

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 18-0183

Introduced by: Councilmember Clarke
Introduced and read first time: January 22, 2018
Assigned to: Housing and Urban Affairs Committee

Committee Report: Favorable with amendments
Council action: Adopted
Read second time: April 16, 2018

AN ORDINANCE CONCERNING

**Urban Renewal – Coldstream Homestead Montebello –
Amendment 12**

FOR the purpose of amending the Urban Renewal Plan for Coldstream Homestead Montebello to modify the list of uses prohibited in the Urban Renewal Area; 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 17-061.

An amendment to the Urban Renewal Plan for Coldstream Homestead Montebello is necessary to modify the list of uses prohibited in the Urban Renewal Area.

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

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

(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.
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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B. Land Use Plan

1. Permitted Uses

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Notwithstanding any other provision of this Plan, the following uses are prohibited in the Coldstream Homestead Montebello Urban Renewal Area:

- (1) after hours establishments;
- (2) boats; sales, rental and repair;
- (3) building and lumber materials; sales establishment with shops and yards;
- (4) check cashing agencies;
- (5) highway maintenance shop and yards;
- (6) heliports;
- (7) model slot car racing centers;
- (8) palmists;
- (9) restaurants and lunchrooms – including live entertainment and dancing;
- (10) stables; [and]
- (11) tattoo parlors[.]; AND
- (12) NEIGHBORHOOD COMMERCIAL ESTABLISHMENTS, AS DEFINED IN THE BALTIMORE CITY CODE, ARTICLE 32 - ZONING, § 1-310 (J).

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SECTION 2. AND BE IT FURTHER ORDAINED, That the Urban Renewal Plan for Coldstream Homestead Montebello, as amended by this Ordinance and identified as “Urban Renewal Plan, Coldstream Homestead Montebello, revised to include Amendment 12, dated January 22, 2018”, is approved. The Department of Planning shall file a copy of the amended Urban Renewal Plan with the Department of Legislative Reference as a permanent public record, available for public inspection and information.

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

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

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

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