

**CITY OF BALTIMORE**  
**ORDINANCE \_\_\_\_\_**  
**Council Bill 11-0684**

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Introduced by: Councilmembers Clarke, Curran, Henry

Introduced and read first time: April 11, 2011

Assigned to: Urban Affairs and Aging Committee

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Committee Report: Favorable with amendments

Council action: Adopted

Read second time: June 20, 2011

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**AN ORDINANCE CONCERNING**

**Urban Renewal – Waverly Business Area –  
Amendment 4**

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2  
3 FOR the purpose of amending the Urban Renewal Plan for Waverly Business Area to amend and  
4 clarify certain land uses and to correct, clarify, and conform certain language; waiving  
5 certain content and procedural requirements; making the provisions of this Ordinance  
6 severable; providing for the application of this Ordinance in conjunction with certain other  
7 ordinances; and providing for a special effective date.

8 BY authority of

9 Article 13 - Housing and Urban Renewal

10 Section 2-6

11 Baltimore City Code

12 (Edition 2000)

**Recitals**

13  
14 The Urban Renewal Plan for Waverly Business Area was originally approved by the Mayor  
15 and City Council of Baltimore by Ordinance 79-1029 and last amended by Ordinance 02-371.

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

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

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

23 (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.  
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            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 4, 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.

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