

**Introduced by:** Councilmember Clarke

**Prepared by:** Department of Legislative Reference

**Date:** January 16, 2018

**Referred to:** HOUSING AND URBAN AFFAIRS Committee

Also referred for recommendation and report to municipal agencies listed on reverse.

CITY COUNCIL 18-0183

A BILL ENTITLED

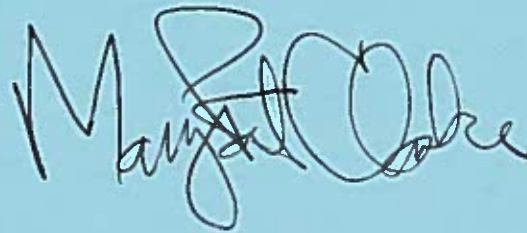
AN ORDINANCE concerning

**Urban Renewal – Coldstream Homestead Montebello –  
Amendment \_**

FOR the purpose of amending the Urban Renewal Plan for Coldstream Homestead Montebello to modify the list of uses prohibited in the Urban Renewal Area; 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)



No. \_\_\_\_\_

**\*\*The introduction of an Ordinance or Resolution by Councilmembers at the request of any person, firm or organization is a courtesy extended by the Councilmembers and not an indication of their position.**

**Agencies**

<input checked="" type="checkbox"/> Baltimore City Public School System	<input type="checkbox"/> Baltimore Development Corporation
<input checked="" type="checkbox"/> City Solicitor	<input type="checkbox"/> Baltimore City Public School System
<input type="checkbox"/> Comptroller's Office	<input type="checkbox"/> Department of Finance
<input type="checkbox"/> Department of Audits	<input type="checkbox"/> Department of General Services
<input type="checkbox"/> Department of Finance	<input checked="" type="checkbox"/> Department of Housing and Community Development
<input type="checkbox"/> Department of Planning	<input type="checkbox"/> Department of Human Resources
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<input type="checkbox"/> Other: _____	<input type="checkbox"/> Other: _____
<input checked="" type="checkbox"/> Department of Public Works	<input type="checkbox"/> Department of Transportation
<input type="checkbox"/> Department of Real Estate	<input checked="" type="checkbox"/> Department of Transportation
<input type="checkbox"/> Department of Recreation and Parks	<input type="checkbox"/> Fire Department
<input type="checkbox"/> Health Department	<input type="checkbox"/> Health Department
<input type="checkbox"/> Mayor's Office of Employment Development	<input type="checkbox"/> Mayor's Office of Employment Development
<input type="checkbox"/> Mayor's Office of Human Services	<input type="checkbox"/> Mayor's Office of Human Services
<input type="checkbox"/> Mayor's Office of Information Technology	<input type="checkbox"/> Mayor's Office of Information Technology
<input type="checkbox"/> Office of the Mayor	<input type="checkbox"/> Office of the Mayor
<input type="checkbox"/> Police Department	<input type="checkbox"/> Police Department
<input type="checkbox"/> Other: _____	<input type="checkbox"/> Other: _____
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<input type="checkbox"/> Board of Ethics	<input type="checkbox"/> Board of Ethics
<input checked="" type="checkbox"/> Board of Municipal and Zoning Appeals	<input checked="" type="checkbox"/> Board of Municipal and Zoning Appeals
<input checked="" type="checkbox"/> Comm. for Historical and Architectural Preservation	<input type="checkbox"/> Comm. for Historical and Architectural Preservation
<input type="checkbox"/> Commission on Sustainability	<input type="checkbox"/> Commission on Sustainability
<input type="checkbox"/> Employees' Retirement System	<input type="checkbox"/> Employees' Retirement System
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<input type="checkbox"/> Other: _____	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Other: _____	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Environmental Control Board	<input type="checkbox"/> Environmental Control Board
<input type="checkbox"/> Fire & Police Employees' Retirement System	<input type="checkbox"/> Fire & Police Employees' Retirement System
<input type="checkbox"/> Labor Commissioner	<input type="checkbox"/> Labor Commissioner
<input type="checkbox"/> Parking Authority Board	<input type="checkbox"/> Parking Authority Board
<input checked="" type="checkbox"/> Planning Commission	<input type="checkbox"/> Planning Commission
<input type="checkbox"/> Wage Commission	<input type="checkbox"/> Wage Commission
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**Boards and Commissions**

CITY OF BALTIMORE  
ORDINANCE **18-129**  
Council Bill 18-0183

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Introduced by: Councilmember Clarke  
Introduced and read first time: January 22, 2018  
Assigned to: Housing and Urban Affairs Committee  
Committee Report: Favorable with amendments  
Council action: Adopted  
Read second time: April 16, 2018

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**AN ORDINANCE CONCERNING**

**Urban Renewal – Coldstream Homestead Montebello –  
Amendment 12**

FOR the purpose of amending the Urban Renewal Plan for Coldstream Homestead Montebello to modify the list of uses prohibited in the Urban Renewal Area; 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 Coldstream Homestead Montebello was originally approved by the Mayor and City Council of Baltimore by Ordinance 77-289 and last amended by Ordinance 17-061.

An amendment to the Urban Renewal Plan for Coldstream Homestead Montebello is necessary to modify the list of uses prohibited in the Urban Renewal Area.

Under Article 13, § 2-6 of the Baltimore City Code, no 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 change in the Urban Renewal Plan for Coldstream Homestead Montebello is approved:

(1) In the Plan, amend B.1. 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 18-0183**

1           **B. Land Use Plan**

2                   1. Permitted Uses

3                   .....

4                   Notwithstanding any other provision of this Plan, the following uses are  
5                   prohibited in the Coldstream Homestead Montebello Urban Renewal Area:

- 6                   (1) after hours establishments;
- 7                   (2) boats; sales, rental and repair;
- 8                   (3) building and lumber materials; sales establishment with shops and yards;
- 9                   (4) check cashing agencies;
- 10                  (5) highway maintenance shop and yards;
- 11                  (6) heliports;
- 12                  (7) model slot car racing centers;
- 13                  (8) palmists;
- 14                  (9) restaurants and lunchrooms – including live entertainment and dancing;
- 15                  (10) stables; [and]
- 16                  (11) tattoo parlors[.]; AND
- 17                  (12) NEIGHBORHOOD COMMERCIAL ESTABLISHMENTS, AS DEFINED IN THE  
18                  BALTIMORE CITY CODE, ARTICLE 32 - ZONING, § 1-310 (J).

19                  .....

20           **SECTION 2. AND BE IT FURTHER ORDAINED,** That the Urban Renewal Plan for Coldstream  
21           Homestead Montebello, as amended by this Ordinance and identified as “Urban Renewal Plan,  
22           Coldstream Homestead Montebello, revised to include Amendment 12, dated January 22, 2018”,  
23           is approved. The Department of Planning shall file a copy of the amended Urban Renewal Plan  
24           with the Department of Legislative Reference as a permanent public record, available for public  
25           inspection and information.

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

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

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

Council Bill 18-0183

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

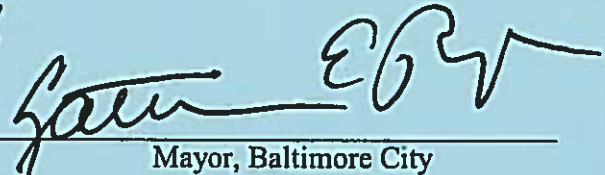
Certified as duly passed this \_\_\_\_\_ day of APR 23 2018

  
\_\_\_\_\_  
President, Baltimore City Council

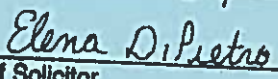
Certified as duly delivered to Her Honor, the Mayor,  
this \_\_\_\_\_ day of APR 23 2018

  
\_\_\_\_\_  
Chief Clerk

Approved this 24 day of April, 2018

  
\_\_\_\_\_  
Mayor, Baltimore City

Approved For Form and Legal Sufficiency  
This 23<sup>rd</sup> Day of April 2018

  
\_\_\_\_\_  
Chief Solicitor

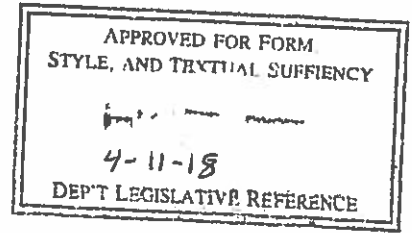
REC'D VIA

WILLIAM H. HALL

1953

1953

AMENDMENTS TO COUNCIL BILL 18-0183  
(1<sup>st</sup> Reader Copy)



By: Housing and Urban Affairs Committee

Amendment No. 1

On page 1, in line 3, in the blank, insert "12"; and, on page 2, in line 22, in the blank, insert "12".

**ADOPTED**





**BALTIMORE CITY COUNCIL**  
**Housing And Urban Affairs Committee**  
**VOTING RECORD**

DATE: 4-10-18

BILL#CC: 18- 0183 BILL TITLE: Ordinance – Urban Renewal – Coldstream  
 Homestead Montebello – Amendment

MOTION BY: Burnett SECONDED BY: Dorsey

- FAVORABLE                       FAVORABLE WITH AMENDMENTS  
 UNFAVORABLE                       WITHOUT RECOMMENDATION

NAME	YEAS	NAYS	ABSENT	ABSTAIN
Bullock, J. Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Schleifer, I. Vice Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Burnett, K.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry, B.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sneed ,S.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Cohen, Z	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dorsey, R.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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<b>TOTALS</b>	<u>5</u>	<u>0</u>	<u>2</u>	

CHAIRPERSON: [Signature]  
 COMMITTEE STAFF: Richard G. Krummerich, Initials: RIC



**CERTIFICATE OF POSTING**

RE: Case No. CCB 18-0183

Date of Hearing 4/10/18

**Baltimore City Council  
c/o Natawna B. Austin  
Room 409 – City Hall  
100 N. Holliday Street  
Baltimore, Md. 21202**

**This letter is to certify that the necessary sign was posted conspicuously, on the property located at \_\_\_\_\_**

**2614 Harford Road**

**on 3/27/18**

**Sincerely,**

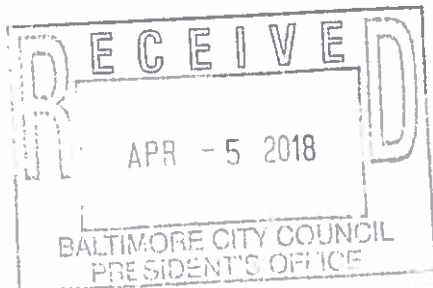
*Richard E. Hoffman* 3/27/18

**Richard E. Hoffman**

**904 Dellwood Drive**

**Fallston, Md. 21047**

**(443) 243-7360**



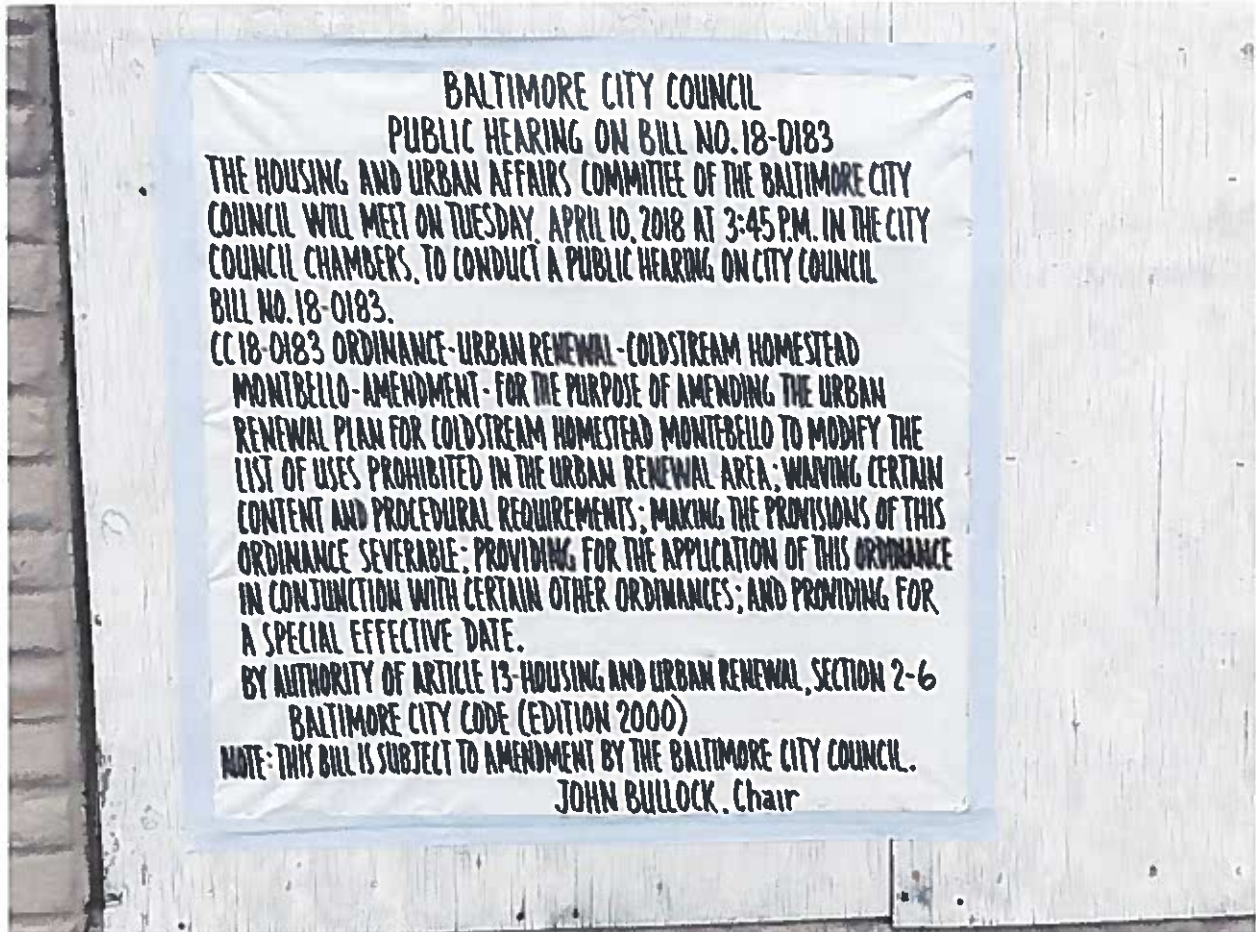


**Certificate of Posting**

**Baltimore City Council**

**Land Use and Transportation Committee**

**City Council Bill No. 18-0183**



**2614 Harford Road**

**Posted 3/27/18**

  
3/27/18

**Richard E. Hoffman**

**904 Dellwood Drive**

**Fallston, Md. 21047**

**443-243-7360**





Catherine Pugh  
Mayor

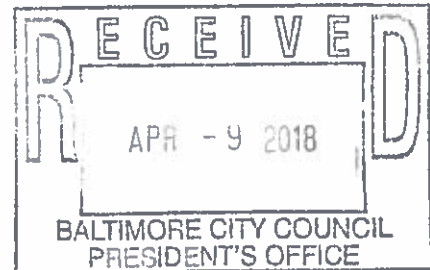
# BALTIMORE POLICE DEPARTMENT



Darryl De Sousa  
Police Commissioner

*testimonial, not report*

April 9, 2018



Honorable President and Members of the Baltimore City Council  
Room 400, City Hall  
100 N. Holliday Street  
Baltimore, Maryland 21202

*Attention: Natawna Austin, Executive Secretary*

**Re: City Council Bill No. 18-0183  
Urban Renewal – Coldstream Homestead Montebello – Amendment**

Dear Council President Young and Members of the City Council:

The Baltimore Police Department (BPD) has reviewed Council Bill 18-0183. This legislation is for the purpose of amending the Urban Renewal Plan for Coldstream Homestead Montebello to modify the list of uses prohibited in the Urban Renewal Area; 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.

The BPD supports this bill.

The area impacted is a vibrant community that has historically seen numerous incidents of violent crime including assaults and murders. Because of this, additional oversight is a step in the right direction, and the BPD see this legislation as a creative approach to dealing with a significant crime problem.

Thank you for the opportunity to comment. BPD looks forward to working with the City Council on this matter.

Sincerely,

Darryl De Sousa  
Police Commissioner





The Baltimore City Department of  
**HOUSING & COMMUNITY  
DEVELOPMENT**

## MEMORANDUM

To: The Honorable President and Members of the Baltimore City Council  
c/o Natawna Austin, Executive Secretary

From: Michael Braverman, Housing Commissioner *MBR*

Date: April 4, 2018

Re: **City Council Bill 18-0183 - Urban Renewal – Coldstream Homestead Montebello –  
Amendment**

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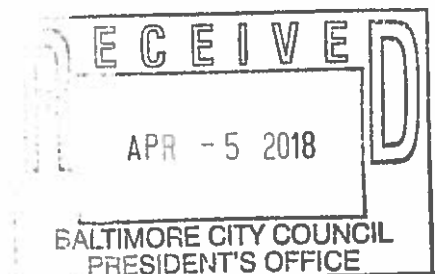
The Department of Housing and Community Development (HCD) has reviewed City Council Bill 18-0183, for the purpose of amending the Urban Renewal Plan for Coldstream Homestead Montebello to modify the list of uses prohibited in the Urban Renewal Area; waiving certain content and procedural requirements; 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.

If enacted, this bill would amend the Land Use Plan in the Coldstream Homestead Montebello neighborhood to prohibit Neighborhood Commercial Establishments. The land use category of Neighborhood Commercial Establishments was established in the new Zoning Code that was passed June 5, 2017 and is defined as “a non-residential use that is within a residential or office-residential zoning district, but in a structure that is non-residential in its construction and original use”. It was created to encourage the reuse of buildings that are left vacant for extended periods due to the expense and/or difficulty renovating an older structure to the proper requirements that was designed for non-residential use and is now located in a residential district. The prohibiting of Neighborhood Commercial Establishments eliminates a useful tool to assist with blight elimination and preservation of properties in the Coldstream Homestead Montebello Neighborhood.

The Department of Housing and Community Development agrees with the Planning Department and the Baltimore House Corporation and is in opposition to the passage of City Council Bill 18-0183.

MB:sd

cc: Ms. Karen Stokes, *Mayor's Office of Government Relations*  
Mr. Kyrion Banks, *Mayor's Office of Government Relations*





CITY OF BALTIMORE

CATHERINE E. PUGH, Mayor



DEPARTMENT OF LAW

ANDRE M. DAVIS, CITY SOLICITOR  
100 N. Holliday Street  
Suite 101, City Hall  
Baltimore, Maryland 21202

April 4, 2018

The Honorable President and Members  
of the Baltimore City Council  
Attn: Natawna B. Austin, Executive Secretary  
Room 409, City Hall  
100 N. Holliday Street  
Baltimore, Maryland 21202

Re: City Council Bill 18-0183 – Urban Renewal – Coldstream Homestead  
Montebello - Amendment

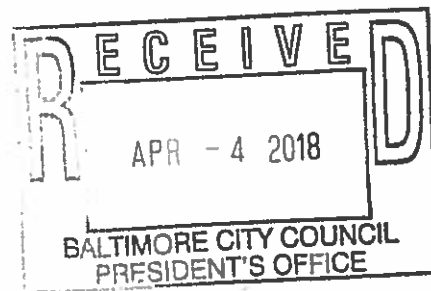
Dear President and City Council Members:

The Law Department has reviewed City Council Bill 18-0183 for form and legal sufficiency. The bill amends the Urban Renewal Plan for Coldstream Homestead Montebello to modify the list of uses prohibited in the Urban Renewal Area. The bill also waives certain content and procedural requirements, makes the provisions of the ordinance severable, provides for the application of the ordinance in conjunction with certain other ordinances, and provides for a special effective date.

The Baltimore City Code (BCC) requires that any change to an Urban Renewal Plan be made by ordinance. BCC Art. 13, § 2-6(g)(1). Where, as here, a change is proposed by a Councilmember, the ordinance must be referred for review to the Department of Housing and Community Development and the Planning Commission. BCC Art. 13, Section 2-6(h)(4). As this is the appropriate mechanism for making changes to the Plan, the Law Department approves the bill for form and legal sufficiency.

Sincerely,

Ashlea Brown  
Assistant Solicitor



cc: Andre Davis, City Solicitor  
Karen Stokes, Director, Mayor's Office of Government Relations  
Kyron Banks, Mayor's Legislative Liaison  
Elena DiPietro, Chief Solicitor, General Counsel Division  
Hilary Ruley, Chief Solicitor  
Victor Tervalá, Chief Solicitor

F



CITY OF BALTIMORE

CATHERINE E. PUGH, Mayor



BOARD OF MUNICIPAL AND  
ZONING APPEALS

DAVID C. TANNER, Executive Director  
417 E. Fayette Street, Room 1432  
Baltimore, Maryland 21202

April 4, 2018

The Honorable President and  
Members of the City Council  
City Hall  
100 N. Holliday Street  
Baltimore, MD 21202

**RE: CC Bill. #18-0183: Urban Renewal Amendment – Coldstream  
Homestead Montebello**

Ladies and Gentlemen:

City Council Bill No. 18-0183 has been referred by your Honorable Body to the Board of Municipal and Zoning Appeals for study and report.

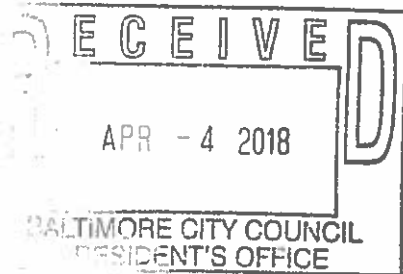
The purpose of City Council Bill No. 18-0183 is to modify the list of prohibited uses in the Coldstream Homestead Montebello Urban Renewal Plan to include Neighborhood Commercial Establishments as a prohibited use; waiving certain content and procedural requirements; making the provisions of this Ordinance severable; providing for the application of this Ordinance in conjunction with certain other ordinances; and providing for a special effective date.

The BMZA has reviewed the legislation and concurs with the position articulated in the Planning Department's staff report. BMZA therefore defers to the Planning Department's staff report in opposition to this bill.

Sincerely,

Derek J. Baumgardner  
Acting Executive Director


CC: Mayors Office of Council Relations  
Legislative Reference



*Defers to Planning Staff report  
in opposition to this Bill.*



TJA

<b>FROM</b>	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR	CITY of BALTIMORE <b>MEMO</b>	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 8 <sup>TH</sup> FLOOR, 417 EAST FAYETTE STREET		
	SUBJECT	CITY COUNCIL BILL #18-0183 / URBAN RENEWAL - COLDSTREAM HOMESTEAD MONTEBELLO - AMENDMENT ___		

**TO**

DATE: March 29, 2018

The Honorable President and  
Members of the City Council  
City Hall, Room 400  
100 North Holliday Street

At its regular meeting of March 29, 2018, the Planning Commission considered City Council Bill #18-0183, for the purpose of amending the Urban Renewal Plan for Coldstream Homestead Montebello to modify the list of uses prohibited in the Urban Renewal Area; 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.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report, which recommended disapproval of City Council Bill #18-0183 and adopted the following resolution; nine members being present (nine in favor):

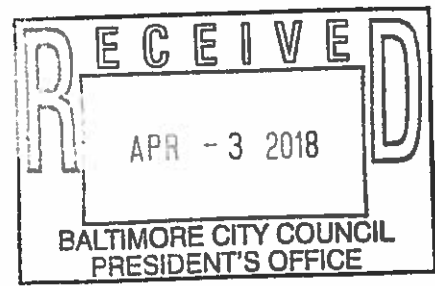
**RESOLVED**, That the Planning Commission disagrees with the recommendation of its departmental staff, and recommends that City Council Bill #18-0183 be passed by the City Council.

If you have any questions, please contact Mr. Eric Tiso, Division Chief, Land Use and Urban Design Division at 410-396-8358.

TJS/ewt

attachment

- cc: Mr. Pete Hammen, Chief Operating Officer
- Mr. Jim Smith, Chief of Strategic Alliances
- Ms. Karen Stokes, Mayor's Office
- Mr. Colin Tarbert, Mayor's Office
- Mr. Kyron Banks, Mayor's Office
- The Honorable Edward Reisinger, Council Rep. to Planning Commission
- Mr. William H. Cole IV, BDC
- Mr. Derek Baumgardner, BMZA
- Mr. Geoffrey Veale, Zoning Administration
- Ms. Sharon Daboin, DHCD
- Ms. Elena DiPietro, Law Dept.
- Mr. Francis Burnszynski, PABC
- Ms. Katelyn McCauley, DOT
- Ms. Natawna Austin, Council Services



F







Catherine E. Pugh  
Mayor

## PLANNING COMMISSION

Sean D. Davis, Chairman

### STAFF REPORT



Thomas J. Stosur  
Director

March 29, 2018

**REQUEST:** City Council Bill #18-0183/ Urban Renewal – Coldstream Homestead Montebello – Amendment:

For the purpose of amending the Urban Renewal Plan for Coldstream Homestead Montebello to modify the list of uses prohibited in the Urban Renewal Area; 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.

**RECOMMENDATION:** Disapproval

**STAFF:** Eric Tiso

**INTRODUCED BY:** Councilmember Clarke

#### **SITE/GENERAL AREA**

**General Area:** The Coldstream Homestead Montebello neighborhood is bordered by Clifton Park on the east, East 33<sup>rd</sup> Street and Lake Montebello to the north, Loch Raven Road on the west, and East 25<sup>th</sup> Street on the south. The neighborhood has a range of land uses, from industrial on the southern edge, to institutional uses like Baltimore City College High School and Coldstream Park Elementary School and Abbottston Elementary School along Loch Raven Boulevard. The residential stock in the neighborhood is predominantly comprised of rowhomes.

#### **HISTORY**

- The Coldstream Homestead Montebello Urban Renewal Plan (URP) was established by Ord. #77-289, dated February 28, 1977.
- Amendment No. 10, the latest amendment to the URP was enacted by Ord. #14-391, dated September 15, 2014

#### **ANALYSIS**

**Effect of the Bill:** This bill simply adds Neighborhood Commercial Establishments to the list of prohibited uses in Section B.1, along with other uses from the prior Zoning Code, including after-hours establishments, boats: sales, rental and repair, building and lumber materials, sales establishment with shops and yards, check cashing agencies, highway maintenance shop and yards, heliports, model slot car racing centers, palmists, restaurants and lunchrooms – including live entertainment and dancing, stables, and tattoo parlors.



**Background:** As part of the comprehensive rezoning of Baltimore City, the new Zoning Code (Article 32 – Zoning) included a new land use “Neighborhood Commercial Establishment” under §1-310(j):

(j) *Neighborhood commercial establishment.*

“Neighborhood commercial establishment” means a non-residential use that is within a residential or office-residential zoning district, but in a structure that is non-residential in its construction and original use.

Those establishments are then controlled by the Use Standards in Title 14 of the Zoning Code:

**§ 14-328. Neighborhood commercial establishments.**

(a) *In general.*

Neighborhood commercial establishment uses are limited to the reuse of existing buildings that were originally constructed and used for non-residential uses in what are now Residential or Office-Residential Zoning Districts. Because these uses are for existing buildings, they are not subject to the minimum lot area required for non-residential uses in Residential or Office-Residential Zoning Districts.

(b) *Non-residential uses allowed.*

A neighborhood commercial establishment may contain the following non-residential uses:

- (1) Art galleries – no live entertainment or dancing.
- (2) Arts studios.
- (3) Day care centers: adult or child.
- (4) Offices.
- (5) Personal services establishments.
- (6) Restaurants – no live entertainment or dancing.
- (7) Retail goods establishments – no alcoholic beverage sales.

(c) *Pedestrian orientation.*

The development and the proposed use must be pedestrian-oriented and not oriented to the automobile.

(d) *Principal entrance.*

The principal entrance must be a direct entry from the primary adjoining street.

(e) *Off-street parking.*

No off-street parking is required for uses under 2,500 square feet in gross floor area.

(f) *Drive-through facilities prohibited.*

Drive-through facilities are prohibited.

(g) *Uses limited to building interior.*

- (1) All business, servicing, processing, and storage uses must be located within the building.
- (2) Outside storage or display is prohibited.

(h) *Signs.*

All signs are restricted to the requirements applicable to the C-1 District.

(Ord. 16-581.)

The creation of the Neighborhood Commercial Establishments land use category recognizes buildings that were originally non-residential buildings, but that are now located within residentially-zoned locations, and allows for their reasonable reuse. This is especially important for those buildings where it would be expensive or difficult to renovate or reconstruct those buildings to meet the requirements of the new residential district, which led to many buildings being left vacant for significant periods of time.



Under the previous Zoning Code, those buildings were treated as nonconforming structures, and many of them also had nonconforming uses within them. Provisions available under that code allowed for the continuation of those nonconforming uses, or even the change to another nonconforming use that could be selected from the permitted use lists of either the B-1 or M-1 category, depending on whether the original building was built for commercial or industrial usage. In each case, approval by the Board of Municipal and Zoning Appeals (BMZA) was needed, including each time the use of the building changed.

Neighborhood Commercial Establishments solves this problem by allowing for a very limited palette of uses that is significantly reduced from the B-1 or M-1 options under the old code, in exchange for a more streamlined process. That process requires the use to be initially approved as a conditional use by the BMZA, and it is then permitted to continue (including changing to any of that limited set of uses) without need for further appeals. Planning staff recommended this option as reasonable middle-ground that will encourage reuse and reinvestment in buildings that can be difficult to renovate for solely residential use, while limiting many of the non-residential options that were frequently opposed by neighbors under the old Zoning Code's wider array of options. Further, this option helps preserve neighborhood character by providing a viable option to reuse buildings, and discourages the rezoning of land to commercial zoning, which could lead to demolition and reconstruction of more intense commercial uses.

Recommendation: Staff is concerned that the outright prohibition of Neighborhood Commercial Establishments categorically removes a useful tool for reuse and preservation. We would encourage exploring other options such as a more limited restriction, such for specific sub-uses within the Neighborhood Commercial Establishments list before a complete restriction is implemented. For this reason, staff recommends disapproval.

Notification: The Coldstream/Homestead/Montebello Community Corporation, Inc. (CHMCC) has been notified of this action.




**Thomas J. Stosur**  
**Director**





**MEMORANDUM**

**TO:** Honorable President and Members of the City Council  
Attention: Natawna Austin, Executive Secretary

**FROM:** William H. Cole, President and CEO 

**DATE:** February 13, 2018

**SUBJECT:** City Council Bill No. 18-0183  
Urban Renewal – Coldstream Homestead Montebello – Amendment\_\_

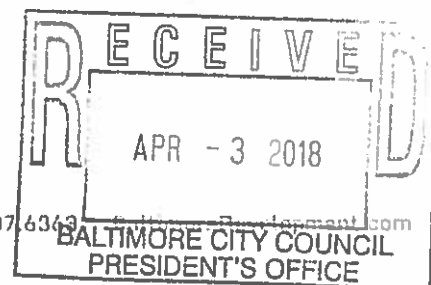
The Baltimore Development Corporation (BDC) has been asked to comment on City Council Bill No. 18-0183, an ordinance for the purpose of amending the Urban Renewal Plan for Coldstream Homestead Montebello to modify the list of uses prohibited in the Urban Renewal Area; waiving certain content and procedural requirements; making the provisions of the Ordinance severable; providing for the application of this Ordinance in conjunction with certain other ordinances; and providing for a special effective date.

This Bill proposes the prohibition of Neighborhood Commercial Establishments, which are non-residential uses within a residential, or office-residential, zoning district within a structure that is non-residential in its construction or original use. Section 14-238 of the Baltimore City Zoning code defines the limitations surrounding Neighborhood Commercial Establishments and provides that they are a conditional use, subject to the Board of Municipal Zoning Appeals (BMZA) approval in residential districts. BDC believes that amending the Urban Renewal Plan to prohibit these uses will unnecessarily limit potentially productive and beneficial business and economic activity in the Coldstream Homestead Montebello Neighborhood, and may lead to long-term vacancy of eligible properties for which conversion to residential use may not be economically viable or desired. To the degree that specific properties may have proposed uses not desired by the community, BDC believes that the appropriateness of those properties for use as a Neighborhood Commercial Establishment can be addressed individually through the public BMZA process, as currently required under the code.

BDC has reviewed the ordinance and is in opposition to Bill No. 18-0183.

cc: Kyron Banks

*opposes*







# City of Baltimore

City Council  
City Hall, Room 408  
100 North Holliday Street  
Baltimore, Maryland  
21202

## Meeting Minutes - Final

### Housing and Urban Affairs Committee

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Tuesday, April 10, 2018

3:45 PM

Du Burns Council Chamber, 4th floor, City Hall

---

18-0183

#### CALL TO ORDER

#### INTRODUCTIONS

#### ATTENDANCE

- Present** 5 - Member John T. Bullock, Member Kristerfer Burnett, Member Shannon Sneed, Member Zeke Cohen, and Member Ryan Dorsey
- Absent** 2 - Member Isaac "Yitzy" Schleifer, and Member Bill Henry

#### ITEMS SCHEDULED FOR PUBLIC HEARING

18-0183

##### Urban Renewal - Coldstream Homestead Montebello - Amendment \_

For the purpose of amending the Urban Renewal Plan for Coldstream Homestead Montebello to modify the list of uses prohibited in the Urban Renewal Area; 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.

**Sponsors:** Mary Pat Clarke

A motion was made by Member Burnett, seconded by Member Dorsey, that this Ordinance be Recommended Favorably with Amendment. The motion carried by the following vote:

- Yes:** 5 - Member Bullock, Member Burnett, Member Sneed, Member Cohen, and Member Dorsey
- Absent:** 2 - Member "Yitzy" Schleifer, and Member Henry

#### ADJOURNMENT

**THIS MEETING IS OPEN TO THE PUBLIC**





**HEARING NOTES**

**Bill: CC 18-0183**

**Committee:** Housing and Urban Affairs  
**Chaired By:** Councilmember John Bullock

**Hearing Date:** April 10, 2018  
**Time (Beginning):** 3:52 PM  
**Time (Ending):** 4:55 PM  
**Location:** Clarence "Du" Burns Chamber  
**Total Attendance:** 37  
**Committee Members in Attendance:**  
John Bullock  
Kristofer Burnett  
Sharon Sneed  
Zeke Cohen  
Ryan Dorsey

<b>Bill Synopsis in the file?</b> .....	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> n/a
<b>Attendance sheet in the file?</b> .....	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> n/a
<b>Agency reports read?</b> .....	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> n/a
<b>Hearing televised or audio-digitally recorded?</b> .....	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> n/a
<b>Certification of advertising/posting notices in the file?</b> .....	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> n/a
<b>Evidence of notification to property owners?</b> .....	<input type="checkbox"/> yes	<input type="checkbox"/> no	<input checked="" type="checkbox"/> n/a
<b>Final vote taken at this hearing?</b> .....	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> n/a
<b>Motioned by:</b> .....	<b>Councilmember Burnett</b>		
<b>Seconded by:</b> .....	<b>Councilmember Dorsey</b>		
<b>Final Vote:</b> .....	<b>Fav. with Amendments</b>		

**Major Speakers**

*(This is not an attendance record.)*

- |                   |   |                     |
|-------------------|---|---------------------|
| • Dempsey Colter  | - | Neighborhood Pastor |
| • Bobbie Ford     | - | Community Resident  |
| • Mark Washington | - | Community Resident  |

### Major Issues Discussed

1. Chair Bullock convened the Hearing and recognized the assembled guests. He then recognized Councilwoman Mary Pat Clarke (D.14<sup>th</sup>) sponsor of the Legislation
2. Councilwoman Clarke testified that she introduced this Bill because Neighborhood Commercial Establishments are inappropriate in the Coldstream homestead Montebello Community (CHUM) and this classification threatens to bring back problem establishments that the community had previously shut down.
3. Community representatives testified that they need this Legislation to help reserve the quality of life in the neighborhood.
4. Representatives of the Housing Department and Baltimore development corporation opposed the bill because the prohibitions on property use were excessive for the problems stated.
5. The Bill was amended and passed on a 5-0 vote with 2 Members absent.
6. The Chair then adjourned the Hearing.
- 7.

### Further Study

Was further study requested?

Yes  No

If yes, describe.

### Committee Vote:

J. Bullock:.....	<b>Yea</b>
I. Schleifer: .....	<b>Absent</b>
K. Burnett: .....	<b>Yea</b>
B. Henry: .....	<b>Absent</b>
S. Sneed: .....	<b>Yea</b>
Z. Cohen: .....	<b>Yea</b>
R. Dorsey: .....	<b>Yea</b>
: .....	
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### Major Issues Discussed

1. Chair Bullock convened the Hearing and recognized the assembled guests. He then recognized Councilwoman Mary Pat Clarke (D.14<sup>th</sup>) sponsor of the Legislation
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6. The Chair then adjourned the Hearing.
- 7.

### Further Study

Was further study requested?

Yes  No

If yes, describe.

### Committee Vote:

J. Bullock:..... Yea  
 I. Schleifer: ..... Absent  
 K. Burnett: ..... Yea  
 B. Henry: ..... Absent  
 S. Sneed:..... Yea  
 Z. Cohen: ..... Yea  
 R. Dorsey:..... Yea  
 : .....  
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Richard G. Krummerich, Committee Staff

Date: April 11, 2018

cc: Bill File  
OCS Chrono File







# CITY OF BALTIMORE CITY COUNCIL HEARING ATTENDANCE RECORD

Committee: \* Housing and Urban Affairs      Chairperson: \* John Bullock

Date: April 10, 2018      Time: 3:45 PM      Place: \* Council Chambers

Subject: \* - Ordinance – Urban Renewal – Coldstream Homestead Montebello-Amendment      CC Bill Number: 18-0183

PLEASE PRINT

IF YOU WANT TO TESTIFY PLEASE CHECK HERE

FIRST NAME	LAST NAME	ST. #	ADDRESS/ORGANIZATION NAME	ZIP	EMAIL ADDRESS	WHAT IS YOUR POSITION ON THIS BILL?		LOBBYIST: ARE YOU REGISTERED IN THE CITY (*)
						FOR	AGAINST	
John	Doe	100	North Charles Street	21202	Johndoenbmore@yahoo.com	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<del>Dempsey</del>	<del>Collier</del>	<del>300</del>	E 30	21218	d.doreion@msn.com	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<del>Bobbie</del>	<del>Fold</del>		E 30th ST	21218	Fy Copeland@apl.com	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<del>Marsalyn</del>	<del>Ornenala</del>	2002	E 30th St. CHM	21218	MARAZZANO@att.net	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<del>Christina</del>	<del>Moore</del>		BDC		C Moore@baltimoredevelopment.com	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<del>Mark</del>	<del>Washington</del>		Planning		mark@planning.org	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<del>Marcia</del>	<del>Ortiz aka</del>					<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<del>Bobbi</del>	<del>Ford</del>					<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<del>Daisy</del>	<del>H. Lean</del>					<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

➔

(\*) NOTE: IF YOU ARE COMPENSATED OR INCUR EXPENSES IN CONNECTION WITH THIS BILL, YOU MAY BE REQUIRED BY LAW TO REGISTER WITH THE CITY ETHICS BOARD. REGISTRATION IS A SIMPLE PROCESS. FOR INFORMATION AND FORMS, CALL OR WRITE: BALTIMORE CITY BOARD OF ETHICS, C/O DEPARTMENT OF LEGISLATIVE REFERENCE, 626 CITY HALL, BALTIMORE, MD 21202. TEL: 410-396-4730; FAX: 410-396-8483.

# City of Baltimore

City Council  
City Hall, Room 408  
100 North Holliday Street  
Baltimore, Maryland  
21202

## Meeting Agenda - Final

### Housing and Urban Affairs Committee

---

Tuesday, April 10, 2018

3:45 PM

Du Burns Council Chamber, 4th floor, City Hall

---

18-0183

#### **CALL TO ORDER**

#### **INTRODUCTIONS**

#### **ATTENDANCE**

#### **ITEMS SCHEDULED FOR PUBLIC HEARING**

18-0183

#### **Urban Renewal - Coldstream Homestead Montebello - Amendment**

For the purpose of amending the Urban Renewal Plan for Coldstream Homestead Montebello to modify the list of uses prohibited in the Urban Renewal Area; 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.

#### **ADJOURNMENT**

**THIS MEETING IS OPEN TO THE PUBLIC**





**BILL SYNOPSIS**

**Committee: Housing and Urban Affairs**

**Bill CC 18-0183**

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**Ordinance – Urban Renewal – Coldstream Homestead Montebello – Amendment\_**

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*Sponsor: Councilmember Clarke*

*Introduced: January 22, 2018*

**Purpose:**

For the purpose of amending the Urban Renewal Plan for Coldstream Homestead Montebello to modify the list of uses prohibited in the Urban Renewal Area; waiving certain content and procedural requirements; making the provisions of the Ordinance severable; providing for the application of this Ordinance in conjunction with certain other ordinances; and providing for a special effective date/

**Effective:** Upon enactment

**Hearing Date/Time/Location:** April 10, 2018 at 3:45 in the Council Chambers

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**Agency Reports**

Department of Transportation	Favorable
Department of Public Works	Defers to Planning
Department of Law	Favorable
Planning Commission	Favorable
Department of Housing and Community Development	Opposed
Board of Municipal and Zoning Appeals	Defers to Planning’s Staff
Baltimore Development Corporation	Opposed
CHAP	No Objection

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## Analysis

### Current Law

The Urban Renewal Plan for Coldstream Homestead Montebello was originally created by Ordinance 77-289 on February 28, 1977. It has been amended 10 times the last being Ordinance 14-391 on September 15, 2014.

### Background

The Coldstream Homestead Montebello community is located in northeast Baltimore City. The Boundaries are generally: 33<sup>rd</sup> Street on the North, 25<sup>th</sup> Street on the South, Loch Raven Road on the West, and Harford Road on the East. The area is largely residential containing some schools and churches. There are some industrial uses in the southernmost part of the Plan.

There has been concern about the establishment of retail businesses in residential parts of the Plan. A 2017 Amendment restricted uses in a C1 Zoning District to consumer friendly retail businesses that rely on heavy walk in traffic

Recent Amendments to the Zoning Code created a new classification called "Neighborhood commercial establishments" for buildings that were originally non-residential but are now in residential neighborhoods. This has raised concerns about commercial businesses opening in neighborhoods that have been free of them recently.

CC 18-0183 amends the Urban Renewal Plan for Coldstream Homestead Montebello to add Neighborhood Commercial Establishments to the list of prohibited uses.

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### Additional Information

**Fiscal Note:** Not Available

**Information Source(s):** Bill File

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Analysis by: Richard G. Krummerich *RK* Direct Inquiries to: 410-396-1266  
Analysis Date: 4-6-18



# The Daily Record

11 East Saratoga Street  
Baltimore, MD 21202-2199  
(443) 524-8100

<http://www.thedailyrecord.com>

Order #: 11525287

Case #:

Description:

BILL NO. 18-0183. - The Housing and Urban Affairs Committee of the Baltimore City Council

## PUBLISHER'S AFFIDAVIT

We hereby certify that the annexed advertisement was published in The Daily Record, a daily newspaper published in the State of Maryland 2 times on the following dates:

3/26/2018      4/2/2018



Darlene Miller, Public Notice Coordinator  
(Representative Signature)

### BALTIMORE CITY COUNCIL PUBLIC HEARING ON BILL NO. 18-0183

The Housing and Urban Affairs Committee of the Baltimore City Council will meet on Tuesday, April 10, 2018 at 3:45 P.M. in the City Council Chambers, to conduct a public hearing on City Council Bill No. 18-0183.

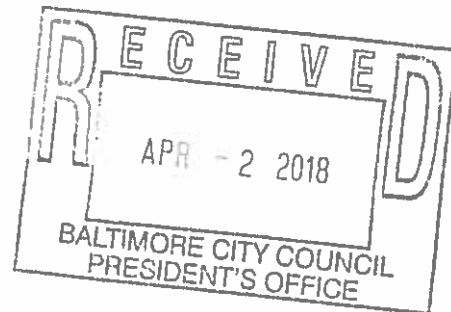
CC 180183 ORDINANCE - Urban Renewal - Coldstream Homestead Montebello - Amendment - FOR the purpose of amending the Urban Renewal Plan for Coldstream Homestead Montebello to modify the list of uses prohibited in the Urban Renewal Area; waiving certain content and procedural requirements making the provisions 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)

NOTE: This bill is subject to amendment by the Baltimore City Council.

John Bullock  
Chair

mlh26.ap2









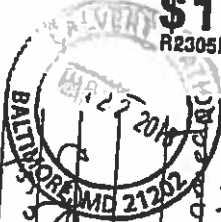
1000

UNITED STATES POSTAL SERVICE

Certificate of Mailing  
The Certificate of Mailing provides evidence that mail has been prepared to USPS for mailing. This form may be used for domestic and international mail.

From: Mary P. Clarke  
100 N. Holliday  
Baltimore MD 21202  
To: Mack Washington  
320 A The Alameda  
Baltimore MD 21218

U.S. POSTAGE  
PAID  
BALTIMORE, MD  
21202  
MAR 22 18  
AMOUNT  
**\$1.40**  
R2305K142220-11



PS Form 3817, Apr 2007 PSN 7530-02-000-9085

CALVERT  
111 N CALVERT ST  
BALTIMORE  
MD

21202-9997  
2304000008  
03/22/2018 (800)275-8777 3:34 PM

Product Description	Sale Qty	Final Price
First-Class Mail Letter (Domestic) (BALTIMORE, MD 21218) (Weight: 0 Lb 0.50 Oz) (Estimated Delivery Date) (Saturday 03/24/2018)	1	\$0.50
Cert of Mail (Affixed Amount: \$0.00)	1	\$1.40
<b>Total</b>		<b>\$1.90</b>
Cash Change		\$2.00 (\$0.10)

All sales final on stamps and postage  
Refunds for guaranteed services only  
Thank you for your business

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Go to:  
<https://postalexperience.com/Pos>  
840-5210-0319-001-00027-03577-02

or scan this code with your mobile device:



or call 1-800-410-7420.

YOUR OPINION COUNTS

RECEIVED  
MAR 23 2018  
BALTIMORE CITY COUNCIL  
PRESIDENT'S OFFICE

Bill #: 840-52100319-1-2703577-2  
Clerk: 11



TO: Councilmember Mark Pat Clarke, District 14

FROM: Natawna B. Austin, Executive Secretary, Baltimore City Council

DATE: March 22, 2018

RE: **INSTRUCTIONS FOR ADVERTISING A PUBLIC HEARING FOR AN URBAN RENEWAL BILL**

- A. City Council Bill No. **18-0183** is scheduled for public hearing on **April 10, 2018 at 3:45 P.M** in the City Council Chambers.
- B. At the expense of the person who requested this urban renewal plan amendment, the following requirements must be met.
1. **NEWSPAPER ADVERTISING** - Publication of notice of hearing **once a week for two consecutive weeks prior to the date of the hearing**. You may advertise in any of the following newspapers: The Daily Record, Baltimore Sun, or Afro-American.
  2. **POSTING OF A SIGN** - Notice of the public hearing shall be posted in the neighborhood involved at least **10 days prior to the hearing**. The sign is to be not less than 4 feet long and 3 feet wide with black lettering 2 inches high on a white background. The sign should be placed in a conspicuous manner.
  3. **NOTIFICATION OF PROPERTY OWNER(S)** - Any owner of property whose property is identified in legislation for acquisition by the City must be sent a letter, by ordinary mail, notifying the owner of the hearing. **The owner must receive the notice one week prior to the hearing date**. (For further information contact Survey Control Section, Department of Public Works 410-396-3641).
  4. **NOTIFICATION OF COMMUNITY GROUPS** - Under provision of certain urban renewal plans, community groups **or Project Area Committees (PACS) must be notified in writing of the public hearing ten 10 days in advance**. To find out if such a provision is contained in this plan, contact Laurie Feinberg, Department of Planning at 410-396-1275.
  5. **NOTIFICATION OF AFFECTED DEVELOPERS** - Under provision of certain urban renewal plans, the owner of any land previously disposed of by the Department of Housing & Community Development and whose interest is materially affected by a plan amendment, **must receive written notice of the hearing 10 days prior to the hearing date**.
  6. **OTHER REQUIREMENTS** - There may be other notification or advertising requirements particular to an urban renewal plan. Please review the urban renewal plan associated with this bill.
  7. **COPIES OF REQUIREMENTS** - Copies of all the advertising, sign posting certificate, and other notification requirements must be received by Natawna B. Austin, Executive Secretary, Baltimore City Council, **2 days prior to the public hearing**.
- C. A list of advertising firms available to make signs as required in B-2 (above) is attached for your information.



THE INFORMATION BETWEEN THE DOUBLE LINES (SEE BELOW) MUST BE ADVERTISED IN A NEWSPAPER AND A SIGN MUST BE POSTED ON THE PROPERTY BY **TUESDAY, MARCH 27, 2018 (ONCE A WEEK FOR TWO CONSECUTIVE WEEKS) FOR NEWSPAPER ADVERTISEMENT AND SATURDAY, MARCH 31, 2018 FOR SIGN POSTING AS OUTLINED ON THE PREVIOUS PAGE.**

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**BALTIMORE CITY COUNCIL  
PUBLIC HEARING ON BILL NO. 18-0183**

The Housing and Urban Affairs Committee of the Baltimore City Council will meet on Tuesday, April 10, 2018 at 3:45 P.M, in the City Council Chambers, to conduct a public hearing on City Council Bill No. 18-0183.

CC 18-0183 ORDINANCE - **Urban Renewal - Coldstream Homestead Montebello - Amendment** \_ FOR the purpose of amending the Urban Renewal Plan for Coldstream Homestead Montebello to modify the list of uses prohibited in the Urban Renewal Area; 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)

**NOTE:** This bill is subject to amendment by the Baltimore City Council.

John Bullock  
Chair

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SEND CERTIFICATION OF PUBLICATION TO:

Natawna B. Austin  
Baltimore City Council  
Room 409, City Hall  
100 N. Holliday Street  
Baltimore, MD 21202  
410-396-1697

SEND BILL FOR THIS ADVERTISEMENT TO:

Mary Pat Clarke  
100 Holliday Street  
Room 501  
Baltimore, MD 21202  
410-396-4814



<b>FROM</b>	NAME & TITLE	Eric Holcomb, Executive Director CHAP <i>EH</i>	CITY of BALTIMORE <b>MEMO</b>	
	AGENCY NAME & ADDRESS	Commission for Historical and Architectural Preservation 417 East Fayette Street, 8 <sup>th</sup> Floor		
	SUBJECT	COUNCIL BILL 18-0183 Urban Renewal – Coldstream Homestead Montebello – Amendment		

DATE:

**TO**

The Honorable President and  
Members of the City Council  
City Hall, Room 400  
100 North Holliday Street

March 15, 2018

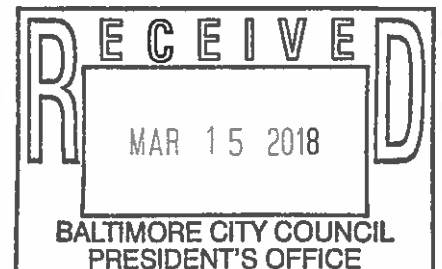
The Commission for Historical and Architectural Preservation staff is in receipt of City Council Bill #18-0183:

FOR the purpose of amending the Urban Renewal Plan for Coldstream Homestead Montebello to modify the list of uses prohibited in the Urban Renewal Area; 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.

This item has been scheduled for a committee hearing before the Commission for Historical and Architectural Preservation will be able to review it and provide a recommendation to the committee. CHAP staff advises a recommendation of no opposition because this legislation will not have an impact on historic properties listed on the local landmark list or within a local historic district. Nevertheless, CHAP staff believes that “neighborhood commercial establishments, as defined in the Baltimore City Code, Article 32-Zoning, section 1-310(j)” are a very useful tool and helps preserve the historic character of many neighborhoods throughout Baltimore City.


If you have any questions, please contact Mr. Eric Holcomb, Executive Director, at 410-396-4866.

*Not Opposed*







<b>FROM</b>	<b>NAME &amp; TITLE</b>	Rudolph S. Chow, P.E., Director	<b>CITY of</b> <b>BALTIMORE</b> <b>MEMO</b>	
	<b>AGENCY NAME &amp; ADDRESS</b>	Department of Public Works 600 Abel Wolman Municipal Building		
	<b>SUBJECT</b>	<b>CITY COUNCIL BILL 18-0183</b>		

DATE February 23, 2018

TO

The Honorable President and Members  
of the Baltimore City Council  
c/o Natawna Austin  
Room 400 – City Hall

I am herein reporting on City Council Bill 18-0183, introduced by Councilwoman Clarke.

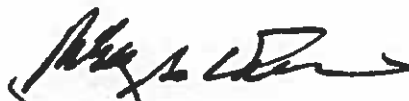
The purpose of this bill is to amend the Urban Renewal Plan for Coldstream Homestead Montebello to modify the list of uses prohibited in the Urban Renewal Area; to waive certain content and procedural requirements; to make the provisions of this Ordinance severable; to provide for the application of this Ordinance in conjunction with certain other ordinances; and to provide for a special effective date.

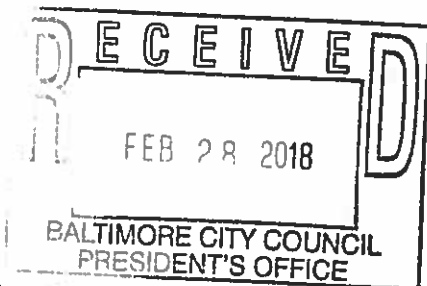
The Urban Renewal Plan for Coldstream Homestead Montebello was established by Ordinance 77-289 and last amended by Ordinance 17-061. The Urban Renewal Area is generally bounded by Harford Road on the east, 25<sup>th</sup> Street on the south, Loch Raven Boulevard on the west, and 33<sup>rd</sup> and 32<sup>nd</sup> Streets on the north. The zoning in the Area is mostly residential but also includes areas of industrial, commercial, office-industrial complex, and open space.

If approved, City Council Bill 18-0183 would amend the Land Use Plan to prohibit Neighborhood Commercial Establishments, as defined in the Baltimore City Code, Article 32 – Zoning, § 1-310 (J). On June 5, 2017, Article 32 became effective, creating the new use of “Neighborhood Commercial” which allows for certain commercial uses in existing buildings that were originally constructed and used for non-residential uses in what are now Residential or Office-Residential Zoning Districts. The use of “Neighborhood Commercial” is intended to allow for the reuse of existing commercial buildings.

Based on these findings, the Department of Public Works defers to the Department of Planning on City Council Bill 18-0183.

Sincerely,


  
Rudolph S. Chow, P.E.  
Director



RSC/KTO

*Defers to  
Planning*



<b>F R O M</b>	<b>NAME &amp; TITLE</b>	Michelle Pourciau, Director	<b>CITY of BALTIMORE  M E M O</b>	
	<b>AGENCY NAME &amp; ADDRESS</b>	Department of Transportation (DOT) 417 E Fayette Street, Room 527		
	<b>SUBJECT</b>	City Council Bill Report 18-0183		

**TO** Mayor Catherine E. Pugh

**DATE:** January 29, 2018

**TO:** Respective City Council Housing and Urban Affairs Committee  
**FROM:** Department of Transportation  
**POSITION:** Support  
**RE:** Council Bill – 18-0183- Urban Renewal - Coldstream Homestead Montebello - Amendment

**INTRODUCTION** – For the purpose of amending the Urban Renewal Plan for Coldstream Homestead Montebello to modify the list of uses prohibited in the Urban Renewal Area; 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.

**PURPOSE/PLANS** – 1. Permitted Uses. . . . Notwithstanding any other provision of this Plan, the following uses are prohibited in the Coldstream Homestead Montebello Urban Renewal Area: (1) after hours establishments; (2) boats; sales, rental and repair; (3) building and lumber materials; sales establishment with shops and yards; (4) check cashing agencies; (5) highway maintenance shop and yards; (6) heliports; (7) model slot car racing centers; (8) palmists; (9) restaurants and lunchrooms – including live entertainment and dancing; (10) stables; [and] (11) tattoo parlors[.]; AND (12) NEIGHBORHOOD COMMERCIAL ESTABLISHMENTS, AS DEFINED IN THE 18 BALTIMORE CITY CODE, ARTICLE 32 - ZONING, § 1-310 (J).

The proposed is not predicted to have a substantial impact on the Department of Transportation.

**BRIEF HISTORY** – Article 32 § 1-310. “Motor vehicle” to “Owner”. (j) Neighborhood commercial establishment. “Neighborhood commercial establishment” means a non-residential use that is within a residential or office-residential zoning district, but in a structure that is non-residential in its construction and original use.

**FISCAL IMPACT** – Not applicable

**AGENCY/DEPARTMENT POSITION** –  
The Department of Transportation supports City Council 18-0183.

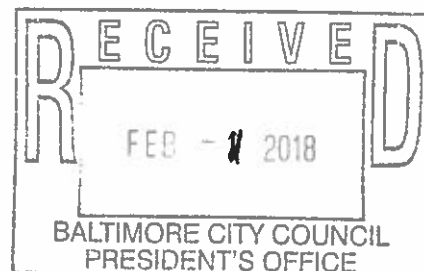
If you have any questions, please do not hesitate to contact Katelyn McCauley, at Katelyn.McCauley@baltimorecity.gov, or (443) 677-9391.

Sincerely,



Michelle Pourciau  
Director

F





**CITY OF BALTIMORE  
COUNCIL BILL 18-0183  
(First Reader)**

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Introduced by: Councilmember Clarke  
Introduced and read first time: January 22, 2018  
Assigned to: Housing and Urban Affairs Committee

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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, Commission for Historical and Architectural Preservation, Baltimore Development Corporation, Department of Transportation

---

**A BILL ENTITLED**

1     **AN ORDINANCE concerning**

2                             **Urban Renewal – Coldstream Homestead Montebello –**  
3   **Amendment \_**

4     **FOR the purpose of amending the Urban Renewal Plan for Coldstream Homestead Montebello to**  
5         **modify the list of uses prohibited in the Urban Renewal Area; 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)**

14                             **Recitals**

15         **The Urban Renewal Plan for Coldstream Homestead Montebello was originally approved by**  
16         **the Mayor and City Council of Baltimore by Ordinance 77-289 and last amended by Ordinance**  
17         **17-061.**

18         **An amendment to the Urban Renewal Plan for Coldstream Homestead Montebello is**  
19         **necessary to modify the list of uses prohibited in the Urban Renewal Area.**

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

25             **(1) In the Plan, amend B.1. to read as follows:**

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



**Council Bill 18-0183**

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





**CITY OF BALTIMORE  
COUNCIL BILL 18-0183  
(First Reader)**

---

Introduced by: Councilmember Clarke

Introduced and read first time: January 22, 2018.

Assigned to: Housing and Urban Affairs Committee

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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, Commission for Historical and Architectural Preservation, Baltimore Development Corporation, Department of Transportation

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A BILL ENTITLED

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15       The Urban Renewal Plan for Coldstream Homestead Montebello was originally approved by  
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24 following change in the Urban Renewal Plan for Coldstream Homestead Montebello is approved:

25                   (1) In the Plan, amend B.1. to read as follows:

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

Council Bill 18-0183

1 B. Land Use Plan

2 1. Permitted Uses

3 . . . .

4 Notwithstanding any other provision of this Plan, the following uses are  
5 prohibited in the Coldstream Homestead Montebello Urban Renewal Area:

- 6 (1) after hours establishments;
- 7 (2) boats; sales, rental and repair;
- 8 (3) building and lumber materials; sales establishment with shops and yards;
- 9 (4) check cashing agencies;
- 10 (5) highway maintenance shop and yards;
- 11 (6) heliports;
- 12 (7) model slot car racing centers;
- 13 (8) palmists;
- 14 (9) restaurants and lunchrooms – including live entertainment and dancing;
- 15 (10) stables; [and]
- 16 (11) tattoo parlors[.]; AND
- 17 (12) NEIGHBORHOOD COMMERCIAL ESTABLISHMENTS, AS DEFINED IN THE
- 18 BALTIMORE CITY CODE, ARTICLE 32 - ZONING, § 1-310 (J).

19 . . . .

20 SECTION 2. AND BE IT FURTHER ORDAINED, That the Urban Renewal Plan for Coldstream  
21 Homestead Montebello, as amended by this Ordinance and identified as “Urban Renewal Plan,  
22 Coldstream Homestead Montebello, revised to include Amendment \_\_, dated January 22, 2018”,  
23 is approved. The Department of Planning shall file a copy of the amended Urban Renewal Plan  
24 with the Department of Legislative Reference as a permanent public record, available for public  
25 inspection and information.

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

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

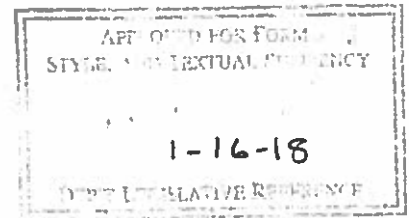
35 SECTION 5. AND BE IT FURTHER ORDAINED, That if a provision of this Ordinance concerns  
36 the same subject as a provision of any zoning, building, electrical, plumbing, health, fire, or  
37 safety law or regulation, the applicable provisions shall be construed to give effect to each.  
38 However,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

**Council Bill 18-0183**

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



**INTRODUCTORY\***  
**CITY OF BALTIMORE**  
**COUNCIL BILL \_\_\_\_\_**



Introduced by: Councilmember Clarke

A BILL ENTITLED

AN ORDINANCE concerning

**Urban Renewal – Coldstream Homestead Montebello –  
Amendment \_**

FOR the purpose of amending the Urban Renewal Plan for Coldstream Homestead Montebello to modify the list of uses prohibited in the Urban Renewal Area; 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 Coldstream Homestead Montebello was originally approved by the Mayor and City Council of Baltimore by Ordinance 77-289 and last amended by Ordinance 17-061.

An amendment to the Urban Renewal Plan for Coldstream Homestead Montebello is necessary to modify the list of uses prohibited in the Urban Renewal Area.

Under Article 13, § 2-6 of the Baltimore City Code, no 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 change in the Urban Renewal Plan for Coldstream Homestead Montebello is approved:**

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

B. Land Use Plan

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

\* WARNING: THIS IS AN UNOFFICIAL, INTRODUCTORY COPY OF THE BILL.  
THE OFFICIAL COPY CONSIDERED BY THE CITY COUNCIL IS THE FIRST READER COPY.

1. Permitted Uses

....

Notwithstanding any other provision of this Plan, the following uses are prohibited in the Coldstream Homestead Montebello Urban Renewal Area:

- (1) after hours establishments;
- (2) boats; sales, rental and repair;
- (3) building and lumber materials; sales establishment with shops and yards;
- (4) check cashing agencies;
- (5) highway maintenance shop and yards;
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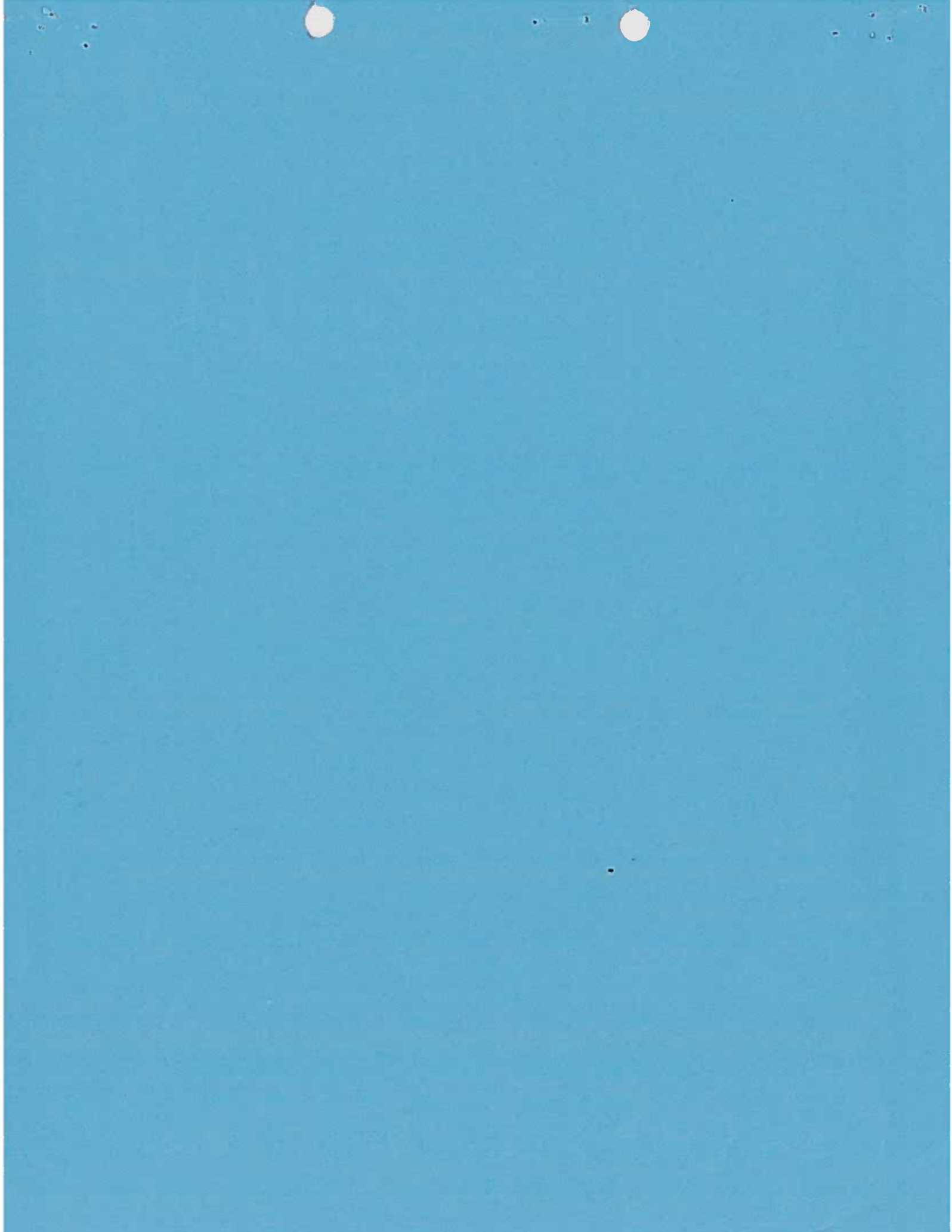
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**SECTION 3. AND BE IT FURTHER ORDAINED,** That if the amended Urban Renewal Plan approved by this Ordinance in any way fails to meet the statutory requirements for the content of a renewal plan or for the procedures for the preparation, adoption, 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. However, if the provisions are found to be in irreconcilable conflict, the one that establishes the higher standard for the protection of the public health and safety prevails. If a provision of this Ordinance is found to be in conflict with an existing provision of any other law or regulation that establishes a lower standard for the protection of the public health and safety, the provision of this Ordinance prevails and the other conflicting provision is repealed to the extent of the conflict.

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





ACTION BY THE CITY COUNCIL

JAN 22 2018

FIRST READING (INTRODUCTION) \_\_\_\_\_ 20 \_\_\_\_\_

PUBLIC HEARING HELD ON APRIL 10 \_\_\_\_\_ 20 18

COMMITTEE REPORT AS OF APRIL 16 \_\_\_\_\_ 20 17

\_\_\_\_\_ FAVORABLE \_\_\_\_\_ UNFAVORABLE  FAVORABLE AS AMENDED \_\_\_\_\_ WITHOUT RECOMMENDATION

Chair

COMMITTEE MEMBERS:

COMMITTEE MEMBERS:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

SECOND READING: The Council's action being favorable (unfavorable), this City Council bill was (was not) ordered printed for Third Reading on:

APR 16 2018

Amendments were read and adopted (defeated) as indicated on the copy attached to this blue backing.

THIRD READING \_\_\_\_\_ APR 23 2018

\_\_\_\_\_ Amendments were read and adopted (defeated) as indicated on the copy attached to this blue backing.

THIRD READING (ENROLLED) \_\_\_\_\_ 20 \_\_\_\_\_

\_\_\_\_\_ Amendments were read and adopted (defeated) as indicated on the copy attached to this blue backing.

THIRD READING (RE-ENROLLED) \_\_\_\_\_ 20 \_\_\_\_\_

WITHDRAWAL \_\_\_\_\_ 20 \_\_\_\_\_

There being no objections to the request for withdrawal, it was so ordered that this City Council Ordinance be withdrawn from the files of the City Council.

President

Chief Clerk