

**CITY OF BALTIMORE  
COUNCIL BILL 11-0643  
(First Reader)**

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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

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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, Baltimore Development Corporation, Baltimore City Parking Authority Board, Department of Transportation

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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 reauthorize the acquisition of properties within the Project Area and to correct and clarify  
6 certain language; waiving certain content and procedural requirements; making the  
7 provisions of this Ordinance severable; providing for the application of this Ordinance in  
8 conjunction with certain other ordinances; and providing 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 07-571.

18 An amendment to the Urban Renewal Plan for Coldstream Homestead Montebello is  
19 necessary to reauthorize the Plan’s powers of acquisition and condemnation so that these actions  
20 may legally continue, in compliance with § 12-105.1 of the Real Property Article of the  
21 Annotated Code of Maryland, and to correct and clarify certain language.

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

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

**Council Bill 11-0643**

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 Coldstream Homestead Montebello are  
3 approved:

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

5                   C. Techniques Used to Achieve Plan Objectives

6                           1. Acquisition

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

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

13                   C. Techniques Used to Achieve Plan Objectives

14                           1. Acquisition

15                                   . . . .

16                                   C. THE AUTHORITY TO ACQUIRE THE PROPERTIES WITHIN THE PROJECT AREA  
17                                   IS EXPRESSLY CONFIRMED AND REAUTHORIZED THROUGH AND INCLUDING  
18                                   DECEMBER 31, 2014.

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

21   Appendix A

22   Properties for Acquisition & Disposition for Redevelopment

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

32       **SECTION 2. AND BE IT FURTHER ORDAINED,** That the Urban Renewal Plan for Coldstream,  
33 Homestead Montebello, as amended by this Ordinance and identified as “Urban Renewal Plan,  
34 Coldstream Homestead Montebello, revised to include Amendment \_\_, dated January 31, 2011”,  
35 is approved. The Department of Planning shall file a copy of the amended Urban Renewal Plan  
36 with the Department of Legislative Reference as a permanent public record, available for public  
37 inspection and information.

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

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

10       **SECTION 5. AND BE IT FURTHER ORDAINED,** That if a provision of this Ordinance concerns  
11 the same subject as a provision of any zoning, building, electrical, plumbing, health, fire, or  
12 safety law or regulation, the applicable provisions shall be construed to give effect to each.  
13 However, if the provisions are found to be in irreconcilable conflict, the one that establishes the  
14 higher standard for the protection of the public health and safety prevails. If a provision of this  
15 Ordinance is found to be in conflict with an existing provision of any other law or regulation that  
16 establishes a lower standard for the protection of the public health and safety, the provision of  
17 this Ordinance prevails and the other conflicting provision is repealed to the extent of the  
18 conflict.

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