

CITY OF BALTIMORE

SHEILA DIXON, Mayor



DEPARTMENT OF LAW

GEORGE A. NILSON, City Solicitor
101 City Hall
Baltimore, Maryland 21202

September 11, 2009

The Honorable President and
Members of the Baltimore
City Council
c/o Karen Randle, Executive Secretary
409 City Hall
Baltimore, MD 21202

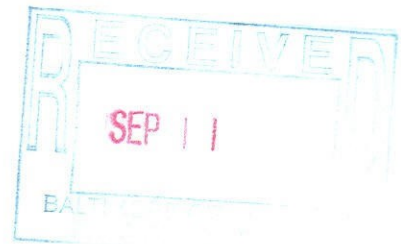
RE: City Council Bill 09-0371 – Urban Renewal –Park Heights-Amendment

Dear President and Members

You have requested the advice of the Law Department regarding City Council Bill 09-0371. City Council Bill 371 amends the Park Heights Urban Renewal Plan to create a new disposition lot and add certain properties for clearance and redevelopment...

Art.13, Sec. 2-6(e) of the Baltimore City Charter provides that approval by ordinance of a Renewal Plan shall constitute authorization to the Department of Housing and Community Development to:(i) acquire, by condemnation if necessary, all land and improvements thereon or interests therein designated for acquisition in said Renewal Plan; and (ii) subject to the approval of the Board of Estimates as hereinafter provided, to dispose of all land and improvements thereon or interests therein designated for disposition in said Renewal Plan.

Section 2-6(g) requires that in order to amend an Urban Renewal Plan, the change must be approved by an ordinance of the Mayor and City Council. An ordinance seeking to amend a Renewal Plan or Conservation Plan must be adopted and approved in the same manner as that required by this section for the adoption and approval of a new Renewal Plan. If, however, the Planning Commission determines that the proposed amendment is a technical correction or a minor modification that would not substantially affect the Plan or the size, use, or disposition of any property subject to the Plan, the proposed amendment need not be posted or advertised as otherwise required by subsection (d) of this section. When an amendment is proposed by a Councilmember, Sec2-6(h) requires that the Department of Housing and Community Development and the Department of Planning review any amendments to an Urban Renewal Plan for compliance with certain criteria.



City Council Bill 09-0371
September 11, 2009
Page 2

Accordingly, to add a disposition lot to the Park Heights Urban Renewal Plan, City Council legislation is required. Planning and Housing have reviewed the amendments and the bill will proceed for approval and adoption in the same manner as the original Urban Renewal Plan. The Law Department, therefore, approves City Council Bill 09-0371 for form and legal sufficiency.

Sincerely yours,



Elena R. DiPietro
Chief Solicitor

cc: Honorable Rochelle "Rikki" Spector
Angela Gibson, City Council Liaison
George A. Nilson, City Solicitor
Ashlea Brown, Assistant Solicitor
Hilary Ruley, Assistant Solicitor
Minda Goldberg, Assistant Solicitor