

**CITY OF BALTIMORE
COUNCIL BILL 17-0076
(First Reader)**

Introduced by: Councilmember Clarke
Introduced and read first time: June 5, 2017
Assigned to: Housing and Urban Affairs Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Board of Municipal and Zoning Appeals, Planning Department, 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 provisions for certain land uses in the Plan; 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 14-391.

18 An amendment to the Urban Renewal Plan for Coldstream Homestead Montebello is
19 necessary to modify the provisions for certain land uses in the Plan.

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 changes in the Urban Renewal Plan for Coldstream Homestead Montebello are
25 approved:

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

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1 (1) In the Plan, amend B.1.b., c., and d. to read as follows:

2 B. Land Use Plan

3 1. Permitted Uses

4
5 b. Neighborhood Business

6 In the area designated as Neighborhood Business on the Land Use Plan
7 Map, the following uses shall be permitted:

8
9 STREET-FACING GROUND FLOOR USES MUST BE PRIMARILY RETAIL OR
10 SERVICE ESTABLISHMENTS THAT DEAL DIRECTLY WITH CONSUMERS,
11 RELY HEAVILY ON WALK-IN BUSINESS, AND HAVE REGULAR DAILY
12 HOURS.

13 c. Community Business

14 In the area designated as Community Business on the Land Use Plan
15 Map, the following uses shall be permitted:

16
17 STREET-FACING GROUND FLOOR USES MUST BE PRIMARILY RETAIL OR
18 SERVICE ESTABLISHMENTS THAT DEAL DIRECTLY WITH CONSUMERS,
19 RELY HEAVILY ON WALK-IN BUSINESS, AND HAVE REGULAR DAILY
20 HOURS.

21 d. Community Commercial

22 In the area designated as Community Commercial on the Land Use
23 Plan Map, the following uses shall be permitted:

24
25 STREET-FACING GROUND FLOOR USES MUST BE PRIMARILY RETAIL OR
26 SERVICE ESTABLISHMENTS THAT DEAL DIRECTLY WITH CONSUMERS,
27 RELY HEAVILY ON WALK-IN BUSINESS, AND HAVE REGULAR DAILY
28 HOURS.

29 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the Urban Renewal Plan for Coldstream
30 Homestead Montebello, as amended by this Ordinance and identified as “Urban Renewal Plan,
31 Coldstream Homestead Montebello, revised to include Amendment __, dated June 5, 2017”, is
32 approved. The Department of Planning shall file a copy of the amended Urban Renewal Plan
33 with the Department of Legislative Reference as a permanent public record, available for public
34 inspection and information.

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

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

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

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