

**CITY OF BALTIMORE
COUNCIL BILL 20-0493
(First Reader)**

Introduced by: Councilmember Clarke
Introduced and read first time: February 10, 2020
Assigned to: Housing and Urban Affairs Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Board of Municipal and Zoning Appeals, Planning Commission, Department of Housing and Community Development, Baltimore Development Corporation, Commission for Historical and Architectural Preservation, Department of Transportation, Department of Public Works

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 provide an enforcement mechanism for violation of the regulation that prohibits the storage
6 of materials outside buildings, except as permitted by the City’s code regulations regarding
7 storage receptacles for garbage, trash, or debris, and conforming certain language; waiving
8 certain content and procedural requirements; making the provisions of this Ordinance
9 severable; providing for the application of this Ordinance in conjunction with certain other
10 ordinances; and providing for special effective dates.

11 BY authority of
12 Article 13 - Housing and Urban Renewal
13 Section 2-6
14 Baltimore City Code
15 (Edition 2000)

16 **Recitals**

17 The Urban Renewal Plan for Coldstream Homestead Montebello was originally approved by
18 the Mayor and City Council of Baltimore by Ordinance 77-289 and last amended by Ordinance
19 18-129.

20 An amendment to the Urban Renewal Plan for Coldstream Homestead Montebello is
21 necessary to provide an enforcement mechanism for violation of the regulation that prohibits the
22 storage of materials outside buildings, except as permitted by the City’s code regulations
23 regarding storage receptacles for trash, garbage, or debris.

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

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

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1 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the
2 following change in the Urban Renewal Plan for Coldstream Homestead Montebello is approved:

3 Amend Section B.2.a.(1)(b) to read as follows:

4 B. Land Use Plan

5 2. Regulations, Controls, and Restrictions

6 a. Provisions Applicable to All Land and Property to be Acquired

7 ...
8 (1) General Provisions

9 ...
10 (b) No materials used BY A BUSINESS shall be stored or permitted to
11 remain outside buildings. No waste material, refuse, or garbage
12 shall be permitted to remain outside buildings, except as permitted
13 by the Baltimore City CODE regulations regarding [containers]
14 STORAGE RECEPTACLES for garbage, TRASH, OR DEBRIS; the areas
15 for such [containers] STORAGE RECEPTACLES shall be properly
16 screened.

17 FAILURE OF A BUSINESS TO STORE BUSINESS-RELATED MATERIALS
18 WITHIN PERMANENT, ENCLOSED BUILDINGS THAT MEET ZONING
19 CODE BULK AND YARD REGULATIONS, BUILDING CODE
20 REQUIREMENTS, OR OTHER CITY CODE REGULATIONS SHALL
21 RESULT IN THE AUTOMATIC TERMINATION OF THE BUSINESS’S USE
22 AND OCCUPANCY PERMITS.

23 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the Urban Renewal Plan for Coldstream
24 Homestead Montebello, as amended by this Ordinance and identified as “Urban Renewal Plan,
25 Coldstream Homestead Montebello, revised to include Amendment __, dated February 10,
26 2020”, is approved. The Department of Planning shall file a copy of the amended Urban
27 Renewal Plan with the Department of Legislative Reference as a permanent public record,
28 available for public inspection and information.

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

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

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

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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 Section 1 of this Ordinance takes effect 1
7 year after the date it is enacted.

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