

**CITY OF BALTIMORE
COUNCIL BILL 11-0684
(First Reader)**

Introduced by: Councilmembers Clarke, Curran, Henry

Introduced and read first time: April 11, 2011

Assigned to: Urban Affairs and Aging Committee

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

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Urban Renewal – Waverly Business Area –**
3 **Amendment _**

4 FOR the purpose of amending the Urban Renewal Plan for Waverly Business Area to amend and
5 clarify certain land uses and to correct, clarify, and conform certain language; 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 Waverly Business Area was originally approved by the Mayor
16 and City Council of Baltimore by Ordinance 79-1029 and last amended by Ordinance 02-371.

17 An amendment to the Urban Renewal Plan for Waverly Business Area is necessary to amend
18 and clarify certain land uses and to correct, clarify, and conform certain language.

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 Waverly Business Area are approved:

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

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

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1 B. Land Use Plan

2 2. Land Use Provisions and Standards

3 a. Permitted Uses

4

5 (1) Community Business

6 In the areas designated as Community Business on the Land Use Plan
7 Map, uses [shall be] ARE limited to those permitted [under] IN the B-2-
8 2 [category] ZONING DISTRICT of the Zoning [Ordinance] CODE of
9 Baltimore City, including residential uses and parking; however[,]:

10 I. Blood Donor Centers, Massage Salons, Poultry and Rabbit Killing
11 establishments, Pawnshops, Liquor and Package Goods Stores, and
12 Taverns not in existence on the date of enactment of the Ordinance
13 approving Amendment 2 of this Plan [shall] ARE not [be]
14 permitted.

15 II. Soup Kitchens and Check Cashing as primary uses not in existence
16 on the date of enactment of the Ordinance approving Amendment
17 No. 2 of this Plan [shall] ARE not [be] permitted.

18 III. BAIL BOND AGENCIES ARE NOT PERMITTED.

19
20 **SECTION 2. AND BE IT FURTHER ORDAINED**, That the Urban Renewal Plan for Waverly
21 Business Area, as amended by this Ordinance and identified as “Urban Renewal Plan, Waverly
22 Business Area, revised to include Amendment __, dated April 11, 2011”, is approved. The
23 Department of Planning shall file a copy of the amended Urban Renewal Plan with the
24 Department of Legislative Reference as a permanent public record, available for public
25 inspection and information.

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

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

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

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1 this Ordinance prevails and the other conflicting provision is repealed to the extent of the
2 conflict.

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