

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 16-0708

Introduced by: Councilmember Mosby
At the request of: P. Flanigan & Sons, Inc.
Address: c/o Pierce Flanigan, 2444 Loch Raven Road, Baltimore, Maryland 21218
Telephone: 410-467-5900
Introduced and read first time: July 18, 2016
Assigned to: Urban Affairs and Aging Committee
Committee Report: Favorable with amendments
Council action: Adopted
Read second time: October 20, 2016

AN ORDINANCE CONCERNING

**Urban Renewal – Rosemont –
Amendment 1**

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2
3 FOR the purpose of amending the Urban Renewal Plan for Rosemont to amend certain exhibits to
4 reflect the change in zoning, upon approval by separate ordinance, for the property known as
5 1410 North Monroe Street, and modifying a provision of the Plan for general control of
6 landscaping and screening; 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)

Recitals

15 The Urban Renewal Plan for Rosemont was originally approved by the Mayor and City
16 Council of Baltimore by Ordinance 03-509.

17 An amendment to the Urban Renewal Plan for Rosemont is necessary to amend Exhibits A
18 and D to reflect the change in zoning, upon approval by separate ordinance, for the property
19 known as 1410 North Monroe Street, and modifying a provision of the Plan for general control of
20 landscaping and screening.

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

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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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 Rosemont are approved:

3 (1) Upon approval of rezoning, by separate ordinance, amend Exhibit A, “Land Use
4 Plan”, to reflect the change in land use for the property known as 1410 North Monroe
5 Street, from Community Commercial to General Industrial.

6 (2) Upon approval of rezoning, by separate ordinance, amend Exhibit D, “Zoning”, to
7 reflect the change in zoning for the property known as 1410 North Monroe Street,
8 from the B-3-2 Zoning District to the M-2-1 Zoning District.

9 (3) In the Plan, amend F.2.d.(1) to read as follows:

10 F. General Regulations, Controls, and Restrictions

11 2. General Controls

12 d. Landscaping and Screening

13
14 (1) All parking, loading, and service areas must be buffered from a public
15 right-of-way by landscaping, berms, or fencing combined with
16 landscaping. The buffer area must be a minimum 10-foot-wide area,
17 and any fencing must be a maximum of 10 feet high and must be
18 located behind the landscaped area. Material for fencing should be of
19 masonry, metal, or a combination of these materials, or other
20 appropriate materials. THE USE OF BARBED WIRE, RAZOR WIRE, OR
21 SIMILAR MATERIAL IS PROHIBITED. A minimum of 1 tree must be
22 provided per 40 linear feet of dedicated public roadway. The
23 remainder of the buffer area must be covered with shrubs,
24 groundcover, grass, or other approved landscape treatment. The
25 planting areas must be protected by curbing or wheel stops. The
26 landscaping must not obscure sight distance at points of access and
27 intersections.

28 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the Urban Renewal Plan for Rosemont, as
29 amended by this Ordinance and identified as “Urban Renewal Plan, Rosemont, revised to include
30 Amendment 1, dated July 18, 2016”, is approved. The Department of Planning shall file a copy
31 of the amended Urban Renewal Plan with the Department of Legislative Reference as a
32 permanent public record, available for public inspection and information.

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

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

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

10 **SECTION 6. AND BE IT FURTHER ORDAINED**, That this Ordinance takes effect when it is
11 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