

CITY OF BALTIMORE
ORDINANCE **20.445**
Council Bill 20-0565

Introduced by: Councilmember Middleton

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

Address: c/o Caroline L. Hecker, Esquire, Rosenberg | Martin | Greenberg, LLP, 25 South
Charles Street, Suite 2115, Baltimore, Maryland 21201

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Introduced and read first time: July 20, 2020

Assigned to: Housing and Urban Affairs Committee

Committee Report: Favorable with amendments

Council action: Adopted

Read second time: November 2, 2020

AN ORDINANCE CONCERNING

**Urban Renewal – Park Heights –
Amendment 5**

FOR the purpose of amending the Urban Renewal Plan for Park Heights to amend certain exhibits to reflect the change of zoning, upon approval by separate ordinance, for the properties known as known as 3215 West Belvedere Avenue (Block 4582, Lot 018), 3317-3323 West Belvedere Avenue (Block 4580, Lots 003, 004, 005), 5101-5103 Denmore Avenue (Block 4582, Lots 019 and 020), and 5100 Denmore Avenue (Block 4580, Lot 001); ~~and Block 4580, Lots 038 and 039-055,~~ and to revise certain exhibits to reflect the adoption of the Zoning District Map that became effective June 5, 2017, per Ordinance 16-581; 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 Park Heights was originally approved by the Mayor and City Council of Baltimore by Ordinance 08-9 and last amended by Ordinance 18-194.

An amendment to the Urban Renewal Plan for Park Heights is necessary to amend certain exhibits to reflect the change of zoning, upon approval by separate ordinance, for the properties 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.
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 Belvedere Avenue (Block 4580, Lots 003, 004, 005), 5101-5103 Denmore Avenue (Block 4582,
2 Lots 019 and 020), and 5100 Denmore Avenue (Block 4580, Lot 001), and Block 4580, Lots 038
3 and 039-055, and to revise certain exhibits to reflect the adoption of the Zoning District Map that
4 became effective June 5, 2017, per Ordinance 16-581.

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

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

10 (1) Upon approval of rezoning by separate ordinance, amend Exhibit 1B, "Land Use
11 Plan", to reflect the change in use category for the properties known as known as
12 3215 West Belvedere Avenue (Block 4582, Lot 018), 3317-3323 West Belvedere
13 Avenue (Block 4580, Lots 003, 004, 005), 5101-5103 Denmore Avenue (Block 4582,
14 Lots 019 and 020), and 5100 Denmore Avenue (Block 4580, Lot 001), and Block
15 4580, Lots 038 and 039-055 from Residential to Office-Residential.

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

22 (3) Revise Exhibit 1B, "Land Use Plan". and Exhibits 4, 4A, 4B, 4C, 4D, 4E, and 4F,
23 "Zoning Districts", to reflect the adoption of the Zoning District Map that became
24 effective June 5, 2017, per Ordinance 16-581.

25 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the Urban Renewal Plan for Park Heights,
26 as amended by this Ordinance and identified as "Urban Renewal Plan, Park Heights, revised to
27 include Amendment 5, dated July 20, 2020", is approved. The Department of Planning shall file
28 a copy of the amended Urban Renewal Plan with the Department of Legislative Reference as a
29 permanent public record, available for public inspection and information.

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

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

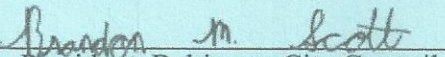
39 **SECTION 5. AND BE IT FURTHER ORDAINED,** That if a provision of this Ordinance concerns
40 the same subject as a provision of any zoning, building, electrical, plumbing, health, fire, or
41 safety law or regulation, the applicable provisions shall be construed to give effect to each.

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1 However, if the provisions are found to be in irreconcilable conflict, the one that establishes the
2 higher standard for the protection of the public health and safety prevails. If a provision of this
3 Ordinance is found to be in conflict with an existing provision of any other law or regulation that
4 establishes a lower standard for the protection of the public health and safety, the provision of
5 this Ordinance prevails and the other conflicting provision is repealed to the extent of the
6 conflict.

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

Certified as duly passed this 16 day of November, 2020



President, Baltimore City Council

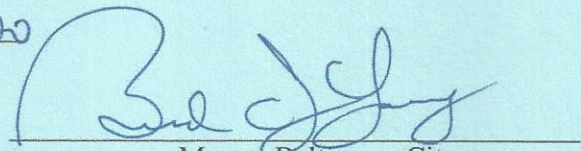
Certified as duly delivered to His Honor, the Mayor,

this 16 day of November, 2020




Chief Clerk

Approved this 2nd day of Dec., 2020



Mayor, Baltimore City

Approved for Form and Legal Sufficiency
This 2nd day of December, 2020.



Chief Solicitor