

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 09-0317

Introduced by: Councilmembers Young, Branch
At the request of: Homes for America, Inc., TRF Development Partners, and Jubilee Baltimore, Inc.

Address: c/o Ryan J. Potter, Esquire, Gallagher Evelius & Jones, LLP, 218 North Charles Street, Suite 400, Baltimore, Maryland 21202
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Introduced and read first time: April 20, 2009

Assigned to: Urban Affairs and Aging Committee

Committee Report: Favorable with amendments

Council action: Adopted

Read second time: July 13, 2009

AN ORDINANCE CONCERNING

**Urban Renewal – Greenmount West –
Amendment 8**

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3 FOR the purpose of amending the Urban Renewal Plan for Greenmount West to amend certain
4 exhibits to reflect the change of zoning, upon approval by separate ordinance, for the
5 property known as 1500 Greenmount Avenue; waiving certain content and procedural
6 requirements; making the provisions of this Ordinance severable; providing for the
7 application of this Ordinance in conjunction with certain other ordinances; and providing for
8 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

15 The Urban Renewal Plan for Greenmount West was originally approved by the Mayor and
16 City Council of Baltimore by Ordinance 78-699 and last amended by Ordinance 03-538.

17 An amendment to the Urban Renewal Plan for Greenmount West is necessary to amend
18 Exhibits 1 and 4 of the Urban Renewal Plan to reflect the change of zoning, upon approval by
19 separate ordinance, for the property known as 1500 Greenmount Avenue.

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.

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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 Greenmount West are approved:

3 (1) Upon approval of rezoning by separate ordinance, amend Exhibit 1, “Land Use Plan”,
4 to reflect the change in use category for the property known as 1500 Greenmount
5 Avenue, from Office (Public) to Office-Residential.

6 (2) Upon approval of rezoning by separate ordinance, amend Exhibit 3, “Disposition
7 Plan”, to identify the property known as 1500 Greenmount Avenue as a Disposition
8 Lot.

9 (3) (2) Upon approval of rezoning by separate ordinance, amend Exhibit 4, “Zoning
10 Districts”, to reflect the change of zoning for the property known as 1500
11 Greenmount Avenue, from the O-R-3-P Zoning District to the O-R-3 Zoning District.

12 **SECTION 2. AND BE IT FURTHER ORDAINED**, That the Urban Renewal Plan for Greenmount
13 West, as amended by this Ordinance and identified as “Urban Renewal Plan, Greenmount West,
14 revised to include Amendment 8, dated April 20, 2009”, is approved. The Department of
15 Planning shall file a copy of the amended Urban Renewal Plan with the Department of
16 Legislative Reference as a permanent public record, available for public inspection and
17 information.

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

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

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

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

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

President, Baltimore City Council

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

Chief Clerk

Approved this _____ day of _____, 20__

Mayor, Baltimore City