

**CITY OF BALTIMORE
COUNCIL BILL 05-0263
(First Reader)**

Introduced by: The Council President
At the request of: The Administration (Department of Housing and Community Development)
Introduced and read first time: October 17, 2005
Assigned to: Urban Affairs Committee

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

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Urban Renewal – Howard Park Business Area –**
3 **Amendment _**

4 FOR the purpose of amending the Urban Renewal Plan for Howard Park Business Area to
5 authorize the acquisition by purchase or by condemnation of certain properties for urban
6 renewal purposes, close a certain right-of-way, create an expanded disposition lot, and revise
7 exhibits to reflect the changes in the Plan; waiving certain content and procedural
8 requirements; making the provisions of this Ordinance severable; providing for the
9 application of this Ordinance in conjunction with certain other ordinances; and providing for
10 a special effective date.

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

16 **Recitals**

17 The Urban Renewal Plan for Howard Park Business Area was originally approved by the
18 Mayor and City Council of Baltimore by Ordinance 79-1196 and last amended by Ordinance
19 04-837.

20 An amendment to the Urban Renewal Plan for Howard Park Business Area is necessary to
21 authorize the acquisition by purchase or by condemnation of certain properties for urban renewal
22 purposes, close a certain right-of-way, create an expanded disposition lot, and revise exhibits to
23 reflect the changes in the Plan.

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

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

1 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That it
2 is necessary to acquire, by purchase or by condemnation, for urban renewal purposes, the fee
3 simple interest in and to the following properties or portions of them, together with all right, title,
4 interest, and estate that the owner or owners of the property interests may have in all streets,
5 alleys, ways or lanes, public or private, both abutting the whole area described and/or contained
6 within the perimeter of the area, situate in Baltimore City, Maryland, and described as follows:

7 4713-35 Gwynn Oak Avenue

8 4611 Maine Avenue

9 3407 Woodbine Avenue

10 NS 10 ft alley 1st S of Gwynn Oak Av 11

11 Approximately 173 ft of Maine Avenue Right-of-Way southeast of Gwynn Oak Avenue
12

13 **SECTION 2. AND BE IT FURTHER ORDAINED,** That Exhibit 1, Land Use Plan, Exhibit 2,
14 Property Acquisition, and Exhibit 3, Land Disposition, all dated April 22, 2005, are amended to
15 reflect the changes in the Renewal Plan.

16 **SECTION 3. AND BE IT FURTHER ORDAINED,** That the Urban Renewal Plan for Howard Park
17 Business Area, as amended by this Ordinance and identified as “Urban Renewal Plan, Howard
18 Park Business Area, revised to include Amendment __, dated September 19, 2005”, is approved.
19 The Department of Planning shall file a copy of the amended Urban Renewal Plan with the
20 Department of Legislative Reference as a permanent public record, available for public
21 inspection and information.

22 **SECTION 4. AND BE IT FURTHER ORDAINED,** That if the amended Urban Renewal Plan
23 approved by this Ordinance in any way fails to meet the statutory requirements for the content of
24 a renewal plan or for the procedures for the preparation, adoption, and approval of a renewal
25 plan, those requirements are waived and the amended Urban Renewal Plan approved by this
26 Ordinance is exempted from them.

27 **SECTION 5. AND BE IT FURTHER ORDAINED,** That if any provision of this Ordinance or the
28 application of this Ordinance to any person or circumstance is held invalid for any reason, the
29 invalidity does not affect any other provision or any other application of this Ordinance, and for
30 this purpose the provisions of this Ordinance are declared severable.

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

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