

**CITY OF BALTIMORE**  
**ORDINANCE \_\_\_\_\_**  
**Council Bill 10-0449**

---

Introduced by: Councilmember Cole  
Introduced and read first time: February 22, 2010  
Assigned to: Urban Affairs and Aging Committee

---

Committee Report: Favorable with amendments  
Council action: Adopted  
Read second time: June 14, 2010

---

**AN ORDINANCE CONCERNING**

**Urban Renewal – Druid Heights –  
Amendment 5**

1  
2  
3 FOR the purpose of amending the Urban Renewal Plan for Druid Heights to allow the unenclosed  
4 display of certain merchandise in a certain land use classification in the Druid Heights Urban  
5 Renewal Area, subject to certain conditions, and to conform a certain reference; 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)

**Recitals**

14  
15 The Urban Renewal Plan for Druid Heights was originally approved by the Mayor and City  
16 Council of Baltimore by Ordinance 77-376 and last amended by Ordinance 94-361.

17 An amendment to the Urban Renewal Plan for Druid Heights is necessary to allow the  
18 unenclosed display of certain merchandise in a certain land use classification in the Druid  
19 Heights Urban Renewal Area, subject to certain conditions, and to conform a certain reference.

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

23 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE**, That the  
24 following change in the Urban Renewal Plan for Druid Heights is approved:

25 In the Plan, amend B.1.a. 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.

**Council Bill 10-0449**

1 a. Residential and Community Business

2 Residential and Community Business uses permitted shall be those permitted by  
3 the Zoning [Ordinance] CODE of Baltimore City. ON ~~BOTH SIDES~~ THE EAST SIDE  
4 OF THE 2300 BLOCK OF PENNSYLVANIA AVENUE; AND ON THE EAST SIDE OF THE  
5 2400 BLOCK OF PENNSYLVANIA AVENUE, ~~AND ON BOTH SIDES OF THE 1600 BLOCK~~  
6 ~~OF WEST NORTH AVENUE,~~ THE UNENCLOSED DISPLAY OF MERCHANDISE FOR SALE  
7 TO THE PUBLIC IS ALLOWED, DURING THE HOURS OF 7 A.M TO 7 P.M. A MINOR  
8 PRIVILEGE PERMIT IS REQUIRED TO DISPLAY MERCHANDISE ON THE PUBLIC RIGHT-  
9 OF-WAY. DISPLAYS ON THE PUBLIC RIGHT-OF-WAY MUST PRESERVE 6 FEET OF  
10 CLEAR WIDTH IN ORDER TO MAINTAIN CONTINUOUS PEDESTRIAN ACCESS AND  
11 ACCESSIBILITY BY DISABLED PERSONS.

12 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the Urban Renewal Plan for Druid  
13 Heights, as amended by this Ordinance and identified as “Urban Renewal Plan, Druid Heights,  
14 revised to include Amendment 5, dated February 22, 2010”, is approved. The Department of  
15 Planning shall file a copy of the amended Urban Renewal Plan with the Department of  
16 Legislative Reference as a permanent public record, available for public inspection and  
17 information.

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

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

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

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

**Council Bill 10-0449**

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