

**CITY OF BALTIMORE**  
**ORDINANCE \_\_\_\_\_**  
**Council Bill 11-0758**

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Introduced by: Councilmembers Kraft, D’Adamo

At the request of: BCP Investors, LLC

Address: c/o Stanley S. Fine, Esquire, Rosenberg | Martin | Greenberg, LLP, 25 South Charles Street, Suite 2115, Baltimore, Maryland 21201

Telephone: 410-727-6600

Introduced and read first time: August 15, 2011

Assigned to: Urban Affairs and Aging Committee

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Committee Report: Favorable with amendments

Council action: Adopted

Read second time: November 14, 2009

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**AN ORDINANCE CONCERNING**

**Urban Renewal – Canton Industrial Area –  
Amendment 4**

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3 FOR the purpose of amending the Urban Renewal Plan for Canton Industrial Area to add a new  
4 land use category to the permitted land uses in the Plan and to revise Exhibits 1 and 4 to  
5 reflect the change in zoning, upon approval by separate ordinance, for Block 6505, Lots 1/9,  
6 9A, and 10; waiving certain content and procedural requirements; making the provisions of  
7 this Ordinance severable; providing for the application of this Ordinance in conjunction with  
8 certain other 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)

**Recitals**

15 The Urban Renewal Plan for Canton Industrial Area was originally approved by the Mayor  
16 and City Council of Baltimore by Ordinance 90-528 and last amended by Ordinance 07-390.

17 An amendment to the Urban Renewal Plan for Canton Industrial Area is necessary to add a  
18 new land use category to the permitted land uses in the Plan and to revise Exhibits 1 and 4 to  
19 reflect the change in zoning, upon approval by separate ordinance, for Block 6505, Lots 1/9, 9A,  
20 and 10.

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.  
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 Canton Industrial Area are approved:

3           (1) In the Plan, amend the first paragraph of B.1. and add new B.1.b. to read as follows:

4           B. Land Use Plan

5           1. Permitted Land Uses

6                   Only those use categories shown on the Land Use Plan Map, Exhibit No. 1,  
7 shall be permitted within the project area. These are General Industrial,  
8 Industrial/Commercial, [and] Heavy Industrial, AND COMMERCIAL uses.  
9 Accessory uses (uses incidental and subordinate to and serving the principal  
10 use) including landscaping, off-street parking and loading will be permitted.  
11 In addition, present non-complying and non-conforming uses will be  
12 permitted to continue, subject to the provisions set forth below.

13           a. Industrial

14                   . . .

15           B. COMMERCIAL

16                   IN THE AREA DESIGNATED ON THE LAND USE PLAN MAP, EXHIBIT 1, AS  
17 “COMMERCIAL”, USES SHALL INCLUDE THOSE PERMITTED UNDER THE B-2  
18 ZONING DISTRICT CLASSIFICATION OF THE ZONING CODE OF BALTIMORE  
19 CITY, AS WELL AS ANY USE PERMITTED UNDER ANY PLANNED UNIT  
20 DEVELOPMENT (PUD) LEGISLATION APPROVED BY THE MAYOR AND CITY  
21 COUNCIL FOR THIS AREA.

22           (2) In the Plan, renumber B.1.b. and c., respectively, to B.1.c. and d., respectively.

23           (3) Upon approval of rezoning by separate ordinance, for the properties known as Block  
24 6505, Lots 1/9, 9A, and 10, revise Exhibit 1, “Land Use Plan”, to reflect the change in  
25 zoning from Heavy Industrial to ~~Community Business~~ COMMERCIAL.

26           (4) Upon approval of rezoning by separate ordinance, revise Exhibit 4, “Zoning  
27 Districts”, to reflect the change in zoning for the properties known as Block 6505,  
28 Lots 1/9, 9A, and 10, from the M-3 Zoning District to the B-2-2 Zoning District.

29       **SECTION 2. AND BE IT FURTHER ORDAINED**, That the Urban Renewal Plan for Canton  
30 Industrial Area, as amended by this Ordinance and identified as “Urban Renewal Plan, Canton  
31 Industrial Area, revised to include Amendment 4, dated August 15, 2011”, is approved. The  
32 Department of Planning shall file a copy of the amended Urban Renewal Plan with the  
33 Department of Legislative Reference as a permanent public record, available for public  
34 inspection and information.

35       **SECTION 3. AND BE IT FURTHER ORDAINED**, That if the amended Urban Renewal Plan  
36 approved by this Ordinance in any way fails to meet the statutory requirements for the content of  
37 a renewal plan or for the procedures for the preparation, adoption, and approval of a renewal

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1 plan, those requirements are waived and the amended Urban Renewal Plan approved by this  
2 Ordinance is exempted from them.

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

7 **SECTION 5. AND BE IT FURTHER ORDAINED,** That if a provision of this Ordinance concerns  
8 the same subject as a provision of any zoning, building, electrical, plumbing, health, fire, or  
9 safety law or regulation, the applicable provisions shall be construed to give effect to each.  
10 However, if the provisions are found to be in irreconcilable conflict, the one that establishes the  
11 higher standard for the protection of the public health and safety prevails. If a provision of this  
12 Ordinance is found to be in conflict with an existing provision of any other law or regulation that  
13 establishes a lower standard for the protection of the public health and safety, the provision of  
14 this Ordinance prevails and the other conflicting provision is repealed to the extent of the  
15 conflict.

16 **SECTION 6. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the date it is  
17 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