

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 12-0147

Introduced by: Councilmember Reisinger

At the request of: 7-Eleven, Inc.

Address: c/o David K. Gildea, Smith, Gildea & Schmidt, LLC, 600 Washington Avenue, Suite
200, Towson, Maryland 21204

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Introduced and read first time: September 24, 2012

Assigned to: Urban Affairs and Aging Committee

Committee Report: Favorable with amendments

Council action: Adopted

Read second time: January 28, 2013

AN ORDINANCE CONCERNING

**Urban Renewal – Caton/95 –
Amendment 5**

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2
3 FOR the purpose of amending the Urban Renewal Plan for Caton/95 to amend certain exhibits to
4 reflect the change of zoning, upon approval by separate ordinance, for the property known as
5 3224-3226 Washington Boulevard; waiving certain content and procedural requirements;
6 making the provisions of this Ordinance severable; providing for the application of this
7 Ordinance in conjunction with certain other ordinances; and providing for a special effective
8 date.

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

Recitals

15 The Urban Renewal Plan for Caton/95 was originally approved by the Mayor and City
16 Council of Baltimore by Ordinance 81-399 and last amended by Ordinance 98-336.

17 An amendment to the Urban Renewal Plan for Caton/95 is necessary to amend certain
18 exhibits to reflect the change of zoning, upon approval by separate ordinance, for the property
19 known as 3224-3226 Washington Boulevard.

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

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.

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1 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE**, That the
2 following changes in the Urban Renewal Plan for Caton/95 are approved:

- 3 1. Upon approval of rezoning by separate ordinance, amend Exhibit 1, “Land Use Plan”,
4 to reflect the change in use category for the property known as 3224-3226
5 Washington Boulevard, from General Industrial to Community Business.
- 6 2. Upon approval of rezoning by separate ordinance, amend Exhibit 4, “Zoning
7 Districts”, to reflect the change of zoning for the property known as 3224-3226
8 Washington Boulevard, from the M-2-1 Zoning District to the B-2-4 Zoning District.

9 **SECTION 2. AND BE IT FURTHER ORDAINED**, That the Urban Renewal Plan for Caton/95, as
10 amended by this Ordinance and identified as “Urban Renewal Plan, Caton/95, revised to include
11 Amendment 5, dated September 24, 2012”, is approved. The Department of Planning shall file a
12 copy of the amended Urban Renewal Plan with the Department of Legislative Reference as a
13 permanent public record, available for public inspection and information.

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

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

23 **SECTION 5. AND BE IT FURTHER ORDAINED**, That if a provision of this Ordinance concerns
24 the same subject as a provision of any zoning, building, electrical, plumbing, health, fire, or
25 safety law or regulation, the applicable provisions shall be construed to give effect to each.
26 However, if the provisions are found to be in irreconcilable conflict, the one that establishes the
27 higher standard for the protection of the public health and safety prevails. If a provision of this
28 Ordinance is found to be in conflict with an existing provision of any other law or regulation that
29 establishes a lower standard for the protection of the public health and safety, the provision of
30 this Ordinance prevails and the other conflicting provision is repealed to the extent of the
31 conflict.

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

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Certified as duly passed this _____ day of _____, 20__

President, Baltimore City Council

Certified as duly delivered to Her Honor, the Mayor,
this _____ day of _____, 20__

Chief Clerk

Approved this _____ day of _____, 20__

Mayor, Baltimore City