

**CITY OF BALTIMORE  
COUNCIL BILL 11-0683  
(First Reader)**

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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

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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, Baltimore Development Corporation, Baltimore City Parking Authority Board, Department of Transportation

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A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Urban Renewal – Market Center –**  
3 **Amendment \_\_**

4 FOR the purpose of amending the Urban Renewal Plan for Market Center to reauthorize the  
5 acquisition of properties within the Project Area, to correct and clarify certain language, to  
6 add a new appendix to the Plan, and to revise an Exhibit Sheet to reflect a change in the Plan;  
7 waiving certain content and procedural requirements; making the provisions of this  
8 Ordinance severable; providing for the application of this Ordinance in conjunction with  
9 certain other ordinances; and providing 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 Market Center was originally approved by the Mayor and City  
17 Council of Baltimore by Ordinance 77-579 and last amended by Ordinance 04-653.

18 An amendment to the Urban Renewal Plan for Market Center is necessary to reauthorize the  
19 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 correct and clarify certain language, to add a new appendix to the Plan, and to revise an Exhibit  
22 Sheet to reflect a change in the Plan.

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

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

**Council Bill 11-0683**

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

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

**D. Techniques to Achieve Plan Objectives**

**1. Acquisition of Property**

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

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

**D. Techniques to Achieve Plan Objectives**

**1. Acquisition of Property**

. . . .

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

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

**APPENDIX B**

**PROPERTIES FOR ACQUISITION AND DISPOSITION FOR REHABILITATION OR REDEVELOPMENT**

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

201 WEST FRANKLIN STREET

**Council Bill 11-0683**

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

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

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

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

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

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