

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 11-0643

Introduced by: The Council President
At the request of: The Administration (Department of Housing and Community Development)
Introduced and read first time: January 31, 2011
Assigned to: Urban Affairs and Aging Committee

Committee Report: Favorable with amendments
Council action: Adopted
Read second time: May 16, 2011

AN ORDINANCE CONCERNING

**Urban Renewal – Coldstream Homestead Montebello –
Amendment 9**

FOR the purpose of amending the Urban Renewal Plan for Coldstream Homestead Montebello to reauthorize the acquisition of properties within the Project Area, to remove a certain property that is listed in Appendix A under the category of “Properties for Acquisition & Disposition for Residential Rehabilitation” and to add that property to the list of those properties under the category of “Properties for Acquisition & Disposition for Redevelopment”, and to correct and clarify certain language; 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 07-571.

An amendment to the Urban Renewal Plan for Coldstream Homestead Montebello is necessary to reauthorize the Plan’s powers of acquisition and condemnation so that these actions may legally continue, in compliance with § 12-105.1 of the Real Property Article of the Annotated Code of Maryland, to remove a certain property that is listed in Appendix A under the category of “Properties for Acquisition & Disposition for Residential Rehabilitation” and to add that property to the list of those properties under the category of “Properties for Acquisition & Disposition for Redevelopment”, and to correct and clarify certain language.

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

4 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the
5 following changes in the Urban Renewal Plan for Coldstream Homestead Montebello are
6 approved:

7 (1) In the Plan, amend the first paragraph of C.1 to read as follows:

8 C. Techniques Used to Achieve Plan Objectives

9 1. Acquisition

10 A Property Acquisition Map, which designates those properties to be acquired
11 BY PURCHASE OR BY CONDEMNATION, is attached as Exhibit 2. Scattered
12 properties to be acquired and disposed of for rehabilitation and those
13 properties to be acquired and disposed of for clearance and redevelopment are
14 listed in Appendix A.

15 (2) In the Plan, add new C.1.c. to read as follows:

16 C. Techniques Used to Achieve Plan Objectives

17 1. Acquisition

18

19 C. THE AUTHORITY TO ACQUIRE THE PROPERTIES WITHIN THE PROJECT AREA
20 IS EXPRESSLY CONFIRMED AND REAUTHORIZED THROUGH AND INCLUDING
21 DECEMBER 31, 2014.

22 (3) In the Plan, after the title of Appendix A, Properties for Acquisition & Disposition for
23 Redevelopment, add a new paragraph to read as follows:

24 Appendix A

25 Properties for Acquisition & Disposition for Redevelopment

26 IN ADDITION TO THOSE GROUPS OF PROPERTIES TO BE ACQUIRED AND DISPOSED OF
27 FOR RESIDENTIAL REHABILITATION, THE FOLLOWING PROPERTIES ARE ALSO BEING
28 ACQUIRED AND DISPOSED OF FOR REDEVELOPMENT. CERTAIN PROPERTIES LISTED
29 BELOW MAY BE USED IN WHOLE OR IN PART, AS REAR OR SIDE YARD SPACE FOR
30 ADJACENT PROPERTY. THE ACQUISITION PROPERTIES ADJACENT TO OR ABUTTING
31 STREETS AND ALLEYS BEING CLOSED WILL ALSO INCLUDE ALL RIGHTS, TITLE AND
32 INTEREST, OR ANY PRIVATE RIGHTS OF USE IN AND TO THE ADJACENT STREETS,
33 RIGHTS-OF-WAY, OR ALLEYS AS SHOWN LYING WITHIN THE PERIMETER OF THE
34 LAND DISPOSITION MAP.

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1 (4) In the Plan, in Appendix A, under the category of “Properties for Acquisition &
2 Disposition for Residential Rehabilitation”, delete the following from the list of
3 properties:

4 1901 E. 31st Street

5 (5) In the Plan, in Appendix A, under the category of “Properties for Acquisition &
6 Disposition for Redevelopment”, add the following to the list of properties:

7 1901 E. 31st STREET

8 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the Urban Renewal Plan for Coldstream,
9 Homestead Montebello, as amended by this Ordinance and identified as “Urban Renewal Plan,
10 Coldstream Homestead Montebello, revised to include Amendment 9, dated January 31, 2011”,
11 is approved. The Department of Planning shall file a copy of the amended Urban Renewal Plan
12 with the Department of Legislative Reference as a permanent public record, available for public
13 inspection and information.

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

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

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

32 **SECTION 6. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the date it
33 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