

**CITY OF BALTIMORE
COUNCIL BILL 14-0385
(First Reader)**

Introduced by: The Council President
At the request of: The Administration (Department of Housing and Community Development)
Introduced and read first time: June 2, 2014
Assigned to: Urban Affairs and Aging Committee

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, Commission for Historical and Architectural Preservation, Baltimore Development Corporation, Baltimore City Parking Authority Board, Department of Transportation

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Urban Renewal – Johnston Square –**
3 **Amendment __**

4 FOR the purpose of amending the Urban Renewal Plan for Johnston Square to reauthorize the
5 acquisition of properties within the Project Area, to remove certain properties from the lists
6 in Appendices A and B, and to extend the life of the Plan; waiving certain content and
7 procedural requirements; making the provisions of this Ordinance severable; providing for
8 the application of this Ordinance in conjunction with certain other ordinances; and providing
9 for a special effective date.

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

15 **Recitals**

16 The Urban Renewal Plan for Johnston Square was originally approved by the Mayor and City
17 Council of Baltimore by Ordinance 77-357 and last amended by Ordinance 11-448.

18 An amendment to the Urban Renewal Plan for Johnston Square is necessary to reauthorize
19 the Plan's powers of acquisition and condemnation so that these actions may legally continue, in
20 compliance with § 12-105.1 of the Real Property Article of the Annotated Code of Maryland, to
21 remove certain properties from the lists in Appendices A and B, and to extend the life of the
22 Plan.

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

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

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

3 (1) In the Plan, amend C.1.c. to read as follows:

4 C. Techniques Used to Achieve Plan Objectives

5 1. Acquisition

6

7 c. The authority to acquire the Properties within the Project Area is expressly
8 confirmed and reauthorized through and including [December 31, 2014]
9 DECEMBER 31, 2018.

10 (2) In the Plan, in Appendix A, delete the following from the list of properties:

- 11 1222 E. Eager Street
- 12 1312 E. Eager Street
- 13 1319 through 1325 Greenmount Avenue
- 14 714 E. Preston Street
- 15 718 E. Preston Street
- 16 1305 Wirton Street

17 (3) In the Plan, in Appendix B, delete the following from the list of properties:

- 18 1002 N. Eden Street
- 19 1028 N. Eden Street
- 20 1036 N. Eden Street
- 21 1038 N. Eden Street
- 22 1120 N. Eden Street

23 (4) In the Plan, amend D. to read as follows:

24 D. Duration of Provisions and Requirements

25 The Johnston Square Urban Renewal Plan, as [it may be] amended from time to
26 time, [shall be] IS in full force and effect [for a period of forty (40) years from the
27 date of the original adoption of this Plan by ordinance of the Mayor and City
28 Council of Baltimore] THROUGH AND INCLUDING DECEMBER 31, 2018.
29

30 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the Urban Renewal Plan for Johnston
31 Square, as amended by this Ordinance and identified as “Urban Renewal Plan, Johnston Square,
32 revised to include Amendment __, dated June 2, 2014”, is approved. The Department of
33 Planning shall file a copy of the amended Urban Renewal Plan with the Department of
34 Legislative Reference as a permanent public record, available for public inspection and
35 information.

36 **SECTION 3. AND BE IT FURTHER ORDAINED,** That if the amended Urban Renewal Plan
37 approved by this Ordinance in any way fails to meet the statutory requirements for the content of
38 a renewal plan or for the procedures for the preparation, adoption, and approval of a renewal

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1 plan, those requirements are waived and the amended Urban Renewal Plan approved by this
2 Ordinance is exempted from them.

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

7 **SECTION 5. AND BE IT FURTHER ORDAINED,** That if a provision of this Ordinance concerns
8 the same subject as a provision of any zoning, building, electrical, plumbing, health, fire, or
9 safety law or regulation, the applicable provisions shall be construed to give effect to each.
10 However, if the provisions are found to be in irreconcilable conflict, the one that establishes the
11 higher standard for the protection of the public health and safety prevails. If a provision of this
12 Ordinance is found to be in conflict with an existing provision of any other law or regulation that
13 establishes a lower standard for the protection of the public health and safety, the provision of
14 this Ordinance prevails and the other conflicting provision is repealed to the extent of the
15 conflict.

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