

CITY OF BALTIMORE
COUNCIL BILL 11-0674
(First Reader)

Introduced by: The Council President

At the request of: The Administration (Department of Housing and Community Development)

Introduced and read first time: March 28, 2011

Assigned to: Urban Affairs and Aging Committee

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

A BILL ENTITLED

AN ORDINANCE concerning

**Urban Renewal – Key Highway –
Amendment _**

FOR the purpose of amending the Urban Renewal Plan for Key Highway to modify the boundaries of the Renewal Area, to remove certain definitions of general uses in the Plan, to remove Development Areas B and C from the Plan, and to amend certain Exhibits to reflect the changes in the Plan; waiving certain content and procedural requirements; making the provisions of this Ordinance severable; providing for the application of this Ordinance in conjunction with certain other ordinances; and providing for a special effective date.

BY authority of

Article 13 - Housing and Urban Renewal
Section 2-6
Baltimore City Code
(Edition 2000)

Recitals

The Urban Renewal Plan for Key Highway was originally approved by the Mayor and City Council of Baltimore by Ordinance 86-622 and last amended by Ordinance 08-50.

An amendment to the Urban Renewal Plan for Key Highway is necessary to modify the boundaries of the Renewal Area, to remove certain definitions of general uses in the Plan, to remove Development Areas B and C from the Plan, and to amend certain Exhibits to reflect the changes in the Plan.

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

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the following changes in the Urban Renewal Plan for Key Highway are approved:

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

Council Bill 11-0674

(1) In the Plan, amend I.A. to read as follows:

I. Project Description

A. Boundary Description

The boundaries of the Key Highway Urban Renewal Project (hereinafter referred to as the "Project Area") are shown on Exhibit A and are described as follows:

Beginning for the same at the point formed by the intersection of a south outline of the [Neighborhood Progress Administration/] Department of Housing and Community Development Inner Harbor Urban Renewal Project I and the west side of Covington Street, as now laid out 66 feet wide, said point of beginning being distant South 02 Degrees, 07 Minutes - 20 Seconds East 237.55 feet measured along the west side of said Covington Street from the south side of Key Highway, as now laid out 66 feet wide, and running thence binding on the west side of said Covington Street, crossing Grindall Street, Cross Street and Ostend Street, southerly 2,043 feet, more or less, to the northwest corner of Gittings Street, as now laid out 49.5 feet wide, and said Covington Street; thence by a straight line, crossing said Gittings Street; Southeasterly 52 feet, more or less, to the southwest corner of Gittings Street and Covington Street, as now laid out; thence by another straight line, crossing last said Covington Street, Northeasterly 51 feet, more or less, to the southeast corner of Gittings Street, as now laid out 25 feet wide, and last said Covington Street, thence binding on south side of last said Gittings Street, Easterly 379 feet, more or less, to the southwest corner of last said Gittings Street and Jackson Street, as now laid out 66 feet wide; thence by another straight line, crossing said Jackson Street, Northeasterly 75 feet, more or less, to the point formed by the intersection of the east side of said Jackson Street and the center line of an alley, 10 feet wide, laid out contiguous to and north of the property known as No.1341 Jackson Street; thence binding on the center line of said alley, Easterly 80 feet, more or less, to intersect the center line of an alley, 20 feet wide, laid out 70 feet east of said Jackson Street; thence binding on the center line of last said alley, southerly 105 feet, more or less, to intersect the center line of an alley, 10 feet wide, laid out 65 feet north of Clement Street, as now laid out 66 feet wide; thence binding in part on the center line of last said alley, in part on the line of the center line of last said alley, if projected easterly, and in all, easterly 97 feet, more or less, to intersect the center line of Anchor Street, as now laid out; thence binding on the center line of said Anchor Street, Northerly 115 feet, more or less, to intersect the southwest side of Key Highway, as now laid out 106 feet wide; thence binding in part on the southwest side of said Key Highway, [in part on the line of the southwest side of said Key Highway , if projected southeasterly, and in all, crossing River Street, Clement Street and Webster Street, Southeasterly 600 feet, more or less, to intersect the line of the southeastern most outline of the property known as No.1101 Key Highway, if projected southwesterly; thence binding in part reversely on last said line so projected, in part on the southeastern most outline of last said property, and in all, North 35 Degrees - 17 minutes - 50 seconds East 246 feet, more or less;

Council Bill 11-0674

thence continuing to bind on the southeastern most outline of last said property the five following courses and distances; namely, North 42 Degrees - 27 Minutes - 30 Seconds East 53.78 feet, North 24 Degrees - 15 minutes - 30 Seconds East 36.46 feet, South 65 Degrees - 44 Minutes - 30 Seconds East 9.82 feet, North 38 Degrees - 06 Minutes - 50 Seconds East 63.08 feet and North 27 Degrees - 55 Minutes - 10 Seconds East 86.79 feet; thence continuing to bind in part on the southeastern most outline of last said property, if projected northeasterly, and in all, North 39 degrees - 50 minutes - 20 seconds East 370 feet] A DISTANCE OF 150 FEET, MORE OR LESS, TO INTERSECT WITH THE PROJECTED NORTHWESTERN PROPERTY LINE OF 1321 KEY HIGHWAY; THENCE BINDING ON SAID PROJECTED PROPERTY LINE IN A NORTHEASTERLY DIRECTION A DISTANCE OF 158 FEET TO THE NORTH PROPERTY LINE OF 1321 KEY HIGHWAY; THENCE EASTERLY A DISTANCE OF 46 FEET TO THE NORTH SIDE OF PIER 8; THENCE EASTERLY AND ALONG PIER 8 A DISTANCE OF 481 FEET; THENCE SOUTHERLY ALONG PIER 8 A DISTANCE OF 32 FEET TO A POINT ON THE EASTERN PROPERTY LINE OF 1401 KEY HIGHWAY; THENCE BINDING ON SAID PROPERTY LINE, NORTHEASTERLY A DISTANCE OF 120 FEET, more or less, to intersect the Pierhead/Bulkhead line of Baltimore Harbor; thence by a straight line, crossing the basin of the Northwest Branch of the Patapsco River, Northerly 1,715 feet, more or less, to the easternmost extremity of the southernmost outline of the [Neighborhood Progress Administration/] Department of Housing and Community Development Inner Harbor East Urban Renewal Project; thence binding on the southernmost outline of said Inner Harbor East Urban Renewal Project and crossing the basin of the Northwest Branch of said Patapsco River, due West 1,210 feet, more or less, to intersect A POINT FORMED BY THE INTERSECTION OF the northeast outline of the [Neighborhood Progress Administration/] Department of Housing and Community Development Inner Harbor Urban Renewal Project I, [; thence binding on the northeast outline of said Inner Harbor Urban Renewal Project I, South 39 Degrees - 18 Minutes - 02 Seconds East 25.11 feet; thence binding in part on the northeast outline of said Inner Harbor Renewal Urban Renewal Project I, in part on the line of said northeast outline, if projected southeasterly, and in all, South 24 Degrees - 23 Minutes - 47 Seconds East 270 feet, more or less, to intersect a line drawn at a right angle to the west side of Key Highway, as now laid out 160 feet wide, from a point distant 175 feet southerly, measured along the west side of said Key Highway from the southwest corner of said Inner Harbor Urban Renewal Project I outline; thence binding reversely on said line so drawn, crossing Key Highway, Westerly 652 feet, more or less, to intersect the west side of said Key Highway; thence binding on the west side of said Key Highway, Northerly 175 feet to said southwest corner of said Inner Harbor Urban Renewal Project I outline; thence binding on a west outline of said Inner Harbor Urban Renewal Project I and on the west side of said Key Highway, North 02 Degrees - 07 Minutes - 20 Seconds West 97.00 feet to the south outline of said Inner Harbor Urban Renewal Project I mentioned firstly herein and thence binding on the south outline of said Inner Harbor Renewal Project I mentioned firstly herein, crossing Covington Street, South 86 degrees - 36 Minutes - 35 Seconds West 155.02 feet] AND THE LINE OF THE SOUTH SIDE OF THE FORMER BED OF MONTGOMERY STREET, 82.5 FEET WIDE, IF PROJECTED EASTERLY; THENCE BINDING ON THE EXISTING PIERHEAD AND BULKHEAD LINE, SOUTHEASTERLY 26 FEET, MORE OR LESS, TO POINT LVI ON SAID PIERHEAD

Council Bill 11-0674

1 AND BULKHEAD LINE, THENCE BINDING ON THE EXISTING PIERHEAD AND
2 BULKHEAD LINE, SOUTHEASTERLY 270 FEET, MORE OR LESS; TO INTERSECT A
3 LINE DRAWN AT A RIGHT ANGLE TO THE WEST SIDE OF KEY HIGHWAY, AS NOW
4 LAID OUT 106 FEET WIDE, FROM A POINT ON THE WEST SIDE OF KEY HIGHWAY
5 DISTANT 275 FEET, MORE OR LESS, SOUTH OF THE SOUTH SIDE OF THE FORMER
6 BED OF MONTGOMERY STREET, AS NOW LAID OUT 82.5 FEET WIDE, THENCE
7 BINDING REVERSELY ON SAID LINE SO DRAWN, CROSSING KEY HIGHWAY,
8 WESTERLY 652 FEET, MORE OR LESS, TO INTERSECT THE WEST SIDE OF KEY
9 HIGHWAY; THENCE BINDING ON THE WEST SIDE OF SAID KEY HIGHWAY,
10 NORTHERLY 275 FEET, MORE OR LESS, TO INTERSECT THE SOUTH SIDE OF THE
11 FORMER BED OF MONTGOMERY STREET, AS NOW LAID OUT 82.5 FEET WIDE,
12 THENCE BINDING ON THE SOUTH SIDE OF SAID MONTGOMERY STREET AND
13 EXTENDED, WESTERLY 154 FEET, MORE OR LESS, to the place of beginning.

14 (2) In the Plan, delete II.B.2)d) and e) in their entirety, as shown as follows:

15 II. Land Uses.

16 B. Land Use Provisions.

17 2) Definition of General Uses: The General Uses in this Renewal Plan shall
18 be the following:

19

20 [d) Marine Services: The category defined as “Marine Services” includes
21 the following uses:

- 22 (1) Marine Services
- 23 (2) Parking]

24 [e) Industrial: The category defined as “Industrial” includes all uses from
25 time to time permitted under the M-1-3 or M-3 Zoning Classification
26 of the Zoning Ordinance of Baltimore City, as the case may be, but
27 specifically excludes those uses which cause emission of heavy smoke
28 or noxious odors into the atmosphere and those which are obnoxious
29 or potentially dangerous to health as determined by NPA/DHCD.]

30 (3) In the Plan, in III.C., delete Development Areas B and C in their entirety, as shown as
31 follows:

32 III. Regulations, Controls and Restrictions.

33 C. Development Area Controls.

34

35 [Development Area B.

- 36 1) General Use: Marine Services or any use permitted in M-1.
- 37 2) All other controls as permitted under M-1 Zoning.]

Council Bill 11-0674

1 [Development Area C.

2 1) General Use: Industrial.

3 2) All other controls as permitted under M-2-2 Zoning.]

4 (4) Amend Exhibit A, "Boundary", Exhibit B, "Development Areas", Exhibit C, "Land
5 Use", Exhibit D, "Existing Zoning", Exhibit E, "Pedestrian Access", and "Exhibit F,
6 "Proposed Zoning", to reflect the changes in the Plan.

7 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the Urban Renewal Plan for Key
8 Highway, as amended by this Ordinance and identified as "Urban Renewal Plan, Key Highway,
9 revised to include Amendment __, dated March 28, 2011", is approved. The Department of
10 Planning shall file a copy of the amended Urban Renewal Plan with the Department of
11 Legislative Reference as a permanent public record, available for public inspection and
12 information.

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

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

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

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