

**CITY OF BALTIMORE  
COUNCIL BILL 11-0647  
(First Reader)**

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Introduced by: The Council President  
At the request of: The Administration (Department of Housing and Community Development)  
Introduced and read first time: January 31, 2011  
Assigned to: Urban Affairs and Aging Committee

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REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Board of Municipal and Zoning Appeals, Planning Commission, Department of Housing and Community Development, Department of Public Works, Baltimore Development Corporation, Baltimore City Parking Authority Board, Department of Transportation

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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 reauthorize the  
5 acquisition of properties within the Project Area and to correct and clarify certain language;  
6 waiving certain content and procedural requirements; making the provisions of this  
7 Ordinance severable; providing for the application of this Ordinance in conjunction with  
8 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)

14 **Recitals**

15 The Urban Renewal Plan for Park Heights was originally approved by the Mayor and City  
16 Council of Baltimore by Ordinance 08-93 and last amended by Ordinance 09-231.

17 An amendment to the Urban Renewal Plan for Park Heights is necessary to reauthorize the  
18 Plan's powers of acquisition and condemnation so that these actions may legally continue, in  
19 compliance with § 12-105.1 of the Real Property Article of the Annotated Code of Maryland,  
20 and to correct and clarify certain language.

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

24 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the  
25 following changes in the Urban Renewal Plan for Park Heights are 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, add new section C.1.d. to read as follows:

2 C. Techniques Used to Achieve Plan Objectives

3 1. Acquisition

4 . . . .

5 D. THE AUTHORITY TO ACQUIRE THE PROPERTIES WITHIN THE PROJECT AREA  
6 IS EXPRESSLY CONFIRMED AND REAUTHORIZED THROUGH AND INCLUDING  
7 DECEMBER 31, 2014.

8 (2) In the Plan, after the title of Appendix A, Properties for Acquisition for Clearance and  
9 Redevelopment, add a new paragraph to read as follows:

10 IN ADDITION TO THOSE GROUPS OF PROPERTIES TO BE ACQUIRED AND DISPOSED ON  
11 CLEARANCE, THE FOLLOWING PROPERTIES ARE ALSO BEING ACQUIRED AND DISPOSED  
12 OF FOR CLEARANCE OR REDEVELOPMENT. CERTAIN PROPERTIES LISTED BELOW MAY  
13 BE USED IN WHOLE OR IN PART, AS REAR OR SIDE YARD SPACE FOR ADJACENT  
14 PROPERTY. THE ACQUISITION PROPERTIES ADJACENT TO OR ABUTTING STREETS AND  
15 ALLEYS BEING CLOSED WILL ALSO INCLUDE ALL RIGHTS, TITLE AND INTEREST, OR ANY  
16 PRIVATE RIGHTS OF USE IN AND TO THE ADJACENT STREETS, RIGHTS-OF-WAY, OR  
17 ALLEYS AS SHOWN LYING WITHIN THE PERIMETER OF THE LAND DISPOSITION MAPS.

18 (3) In the Plan, after the title of Appendix B, Properties for Disposition, add a new  
19 paragraph to read as follows:

20 IN ADDITION TO THOSE GROUPS OF PROPERTIES TO BE ACQUIRED AND DISPOSED ON  
21 CLEARANCE, THE FOLLOWING PROPERTIES ARE ALSO BEING ACQUIRED AND DISPOSED  
22 OF FOR CLEARANCE OR REDEVELOPMENT. CERTAIN PROPERTIES LISTED BELOW MAY  
23 BE USED IN WHOLE OR IN PART, AS REAR OR SIDE YARD SPACE FOR ADJACENT  
24 PROPERTY. THE ACQUISITION PROPERTIES ADJACENT TO OR ABUTTING STREETS AND  
25 ALLEYS BEING CLOSED WILL ALSO INCLUDE ALL RIGHTS, TITLE AND INTEREST, OR ANY  
26 PRIVATE RIGHTS OF USE IN AND TO THE ADJACENT STREETS, RIGHTS-OF-WAY, OR  
27 ALLEYS AS SHOWN LYING WITHIN THE PERIMETER OF THE LAND DISPOSITION MAPS.

28 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the Urban Renewal Plan for Park Heights,  
29 as amended by this Ordinance and identified as “Urban Renewal Plan, Park Heights, revised to  
30 include Amendment \_\_, dated January 31, 2011”, is approved. The Department of Planning shall  
31 file a copy of the amended Urban Renewal Plan with the Department of Legislative Reference as  
32 a 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 on the date it  
11 is enacted.