

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 11-0645

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

Committee Report: Favorable with amendments
Council action: Adopted
Read second time: May 9, 2011

AN ORDINANCE CONCERNING

**Urban Renewal – Johnston Square –
Amendment 10**

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2
3 FOR the purpose of amending the Urban Renewal Plan for Johnston Square to reauthorize the
4 acquisition of properties within the Project Area, to remove a certain property from the list in
5 Appendix A and to remove a certain property from the list in Appendix B, and to correct and
6 clarify certain language; waiving certain content and procedural requirements; making the
7 provisions of this Ordinance severable; providing for the application of this Ordinance in
8 conjunction with 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)

Recitals

14
15 The Urban Renewal Plan for Johnston Square was originally approved by the Mayor and
16 City Council of Baltimore by Ordinance 77-357 and last amended by Ordinance 02-456.

17 An amendment to the Urban Renewal Plan for Johnston Square is necessary to reauthorize
18 the 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, to
20 remove a certain property from the list in Appendix A and to remove a certain property from the
21 list in Appendix B, and to correct and clarify certain language.

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

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

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 (1) In the Plan, amend the first paragraph of C.1. to read as follows:

2 C. Techniques Used to Achieve Plan Objectives

3 1. Acquisition

4 A Property Acquisition Map, which designates those properties to be acquired
5 BY PURCHASE OR BY CONDEMNATION, is attached as Exhibit 2.

6 (2) In the Plan, add new C.1.c. to read as follows:

7 C. Techniques Used to Achieve Plan Objectives

8 1. Acquisition

9

10 C. THE AUTHORITY TO ACQUIRE THE PROPERTIES WITHIN THE PROJECT AREA
11 IS EXPRESSLY CONFIRMED AND REAUTHORIZED THROUGH AND INCLUDING
12 DECEMBER 31, 2014.

13 (3) In the Plan, amend the first paragraph of Appendix A to read as follows:

14 Appendix A

15 Properties for Acquisition and Disposition for Rehabilitation

16 In addition to those groups of properties to be acquired and disposed of for
17 rehabilitation (designated with disposition lot numbers on Exhibit 3), the
18 following properties are being acquired and disposed of for rehabilitation.
19 Certain properties listed below may be used, in whole or in part, as rear or side
20 yard space for adjacent property, AS SHOWN LYING WITHIN THE PERIMETER OF THE
21 PROPERTY LAND DISPOSITION MAP. THE ACQUISITION PROPERTIES ADJACENT TO
22 OR ABUTTING STREETS AND ALLEYS BEING CLOSED WILL ALSO INCLUDE ALL
23 RIGHTS, TITLE AND INTEREST, OR ANY PRIVATE RIGHTS OF USE IN AND TO THE
24 ADJACENT STREETS, RIGHTS-OF-WAY, OR ALLEYS AS SHOWN LYING WITHIN THE
25 PERIMETER OF THE LAND DISPOSITION MAP.

26 (4) In the Plan, amend the first paragraph of Appendix B to read as follows:

27 Appendix B

28 Properties for Acquisition and Disposition for Rehabilitation

29 In addition to those groups of properties to be acquired and disposed of for
30 rehabilitation redevelopment (designated with disposition lot numbers on Exhibit
31 3, in Appendix A and in Appendix B), the following properties are being acquired
32 and disposed of for rehabilitation. Certain properties listed below may be used, in
33 whole or in part, as rear or side yard space for adjacent property, AS SHOWN LYING
34 WITHIN THE PERIMETER OF THE PROPERTY LAND DISPOSITION MAP. THE
35 ACQUISITION PROPERTIES ADJACENT TO OR ABUTTING STREETS AND ALLEYS BEING
36 CLOSED WILL ALSO INCLUDE ALL RIGHTS, TITLE AND INTEREST, OR ANY PRIVATE

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1 RIGHTS OF USE IN AND TO THE ADJACENT STREETS, RIGHTS-OF-WAY, OR ALLEYS AS
2 SHOWN LYING WITHIN THE PERIMETER OF THE LAND DISPOSITION MAP.

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

4 1022 Valley Street

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

6 9. 1016 North Eden Street

7 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the Urban Renewal Plan for Johnston
8 Square, as amended by this Ordinance and identified as “Urban Renewal Plan, Johnston Square,
9 revised to include Amendment 10, dated January 31, 2011”, is approved. The Department of
10 Planning shall file a copy of the amended Urban Renewal Plan with the Department of
11 Legislative Reference as a permanent public record, available for public inspection and
12 information.

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

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

22 **SECTION 5. AND BE IT FURTHER ORDAINED,** That if a provision of this Ordinance concerns
23 the same subject as a provision of any zoning, building, electrical, plumbing, health, fire, or
24 safety law or regulation, the applicable provisions shall be construed to give effect to each.
25 However, if the provisions are found to be in irreconcilable conflict, the one that establishes the
26 higher standard for the protection of the public health and safety prevails. If a provision of this
27 Ordinance is found to be in conflict with an existing provision of any other law or regulation that
28 establishes a lower standard for the protection of the public health and safety, the provision of
29 this Ordinance prevails and the other conflicting provision is repealed to the extent of the
30 conflict.

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

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Certified as duly passed this _____ day of _____, 20__

President, Baltimore City Council

Certified as duly delivered to Her Honor, the Mayor,
this _____ day of _____, 20__

Chief Clerk

Approved this _____ day of _____, 20__

Mayor, Baltimore City