

**CITY OF BALTIMORE
COUNCIL BILL 10-0592
(First Reader)**

Introduced by: Councilmember Stokes
Introduced and read first time: August 9, 2010
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

1 AN ORDINANCE concerning

2 **Urban Renewal – Oldtown –**
3 **Amendment _**

4 FOR the purpose of amending the Urban Renewal Plan for Oldtown to allow a conditional use,
5 upon approval by separate ordinance, on the property known as 533/535 Oldtown Mall;
6 waiving certain content and procedural requirements; making the provisions of this
7 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)

14 **Recitals**

15 The Urban Renewal Plan for Oldtown was originally approved by the Mayor and City
16 Council of Baltimore by Ordinance 70-760 and last amended by Ordinance 07-498.

17 An amendment to the Urban Renewal Plan for Oldtown is necessary to allow a conditional
18 use, upon approval by separate ordinance, on the property known as 533/535 Oldtown Mall.

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

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

24 (1) In the Plan, in C.2.a.(2), amend the list of prohibited uses to read as follows:

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

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- 1 Check cashing agencies
- 2 Community correction centers
- 3 Dry cleaning establishments: drive-in
- 4 Firearm sales, ammunition sales, or both
- 5 Fraternity and sorority houses: off-campus
- 6 Gasoline service stations
- 7 Hotels and motels
- 8 Liquor stores: package goods
- 9 Massage salons
- 10 Parole and probation field offices
- 11 Pawnshops, EXCEPT AS A NONCONFORMING USE AT 533/535 OLDTOWN MALL
- 12 Poultry - and rabbit killing establishments
- 13 Rooming houses
- 14 Skating rinks
- 15 Travel trailers, recreational vehicles, and similar camping equipment: parking or
- 16 storage

(2) In the Plan, amend Appendix A to read as follows:

Appendix A

Nonconforming uses

<u>Address:</u>	<u>Use:</u>
600-604 Aisquith Street	manufacturing
425 Colvin Street	manufacturing
1019 Hillen Street	coffee roasting
1119-1127 Monument Street	dry cleaning
533/535 OLDTOWN MALL	PAWNSHOP

SECTION 2. AND BE IT FURTHER ORDAINED, That the Urban Renewal Plan for Oldtown, as amended by this Ordinance and identified as “Urban Renewal Plan, Oldtown, revised to include Amendment __, dated August 9, 2010”, is approved. The Department of Planning shall file a copy of the amended Urban Renewal Plan with the Department of Legislative Reference as a permanent public record, available for public inspection and information.

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

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

SECTION 5. AND BE IT FURTHER ORDAINED, That if a provision of this Ordinance concerns the same subject as a provision of any zoning, building, electrical, plumbing, health, fire, or safety law or regulation, the applicable provisions shall be construed to give effect to each.

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1 However, if the provisions are found to be in irreconcilable conflict, the one that establishes the
2 higher standard for the protection of the public health and safety prevails. If a provision of this
3 Ordinance is found to be in conflict with an existing provision of any other law or regulation that
4 establishes a lower standard for the protection of the public health and safety, the provision of
5 this Ordinance prevails and the other conflicting provision is repealed to the extent of the
6 conflict.

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