

**CITY OF BALTIMORE  
COUNCIL BILL 12-0147  
(First Reader)**

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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

Telephone: 410-821-0070

Introduced and read first time: September 24, 2012

Assigned to: Urban Affairs and Aging Committee

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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

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A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Urban Renewal – Caton/95 –**  
3 **Amendment \_**

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

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

15 **Recitals**

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

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

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

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

**Council Bill 12-0147**

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 \_\_, 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.