

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 17-0076

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

Committee Report: Favorable with amendments
Council action: Adopted
Read second time: September 18, 2017

AN ORDINANCE CONCERNING

**Urban Renewal – Coldstream Homestead Montebello –
Amendment 11**

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2
3 FOR the purpose of amending the Urban Renewal Plan for Coldstream Homestead Montebello to
4 modify the provisions for certain land uses in the Plan; waiving certain content and
5 procedural requirements; making the provisions of this Ordinance severable; providing for
6 the application of this Ordinance in conjunction with certain other ordinances; and providing
7 for a special effective date.

8 BY authority of
9 Article 13 - Housing and Urban Renewal
10 Section 2-6
11 Baltimore City Code
12 (Edition 2000)

Recitals

13
14 The Urban Renewal Plan for Coldstream Homestead Montebello was originally approved by
15 the Mayor and City Council of Baltimore by Ordinance 77-289 and last amended by Ordinance
16 ~~14-391~~ 14-301.

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

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

22 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the
23 following changes in the Urban Renewal Plan for Coldstream Homestead Montebello are
24 approved:

25 (1) In the Plan, amend B.1.b., c., and d. 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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1 B. Land Use Plan

2 1. Permitted Uses

3
4 b. Neighborhood Business

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

7
8 STREET-FACING GROUND FLOOR USES MUST BE PRIMARILY RETAIL OR
9 SERVICE ESTABLISHMENTS THAT DEAL DIRECTLY WITH CONSUMERS,
10 RELY HEAVILY ON WALK-IN BUSINESS, AND HAVE REGULAR DAILY
11 HOURS.

12 c. Community Business

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

15
16 STREET-FACING GROUND FLOOR USES MUST BE PRIMARILY RETAIL OR
17 SERVICE ESTABLISHMENTS THAT DEAL DIRECTLY WITH CONSUMERS,
18 RELY HEAVILY ON WALK-IN BUSINESS, AND HAVE REGULAR DAILY
19 HOURS.

20 d. Community Commercial

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

23
24 STREET-FACING GROUND FLOOR USES MUST BE PRIMARILY RETAIL OR
25 SERVICE ESTABLISHMENTS THAT DEAL DIRECTLY WITH CONSUMERS,
26 RELY HEAVILY ON WALK-IN BUSINESS, AND HAVE REGULAR DAILY
27 HOURS.

28 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the Urban Renewal Plan for Coldstream
29 Homestead Montebello, as amended by this Ordinance and identified as “Urban Renewal Plan,
30 Coldstream Homestead Montebello, revised to include Amendment 11, dated June 5, 2017”, is
31 approved. The Department of Planning shall file a copy of the amended Urban Renewal Plan
32 with the Department of Legislative Reference as a permanent public record, available for public
33 inspection and information.

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

39 **SECTION 4. AND BE IT FURTHER ORDAINED,** That if any provision of this Ordinance or the
40 application of this Ordinance to any person or circumstance is held invalid for any reason, the

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1 invalidity does not affect any other provision or any other application of this Ordinance, and for
2 this purpose the provisions of this Ordinance are declared severable.

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

12 **SECTION 6. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the date it is
13 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