

**CITY OF BALTIMORE
COUNCIL BILL 18-0246
(First Reader)**

Introduced by: The Council President
At the request of: The Administration (Department of Housing and Community Development)
Introduced and read first time: May 14, 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 reauthorize the acquisition of properties within the Project 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)

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 18-129.

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.

22 Under Article 13, § 2-6 of the Baltimore City Code, no change may be made in any approved
23 renewal plan unless the change is approved in the same manner as that required for the approval
24 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 (1) In the Plan, amend C.1.c. to read as follows:

4 C. Techniques Used to Achieve Plan Objectives

5 1. Acquisition

6

7 c. The authority to acquire the Properties within the Project Area is expressly
8 confirmed and reauthorized through and including [December 31, 2018]
9 DECEMBER 31, 2022.

10 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the Urban Renewal Plan for Coldstream
11 Homestead Montebello, as amended by this Ordinance and identified as “Urban Renewal Plan,
12 Coldstream Homestead Montebello, revised to include Amendment __, dated May 14, 2018”, is
13 approved. The Department of Planning shall file a copy of the amended Urban Renewal Plan
14 with the Department of Legislative Reference as a permanent public record, available for public
15 inspection and information.

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

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

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

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