

**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

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.

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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.

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