 24, 2005
Assigned to: Urban Affairs Committee
Committee Report: Favorable with amendments
Council action: Adopted
Read second time: September 18, 2006

AN ORDINANCE CONCERNING

1 **Urban Renewal – Brooklyn-Curtis Bay Business Area –**
2 **Amendment 4**

3 FOR the purpose of amending the Urban Renewal Plan for Brooklyn-Curtis Bay Business Area to
4 delete an industrial area from the project boundary; creating revised exhibits attached to the
5 Renewal Plan to reflect the proposed change; making minor technical corrections; 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 the Brooklyn-Curtis Bay Business Area was originally
16 approved by the Mayor and City Council of Baltimore by Ordinance 82-852 and last amended by
17 Ordinance 04-863.

18 An amendment to the Urban Renewal Plan for the Brooklyn-Curtis Bay Business Area is
19 necessary to delete an industrial area from the project boundary and make minor technical
20 changes that do not affect the content of the Plan.

21 Under Article 13, § 2-6 of the Baltimore City Code, no substantial change may be made in
22 any approved renewal plan unless the change is approved in the same manner as that required for
23 the approval 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 Brooklyn-Curtis Bay Business Area are**
26 **approved:**

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.
Underlining indicates matter added to the bill by amendment.
~~Strike out~~ indicates matter stricken from the bill by
amendment or deleted from existing law by amendment.

1 (1) On page 1 of the Plan, amend A. Project Description to read as follows:

2 A. Project Description

3 1. Boundary Description

4 Beginning for the same at the intersection of the south side of Cambria Street
5 and the east side of an unnamed 30-foot alley; thence binding on the south
6 side of Cambria Street to the west side of 7th Street; thence southerly on the
7 west side of 7th Street; thence crossing 7th Street to the south side of Pontiac
8 Street; thence easterly on the south side of Pontiac Street to the east side of 8th
9 Street; thence northerly on the east side of 8th Street to the south side of a 10-
10 foot alley; thence southeast to the west side of a 10- foot alley; thence
11 southeast to the west side of a 10-foot alley; thence south a distance of 10 feet
12 to the south side of a 20-foot alley; thence east to the west side of 9th Street;
13 thence northerly a distance of 10 feet to the south side of a 10-foot alley;
14 thence east to the west side of a 15-foot alley; thence north a distance of 5 feet
15 to the south side of a 15-foot alley; thence east to the east side of St. Victor
16 Street; thence north to the south side of a 20-foot alley; thence east to the east
17 side of a 15-foot alley east of St. Margaret Street; thence northeast along the
18 rear property line of 3600 West Bay Avenue to the south side of a 15-foot
19 alley; thence east to the west side of West Bay Avenue; thence south to THE
20 south side of Cambria Street; thence east to the west side of Fairhaven
21 Avenue; thence east along the south property line of 3607 Fairhaven Avenue
22 to the west side of a 15-foot alley; thence south to the south side of Sassafras
23 Street; thence east to the west side of a 10-foot alley; thence south 60 feet;
24 thence east to the west side of a 15-foot alley; thence south to the north side of
25 Plum Street; thence west to the west side of a 15-foot alley; thence south to
26 the south side of 20- foot alley; thence east a distance of 15 feet to the rear
27 property line of 4112 Pennington Avenue; thence south to the north side of
28 Olmstead Street; thence west 15 feet; thence south along the west side of a 15-
29 foot alley to the south side of Locust Street; thence east to the west property
30 line of 1531 Locust Street; thence south to the north side of a 20-foot alley
31 south of Hazel Street; thence west to the rear property line of 4420-28
32 Pennington Avenue; thence south to the north side of Elmtree Street; thence
33 west 32 feet; thence south along the rear property line of 4600 Pennington
34 Avenue to the south side of a 20-foot alley; thence east to the west property
35 line of 1524 Cypress Street; thence south to the north side of Cypress Street;
36 thence west 50 feet; thence south to the north side of Church Street; thence
37 west 41 feet; thence south along west side of a 10-foot alley to the south side
38 of Ceddox Street; thence east along the south side of Ceddox Street to the
39 center line of Curtis Avenue; thence north to the ~~north side~~ SOUTH SIDE of
40 Patapsco Avenue; thence west and along the ~~north side~~ SOUTH SIDE of
41 Patapsco Avenue a distance of 30 feet; thence south and along the west side of
42 Curtis Avenue to the north side of Locust Street; thence west a distance of 102
43 feet; thence south along the west side of a 15-foot alley to the south side of
44 Hazel Street; thence east to the west side of Curtis Avenue; thence south to
45 the north side of Filbert Street; thence west a distance of 102 feet; thence
46 south along the west side of a 15-foot alley to the south side of a 10-foot alley
47 south of Cereal Street; thence east a distance of 97 feet to the west property

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1 line of 1644 Ceddox Street; thence south to the north side of Ceddox Street;
2 thence west a distance of 305 feet to the east side of a 15-foot alley; thence
3 north along east side of alley to the north side of Filbert Street; thence west to
4 the east side of Pennington Avenue; thence north to the south side of Locust
5 Street; thence east a distance of 120 feet; thence north and along the east side
6 of a 24-foot alley to the north side of Olmstead Street; thence west to the rear
7 property line of 4115 Pennington Avenue; thence north to the south side of a
8 20-foot alley; thence east along 20-foot alley to the east side of a 15-foot
9 alley; thence north along 15-foot alley to the north side of Spruce Street;
10 thence west to the east side of Pennington Avenue; thence north to the south
11 side of [E. Patapsco Avenue] ~~CAMBRIA STREET~~; thence northeast a distance of
12 315 feet to a point located on the north side of E. Patapsco Avenue and 200
13 feet east of property known as 1200 E. Patapsco Avenue; thence west along
14 the north side of E. Patapsco Avenue[, 200 feet to the east property line of
15 1200 E. Patapsco Avenue; thence northwest along the southwest property line
16 of CSX Transportation property to the northern property line of 900 Baltic
17 Avenue; thence northwest to the west side of 9th Street; thence southwest to
18 the north side of E. Patapsco Avenue; thence northwest] to the east side of 7th
19 Street; thence northeast a distance of 188 feet; thence northwest along the
20 north side of Freeman Street a distance of 201 feet; thence southwest and
21 along the east side of a 22-foot alley to the south side of an 11-foot alley;
22 thence northwest along alley to the west side of a 22-foot alley; thence
23 northeast along alley to the north side of Freeman Street; thence northwest a
24 distance of 148 feet; thence southwest and along the east side of a 4-foot alley
25 a distance of 101 feet to the south side of a 4-foot alley; thence northwest to
26 the west side of 6th Street; thence northeast to the north side of a 10-foot alley;
27 thence northwest a distance of 75 feet; thence southwest to the south side of a
28 4-foot alley; thence west a distance of 50 feet; thence north to the north side
29 of Freeman Street; thence west a distance of 25 feet; thence south to the south
30 side of a 4-foot alley; thence west to the west side of a 3-foot alley; thence
31 north to the north side of Freeman Street; thence west a distance of 100 feet;
32 thence south a distance of 98 feet; thence west to the west side of a 2-foot
33 alley; thence north a distance of 98 feet to the north side of Freeman Street;
34 [thence;] thence continuing westerly to intersect the west side of Helmstetter
35 Street; thence binding on the west side of Helmstetter Street southerly to
36 intersect the northern property line of Lot 58, Block 7075; thence binding on
37 the northern property line of said Lot 58 westerly to intersect the east side of
38 4th Street; thence binding on the east side of 4th Street northerly to intersect a
39 point on the east side of 4th Street formed by extending the north side of an
40 unnamed 13-foot alley in a straight line across 4th Street; thence crossing 4th
41 Street on said line and continuing on the north side of said unnamed 13-foot
42 alley westerly and crossing 3rd Street to the west side of 3rd Street; thence
43 binding on the west side of 3rd Street southerly to intersect the north side of E.
44 Patapsco Avenue; thence binding on the north side of E. Patapsco Avenue
45 westerly to intersect the east side of 2nd Street; thence binding on the east side
46 of 2nd Street northerly to intersect the north side of Chesapeake Avenue;
47 thence binding on the north side of Chesapeake Avenue southwesterly to
48 intersect the west side of Hanover Street; thence binding on the west side of
49 Hanover Street southerly to intersect the eastern right-of-way line of the
50 Harbor Tunnel Throughway Access Ramp for Potee Street and Patapsco
51 Avenue; thence binding on said right-of-way line southwesterly,

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1 northwesterly, southwesterly, and southeasterly to intersect the side of an
2 unnamed 20-foot alley; thence binding on the west side of said 20-foot alley
3 southerly to intersect the north side of W. Patapsco Avenue; thence binding
4 on the north side of W. Patapsco Avenue northwesterly, crossing the access
5 ramp for the Harbor Tunnel Throughway and Potee Street, to intersect the
6 west side of Potee Street; thence binding on the west side of Potee Street
7 northerly to intersect the southern right-of-way line of the Baltimore Harbor
8 Tunnel Throughway; thence binding on said right-of-way of said Throughway
9 southwesterly, northwesterly and southwesterly to intersect the southern
10 boundary line of Baltimore City; thence binding on the southern boundary
11 line of Baltimore City easterly to intersect the east side of Riverside Road;
12 thence binding on the east and south sides of Riverside Road northerly and
13 easterly to intersect the east side of Leadenhall Street; thence binding on the
14 east side of Leadenhall Street northerly, crossing Talbott Street, to intersect
15 the south side of the first 15-foot alley; thence binding on the south side of
16 said 15-foot alley easterly to intersect the east side of the first 10-foot alley;
17 thence binding on the east side of said 10-foot alley northerly to intersect the
18 south side of Washburn Avenue; thence binding on the south side of
19 Washburn Avenue easterly to intersect the western property line of Lot 1/5,
20 Block 7027-F; thence binding on said property line southerly and easterly to
21 intersect the west side of an unnamed 14-foot alley; thence binding on the
22 west side of said 14-foot alley southerly to intersect the north side of Bristol
23 Avenue; thence binding on the north side of Bristol Avenue westerly to
24 intersect the east side of Potee Street; thence binding on the east side of Potee
25 Street southerly and southeasterly to a point on the east side of Potee Street
26 formed by extending the southeastern property line of Lot 15, Block 7027-J in
27 a straight line across Potee Street; thence crossing Potee Street and continuing
28 on the southeastern property line of said Lot 15 southwesterly to intersect the
29 southern boundary line of Baltimore City; thence binding on the southern
30 boundary line of Baltimore City easterly and southeasterly to intersect the east
31 side of 2nd Street; thence binding on the east side of 2nd Street northerly to
32 intersect the north side of Jack Street; thence binding on the north side of Jack
33 Street westerly to intersect the east side of an unnamed 30 foot alley; thence
34 binding on the east side of said 30 foot alley northerly to the point of
35 beginning.

36 (2) On page 5 of the Plan, amend A.2.g. and h. to read as follows:

- 37 g. Where deemed necessary or appropriate by the [Baltimore City] Department
38 and/or the Department of Planning ([hereafter] HEREINAFTER referred to as
39 "Planning"), allowing for the creation of buffers or barriers; and
- 40 h. Encouraging partnerships with industrial businesses adjacent to the
41 boundaries of the RENEWAL Plan.

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1 (3) On page 5 of the Plan, amend A.3.b. to read as follows:

- 2 b. Property rehabilitation that [shall] MUST comply with the codes and
3 ordinances of the City of Baltimore, and the requirements set forth in this
4 Renewal Plan.

5 (4) On page 5 of the Plan, amend B.2.a. to read as follows:

6 B. Land Use Plan

7 2. Land Use Provisions and Standards

8 a. Permitted Uses

9 Only the use categories shown on the Land Use Plan, Exhibit 1, are
10 permitted within the Project Area. These are Residential, Industrial,
11 Community Business, Community Commercial, [and Public] PARK, AND
12 MIXED USE. Accessory uses including landscaping, off-street parking and
13 loading will be permitted. In addition, certain uses will be permitted to
14 continue subject to the provisions governing non-conforming and non-
15 complying uses set forth below.

16 (5) On page 7 of the Plan, amend B.2.a.(9) to read as follows:

17 (9) Maritime Industrial Zoning Overlay District

18 The intent of the Maritime Industrial Zoning Overlay District, the
19 boundaries of which are in close proximity with the [Urban Renewal]
20 PROJECT Area, is to maintain and encourage a working waterfront in
21 the Curtis Bay area. Due consideration [shall] MUST be given by the
22 Department for any plans presented as to new construction,
23 rehabilitation, additions, demolition, or expansion in the [Urban
24 Renewal] PROJECT Area as to the effect of these plans and their
25 implementation on the continuation and expansion of the historic
26 industrial waterfront uses.

27 (6) On page 8 of the Plan, amend B.2.c. to read as follows:

28 c. Regulations, Controls and Restrictions on Land Acquired by the City

29 Land acquisition within the defined boundary area of this Renewal Plan is
30 necessary for the attainment of commercial revitalization goals established
31 in this Renewal Plan. The regulations, controls, and restrictions defined
32 by the Zoning Code of Baltimore City, as well as the [Rehabilitation
33 standards] DESIGN STANDARDS and the provisions of Section D.3., as
34 defined in this Renewal Plan must be adhered to. In addition, the
35 following controls apply:

1 (7) On page 10 of the Plan, amend C.1.b. to read as follows:

2 C. Techniques for Plan Objectives

3 1. Acquisition

4 b. Actions to be Followed by the Department on Acquisition of Properties

5 On the acquisition of the properties, the Department will either:

6 (1) [(a)] demolish the structure or structures on the properties and dispose
7 of the land for redevelopment uses in accordance with this Renewal
8 Plan; or

9 (2) [(b)] sell or lease the property subject to rehabilitation in conformance
10 with the codes and ordinances of Baltimore City, and the Design
11 Standards set forth in this Renewal Plan; or

12 (3) [(c)] rehabilitate the property in conformance with the codes and
13 ordinances of Baltimore City and the Design Standards set forth in this
14 Renewal Plan and dispose of property in accordance with applicable
15 regulations. If sale cannot be consummated by the time rehabilitation
16 is accomplished, property may be rented pending continuing sale
17 efforts.

18 (8) On pages 16, 17, and 18 of the Plan, amend D.4.d., D.4.e., D.4.f., and D.4.g. to read
19 as follows:

20 d. "Developer" [shall mean] MEANS any owner of any property within the
21 [Urban Renewal] PROJECT Area who submits permit application, site
22 plans, or other plans to the Department or any agency of Baltimore City to
23 obtain permits for new construction (including parking lots),
24 rehabilitation, additions, demolition or expansion of existing
25 improvements to be located on property within the [Urban Renewal]
26 PROJECT Area.

27 e. Before any Developer who is constructing or rehabilitating[:]

28 (1) 25 dwelling units or more;

29 (2) warehousing of 150,000 square feet gross floor area or more;

30 (3) any other project of 50,000 square feet or more; or

31 (4) any project which will generate 100 vehicles or more in peak hours,

32 is permitted to proceed with any plans for such new construction
33 (including parking lots), rehabilitation, additions, demolition or expansion
34 of existing improvements, and if required by the Department and/or
35 Planning, Developer must agree, at Developer's expense, to provide a
36 buffer of either a structure-free open area or acceptable barriers or both

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1 between existing industrial land and property located in the [Urban
2 Renewal] PROJECT Area.

- 3 f. All Developers and those who purchase, lease or take a security interest
4 from [said] THE Developers in property within the [Urban Renewal]
5 PROJECT Area, are [hereby] put on constructive notice of the following:

6 Developer and its successors and assigns agree and acknowledge that
7 the property being developed is located in close proximity to
8 industrially zoned land. Developer and its successors and assigns
9 understand and accept that the use of the nearby industrially zoned
10 land could cause vibrations, dust, noise, truck traffic, noxious odors or
11 other disruption of or interference with the quiet enjoyment of the
12 Developer's property. Developer and its successors and assigns
13 acknowledge that they take title to their interest in the Developer's
14 property, subject to all the rights of [such] THE industrial users, owners
15 or lessees.

- 16 g. Before any Developer who is constructing or rehabilitating

17 (1) 25 dwelling units or more;

18 (2) warehousing of 150,000 square feet or more;

19 (3) any other project of 50,000 square feet or more; or

20 (4) any project which will generate 100 vehicles or more in peak hours,

21 is permitted to proceed with any plans for [such] new construction
22 (including parking lots), rehabilitation, addition, demolition, or expansion
23 of existing improvements, that Developer must provide sufficient traffic
24 studies or other evidence to prove to the satisfaction of the Department
25 and/or Planning that traffic flow, including industrial, residential, and
26 commercial traffic, through the [Brooklyn Curtis Bay Urban Renewal
27 Plan] PROJECT Area will not be significantly adversely affected. The
28 purpose of [such] THE traffic studies or other evidence [shall be] IS to give
29 the City sufficient information to establish and develop traffic patterns and
30 signalization on streets in the [Urban Renewal] PROJECT Area to provide
31 safe streets for heavy industrial trucks, and increased residential,
32 commercial, and pedestrian traffic.

- 33 (9) On page 19 of the Plan, amend E. 2 to read as follows:

34 2. Zoning

35 In order to implement the Renewal Plan, zoning district changes as designated
36 on Zoning Districts, Exhibit 4, will be required. These changes will require
37 amendments to the Zoning Code that will be initiated during the execution of
38 this Renewal Plan. PROPOSED ZONING DISTRICT CHANGES AS DESIGNATED ON
39 ZONING DISTRICTS, EXHIBIT 4, MAY BE IMPLEMENTED BY INDIVIDUAL
40 PROPERTY OWNERS BY SEEKING A CITY COUNCIL REZONING BILL.

1 (10) On pages 19 and 20 of the Plan, amend F. and G. to read as follows:

2 F. Duration of Provisions and Requirements

3 [Proposed zoning district changes as designated on Zoning Districts, Exhibit 4,
4 may be implemented by individual property owners by seeking a City Council
5 rezoning bill.] THE BROOKLYN-CURTIS BAY URBAN RENEWAL PLAN, AS IT MAY
6 BE AMENDED FROM TIME TO TIME, REMAINS IN FULL FORCE AND EFFECT FOR A
7 PERIOD OF 20 YEARS FROM THE DATE THE RENEWAL PLAN IS LAST AMENDED BY
8 THE MAYOR AND CITY COUNCIL OF BALTIMORE.

9 G. Procedures for Changes in Approved Plan

10 The Department [shall] MUST submit to certain community organizations [in the
11 Brooklyn Curtis Bay Urban Renewal Area] WITHIN THE PROJECT AREA for their
12 review and comment the form and content of all significant development
13 proposals, as defined by the Department, within the [Brooklyn Curtis Bay Urban
14 Renewal] PROJECT Area. The community organizations to which these plans
15 [shall] MUST be submitted are as follows:

16 Brooklyn and Curtis Bay Coalition, Inc. and
17 South Baltimore Business Association, Inc.

18 The above community organizations [shall] MUST advise the Department of their
19 recommendations regarding the acceptability and/or priority of all plans and
20 proposals. The written comments of the community organizations [shall] MUST
21 be transmitted to the Department no later than [four] 4 weeks after [such] THE
22 proposals or plans have been submitted to the appropriate community
23 associations; otherwise, it is presumed that the proposals and/or plans are
24 acceptable. Prior to passage of any ordinance amending the Renewal Plan, two
25 public hearings, one before the Planning Commission and one before City
26 Council, must be held. The Brooklyn and Curtis Bay Coalition, Inc. and South
27 Baltimore Business ~~{Alliance} ASSOCIATION~~, Inc., or [its] THEIR successors must
28 receive, at least 10 days prior to the hearing, written notice of the time and place
29 of the hearing. With respect to any land in the Project Area previously disposed
30 of by the City for use in accordance with the Renewal Plan, the then owner of the
31 land whose interests are materially affected by the changes must receive at least
32 10 days prior to the hearing written notice of the time and place of the hearing and
33 information as to where a copy of the proposed amendments may be inspected.

34 (11) On page 20 of the Plan, amend I. 1., 2., and 3. to read as follows:

35 I. Design Review and Approval

- 36
37 1. It is the responsibility of the Baltimore Development Corporation (BDC),
38 Department of Housing and Community Development ([HCD] DEPARTMENT),
39 and Department of Planning (Planning) to supervise that part of this Renewal
40 Plan dealing with design, code enforcement, and inspection. The Department
41 issues final approval for permits. Applications for permits are reviewed by
42 Planning for residential permits and [the Baltimore Development Corporation
43 ([BDC[])] for commercial permits. BDC's and the Department's inspectors

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1 will determine if individual property owners are in compliance with the
2 RENEWAL Plan.

3 2. Designs for all improvements, modifications, repairs, rehabilitation or
4 painting affecting the exterior of the existing buildings, yards or show
5 windows, signs, and new construction must be submitted to [HCD] THE
6 DEPARTMENT, and written approval by [HCD] THE DEPARTMENT is required
7 before proceeding with the work.

8 3. [HCD] THE DEPARTMENT is concerned with all aspects of design affecting
9 exterior appearance, and in particular with the following:

10 (12) On page 29 of the Plan, amend Appendix A, i.(1) to read as follows:

11 i. Off-Street Loading, Storage, and Service

12 (1) Where permitted by the Zoning Code of Baltimore City, front, side or rear
13 yards may be used for loading, storage or service. In addition to any
14 requirements of the Zoning Code, these areas must be appropriately
15 screened/landscaped from all adjacent streets and properties. [(See
16 "Standards for Site Plans", Section D.3.)]

17 (13) On page 31 of the Plan, in Appendix B, after I.A.7., insert

18 8. DEFECTIVE STRUCTURAL AND DECORATIVE ELEMENTS ON BUILDING WALLS
19 THAT FACE PRIMARY AND SIDE STREETS MUST BE REPAIRED SO THAT THEY
20 CLOSELY RESEMBLE THE ORIGINAL MATERIALS AND DESIGN OF THE BUILDING.
21 DAMAGED, SAGGING, OR OTHERWISE DETERIORATED STOREFRONTS, SHOW
22 WINDOWS, OR ENTRANCES MUST BE REPAIRED OR REPLACED.

23 and, on pages 31 and 32 of the Plan, delete "8", "9", "10", "11", and "12",
24 respectively, and substitute "9", "10", "11", "12", and "13", respectively.

25 (14) On page 32 of the Plan, amend Appendix B, II, A., to read as follows:

26 II. Compliance

27 A. These maintenance standards are enforced by the Department. Complaints
28 about violations of these standards may be made to the Department by any
29 individual or organization. Issues identified and complaints collected by the
30 Brooklyn [Business and Professional Association] AND CURTIS BAY
31 COALITION, INC., AND SOUTH BALTIMORE BUSINESS ASSOCIATION ALLIANCE,
32 INC., will be coordinated and prioritized by [the Association] THESE GROUPS
33 before they are transmitted to the Department for enforcement.

34 SECTION 2. AND BE IT FURTHER ORDAINED, That the Urban Renewal Plan for the
35 Brooklyn-Curtis Bay Business Area, as amended by this Ordinance and identified as "Urban
36 Renewal Plan, Brooklyn-Curtis Bay Business Area, revised to include Amendment 4, dated
37 December 29, 2004", is approved. The Department of Planning shall file a copy of the amended
38 Urban Renewal Plan with the Department of Legislative Reference as a permanent public record,
39 available for public inspection and information.

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1 **SECTION 3. AND BE IT FURTHER ORDAINED,** That Exhibit 1, "Land Use Plan", Exhibit 2,
2 "Property Acquisition", Exhibit 3, "Land Disposition", and Exhibit 4, "Zoning Districts", all
3 dated December 29, 2004, are amended to reflect the changes in the Renewal Plan.

4 **SECTION 4. AND BE IT FURTHER ORDAINED,** That if the amended Urban Renewal Plan
5 approved by this Ordinance in any way fails to meet the statutory requirements for the content of
6 a renewal plan or for the procedures for the preparation, adoption, and approval of a renewal
7 plan, those requirements are waived and the amended Urban Renewal Plan approved by this
8 Ordinance is exempted from them.

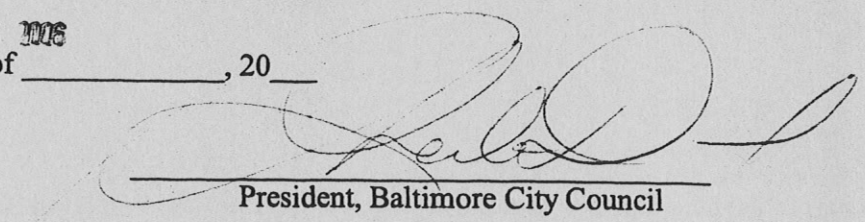
9 **SECTION 5. AND BE IT FURTHER ORDAINED,** That if any provision of this Ordinance or the
10 application of this Ordinance to any person or circumstance is held invalid for any reason, the
11 invalidity does not affect any other provision or any other application of this Ordinance, and for
12 this purpose the provisions of this Ordinance are declared severable.

13 **SECTION 6. AND BE IT FURTHER ORDAINED,** That if a provision of this Ordinance concerns
14 the same subject as a provision of any zoning, building, electrical, plumbing, health, fire, or
15 safety law or regulation, the applicable provisions shall be construed to give effect to each.
16 However, if the provisions are found to be in irreconcilable conflict, the one that establishes the
17 higher standard for the protection of the public health and safety prevails. If a provision of this
18 Ordinance is found to be in conflict with an existing provision of any other law or regulation that
19 establishes a lower standard for the protection of the public health and safety, the provision of
20 this Ordinance prevails and the other conflicting provision is repealed to the extent of the
21 conflict.

22 **SECTION 7. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the date it
23 is enacted.

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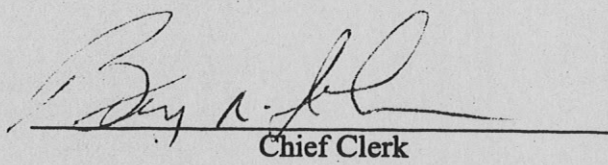
Certified as duly passed this SEP 25 2006 day of _____, 20__



President, Baltimore City Council

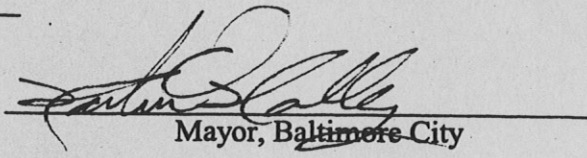
Certified as duly delivered to His Honor, the Mayor,

this SEP 25 2006 day of _____, 20__

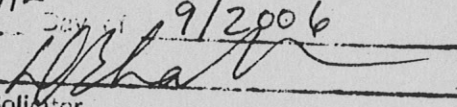


Chief Clerk

Approved this OCT 05 2006 day of _____, 20__



Mayor, Baltimore City

Approved _____ and Legal Sufficiency
This 27th day of 9/2006


Assistant Solicitor

A TRUE COPY

Edward J. Gallagher
Director of Finance