

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 05-0264

Introduced by: Councilmember Welch
At the request of: Nanticoke Investment Company, LLC
Address: c/o Stanley S. Fine, Esquire, 25 South Charles Street, Suite 2115, Baltimore,
Maryland 21201
Telephone: 410-727-6600
Introduced and read first time: October 17, 2005
Assigned to: Urban Affairs Committee

Committee Report: Favorable with amendments
Council action: Adopted

Read second time: March 20, 2006

AN ORDINANCE CONCERNING

**Urban Renewal – Washington Village –
Amendment 5**

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3 FOR the purpose of amending the Urban Renewal Plan for Washington Village to revise the land
4 use classification of certain properties; ~~and~~ to revise certain exhibits to reflect the changes in
5 the Plan; and amend a certain provision of Appendix B; waiving certain content and
6 procedural requirements; making the provisions of this Ordinance severable; providing for
7 the application of this Ordinance in conjunction with certain other ordinances; and providing
8 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

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15 The Urban Renewal Plan for Washington Village was originally approved by the Mayor and
16 City Council of Baltimore by Ordinance 79-1128 and last amended by Ordinance 04-833.

17 An amendment to the Urban Renewal Plan for Washington Village is necessary to revise the
18 land use classification of certain properties; ~~and~~ revise certain exhibits to reflect the changes in
19 the Plan; and amend a certain provision of Appendix B.

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.

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 05-0264

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 Washington Village are approved:

3 (1) Amend Exhibit 1, Land Use Plan, to reflect the change in land use, under separate
4 Ordinance, for the properties known as 1240 Nanticoke Street and Tax Block 790,
5 Lot 55.

6 (2) Amend Exhibit 4, Zoning Districts, to reflect the change in zoning district
7 classification, under separate Ordinance, for the properties known as 1240 Nanticoke
8 Street and Tax Block 790, Lot 55.

9
10 (3) In Appendix B, amend 3. to read as follows:

11 3. Rear and Side Walls

12 a. Rear and side walls must be repaired and painted to present a neat and
13 fresh appearance. Rear walls must be painted to cover evenly all
14 miscellaneous patched and filled areas[. Rear walls may] OR be covered
15 in stucco to present an even[,] AND uniform [surface] APPEARANCE.

16 b. Side AND REAR walls, WHERE visible from a public right-of-way, must be
17 finished or painted [with a single color except for trim] so as to harmonize
18 with the front of the building. THIS FINISH MAY INCLUDE FAUX BRICK,
19 STUCCO, OR PAINT. IT MAY NOT BE SIDING OF WOOD, PLASTIC, OR METAL
20 MATERIALS. Murals may be painted on side walls in the B-2-3 zone if
21 approved by the Commercial District Review Panel. Unpainted brick side
22 walls visible from a public right-of-way must be clean, but must remain
23 unpainted.

24 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the Urban Renewal Plan for Washington
25 Village, as amended by this Ordinance and identified as “Urban Renewal Plan, Washington
26 Village, revised to include Amendment 5, dated October 17, 2005”, is approved. The
27 Department of Planning shall file a copy of the amended Urban Renewal Plan with the
28 Department of Legislative Reference as a permanent public record, available for public
29 inspection and information.

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

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

39 **SECTION 5. AND BE IT FURTHER ORDAINED,** That if a provision of this Ordinance concerns
40 the same subject as a provision of any zoning, building, electrical, plumbing, health, fire, or
41 safety law or regulation, the applicable provisions shall be construed to give effect to each.
42 However, if the provisions are found to be in irreconcilable conflict, the one that establishes the

Council Bill 05-0264

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

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

Certified as duly passed this _____ day of _____, 20__

President, Baltimore City Council

Certified as duly delivered to His Honor, the Mayor,
this _____ day of _____, 20__

Chief Clerk

Approved this _____ day of _____, 20__

Mayor, Baltimore City