

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 11-0683

Introduced by: The Council President
At the request of: The Administration (Baltimore Development Corporation)
Introduced and read first time: April 11, 2011
Assigned to: Urban Affairs and Aging Committee

Committee Report: Favorable with amendments
Council action: Adopted
Read second time: June 20, 2011

AN ORDINANCE CONCERNING

**Urban Renewal – Market Center –
Amendment 16**

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3 FOR the purpose of amending the Urban Renewal Plan for Market Center to reauthorize the
4 acquisition of properties within the Project Area, to correct and clarify certain language, to
5 add a new appendix to the Plan, and to revise an Exhibit Sheet to reflect a change in the Plan;
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)

Recitals

14
15 The Urban Renewal Plan for Market Center was originally approved by the Mayor and City
16 Council of Baltimore by Ordinance 77-579 and last amended by Ordinance 04-653.

17 An amendment to the Urban Renewal Plan for Market Center 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, to
20 correct and clarify certain language, to add a new appendix to the Plan, and to revise an Exhibit
21 Sheet to reflect a change in the Plan.

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 Market Center 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 D.1. to read as follows:

2 D. Techniques to Achieve Plan Objectives

3 1. Acquisition of Property

4 Properties designated for acquisition on Exhibit 2 (including parts or interests)
5 may be acquired by purchase or BY condemnation. SCATTERED PROPERTIES
6 TO BE ACQUIRED AND DISPOSED OF FOR REHABILITATION AND THOSE
7 PROPERTIES TO BE ACQUIRED AND DISPOSED OF FOR CLEARANCE AND
8 REDEVELOPMENT ARE LISTED IN APPENDIX B.

9 (2) In the Plan, add new D.1.(d) to read as follows:

10 D. Techniques to Achieve Plan Objectives

11 1. Acquisition of Property

12

13 (D) THE AUTHORITY TO ACQUIRE THE PROPERTIES WITHIN THE PROJECT AREA
14 IS EXPRESSLY CONFIRMED AND REAUTHORIZED THROUGH AND INCLUDING
15 DECEMBER 31, 2014.

16 (3) In the Plan, after Appendix A, add new Appendix B to read as follows:

17 APPENDIX B

18 PROPERTIES FOR ACQUISITION AND DISPOSITION FOR
19 REHABILITATION OR REDEVELOPMENT

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

34 201 WEST FRANKLIN STREET

35 (4) In the Plan, revised Exhibit 2, "Property Acquisition - Land Disposition", dated April
36 4, 2011, is approved to reflect a change in the Plan.

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1 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the Urban Renewal Plan for Market
2 Center, as amended by this Ordinance and identified as “Urban Renewal Plan, Market Center,
3 revised to include Amendment 16, dated April 11, 2011”, is approved. The Department of
4 Planning shall file a copy of the amended Urban Renewal Plan with the Department of
5 Legislative Reference as a permanent public record, available for public inspection and
6 information.

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

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

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

25 **SECTION 6. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the date it
26 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