

**CITY OF BALTIMORE
COUNCIL BILL 20-0565
(First Reader)**

Introduced by: Councilmember Middleton

At the request of: Park West Health Systems, Inc.

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Introduced and read first time: July 20, 2020

Assigned to: Housing and Urban Affairs Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, 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 – Park Heights –**
3 **Amendment _**

4 FOR the purpose of amending the Urban Renewal Plan for Park Heights to amend certain exhibits
5 to reflect the change of zoning, upon approval by separate ordinance, for the properties
6 known as known as 3215 West Belvedere Avenue (Block 4582, Lot 018), 3317-3323 West
7 Belvedere Avenue (Block 4580, Lots 003, 004, 005), 5101-5103 Denmore Avenue (Block
8 4582, Lots 019 and 020), 5100 Denmore Avenue (Block 4580, Lot 001), and Block 4580,
9 Lots 038 and 039-055; waiving certain content and procedural requirements; making the
10 provisions of this Ordinance severable; providing for the application of this Ordinance in
11 conjunction with certain other ordinances; and providing for a special effective date.

12 BY authority of

13 Article 13 - Housing and Urban Renewal
14 Section 2-6
15 Baltimore City Code
16 (Edition 2000)

17 **Recitals**

18 The Urban Renewal Plan for Park Heights was originally approved by the Mayor and City
19 Council of Baltimore by Ordinance 08-9 and last amended by Ordinance 18-194.

20 An amendment to the Urban Renewal Plan for Park Heights is necessary to amend certain
21 exhibits to reflect the change of zoning, upon approval by separate ordinance, for the properties
22 known as known as 3215 West Belvedere Avenue (Block 4582, Lot 018), 3317-3323 West

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

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1 Belvedere Avenue (Block 4580, Lots 003, 004, 005), 5101-5103 Denmore Avenue (Block 4582,
2 Lots 019 and 020), 5100 Denmore Avenue (Block 4580, Lot 001), and Block 4580, Lots 038 and
3 039-055.

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

7 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the
8 following changes in the Urban Renewal Plan for Park Heights are approved:

9 (1) Upon approval of rezoning by separate ordinance, amend Exhibit 1B, “Land Use
10 Plan”, to reflect the change in use category for the properties known as known as
11 3215 West Belvedere Avenue (Block 4582, Lot 018), 3317-3323 West Belvedere
12 Avenue (Block 4580, Lots 003, 004, 005), 5101-5103 Denmore Avenue (Block 4582,
13 Lots 019 and 020), 5100 Denmore Avenue (Block 4580, Lot 001), and Block 4580,
14 Lots 038 and 039-055 from Residential to Office-Residential.

15 (2) Upon approval of rezoning by separate ordinance, amend Exhibit 4B, “Zoning
16 Districts”, to reflect the change of zoning for the properties known as known as 3215
17 West Belvedere Avenue (Block 4582, Lot 018), 3317-3323 West Belvedere Avenue
18 (Block 4580, Lots 003, 004, 005), 5101-5103 Denmore Avenue (Block 4582, Lots
19 019 and 020), 5100 Denmore Avenue (Block 4580, Lot 001), and Block 4580, Lots
20 038 and 039-055 from the R-6 Zoning District to the OR-1 Zoning District.

21 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the Urban Renewal Plan for Park Heights,
22 as amended by this Ordinance and identified as “Urban Renewal Plan, Park Heights, revised to
23 include Amendment __, dated July 20, 2020”, is approved. The Department of Planning shall file
24 a copy of the amended Urban Renewal Plan with the Department of Legislative Reference as a
25 permanent public record, available for public inspection and information.

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

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

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

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1 this Ordinance prevails and the other conflicting provision is repealed to the extent of the
2 conflict.

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