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By: **Senator Collins (Baltimore County Administration)**

Introduced and read first time: February 4, 2000

Assigned to: Economic and Environmental Affairs

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A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore County - Neighborhood Renewal Authority**

3 FOR the purpose of authorizing Baltimore County to undertake and carry out projects  
4 for residential, commercial, or industrial development and redevelopment;  
5 authorizing Baltimore County to exercise the power of eminent domain; limiting  
6 the power of Baltimore County to undertake certain renewal projects to certain  
7 geographic areas within the County; limiting the County's exercise of eminent  
8 domain to certain properties within the County; requiring the County to comply  
9 with certain procedures prior to exercising its power of eminent domain;  
10 repealing certain sections of the Baltimore County Code; making provisions of  
11 this Act severable; and generally relating to neighborhood renewal in Baltimore  
12 County.

13 BY repealing

14 The Public Local Laws of Baltimore County  
15 Section 9-101 through 9-104 and the article "Article IV. Redevelopment and  
16 Revitalization"  
17 Article 3 - Public Local Laws of Maryland  
18 (1988 Edition and October 1999 Supplement, as amended)

19 BY adding to

20 The Public Local Laws of Baltimore County  
21 Section 9-101 through 9-106 to be under the new article "Article IV.  
22 Neighborhood Renewal"  
23 Article 3 - Public Local Laws of Maryland  
24 (1988 Edition and October 1999 Supplement, as amended)

25 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
26 MARYLAND, That Section(s) 9-101 through 9-104 and the article "Article IV.  
27 Redevelopment and Revitalization" of Article 3 - Baltimore County of the Code of  
28 Public Local Laws of Maryland be repealed.

29 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland  
30 read as follows:

1 **Article 3 - Baltimore County**

## 2 ARTICLE IV. NEIGHBORHOOD RENEWAL

3 9-101.

4 THE GENERAL ASSEMBLY FINDS THAT:

5 (1) THERE EXISTS WITHIN BALTIMORE COUNTY, A NUMBER OF AREAS IN  
6 NEED OF RESIDENTIAL, COMMERCIAL, OR INDUSTRIAL DEVELOPMENT OR  
7 REDEVELOPMENT IN FURTHERANCE OF THE PUBLIC INTEREST;

8 (2) THESE AREAS INCLUDE BOTH AREAS THAT ARE CONSIDERED SLUM  
9 OR BLIGHTED AREAS, AND AREAS THAT ARE NOT SUBJECT TO DETERIORATED OR  
10 DETERIORATING CONDITIONS, BUT WHICH ARE IN NEED OF DEVELOPMENT OR  
11 REDEVELOPMENT, FOR THE PUBLIC BENEFIT;

12 (3) DEVELOPMENT AND REDEVELOPMENT OF THESE AREAS FOR THE  
13 PUBLIC BENEFIT INCLUDE PURPOSES SUCH AS:

14 (I) THE DEVELOPMENT OF THE WATERFRONT LAND TO BE A  
15 DESTINATION FROM BOTH WATER AND LAND;

16 (II) THE ATTRACTION, DEVELOPMENT, AND ENHANCEMENT OF  
17 MARITIME AND RECREATIONAL BUSINESSES;

18 (III) THE DEVELOPMENT OR REDEVELOPMENT OF SINGLE FAMILY  
19 HOUSING IN OLDER, PREVIOUSLY DEVELOPED AREAS OF THE COUNTY;

20 (IV) THE DEVELOPMENT OF SHOPPING AND RETAIL AREAS TO  
21 SUPPORT HOUSING IN THE AREA;

22 (V) THE ELIMINATION OF EXCESS OR UNDERPRODUCTIVE RETAIL  
23 SPACE;

24 (VI) THE REDEVELOPMENT OF EXISTING RETAIL SPACE; AND

25 (VII) THE DEVELOPMENT OF NEW EMPLOYMENT OPPORTUNITIES  
26 ON PREVIOUSLY DEVELOPED LAND;

27 (4) IN ORDER TO REVITALIZE THESE AREAS OF THE COUNTY, IT IS  
28 NECESSARY THAT THE COUNTY BE AUTHORIZED TO:

29 (I) ACQUIRE, BY ANY LEGAL MEANS, INCLUDING BY EXERCISE OF  
30 THE POWER OF EMINENT DOMAIN, LAND OR PROPERTY FOR RESIDENTIAL,  
31 COMMERCIAL, OR INDUSTRIAL DEVELOPMENT OR REDEVELOPMENT; AND

32 (II) SELL, LEASE, CONVEY, TRANSFER, OR DISPOSE OF LAND OR  
33 PROPERTY FOR RESIDENTIAL, COMMERCIAL, OR INDUSTRIAL DEVELOPMENT OR  
34 REDEVELOPMENT;

1 (5) THE REVITALIZATION OF AREAS WITHIN BALTIMORE COUNTY THAT  
2 ARE IN NEED OF RESIDENTIAL, COMMERCIAL, OR INDUSTRIAL DEVELOPMENT OR  
3 REDEVELOPMENT:

4 (I) IS AN ESSENTIAL GOVERNMENTAL FUNCTION; AND

5 (II) IS A PUBLIC USE THAT WILL CONFER A PUBLIC BENEFIT ON  
6 THE CITIZENS OF THE COUNTY BY:

7 1. ENCOURAGING THE INCREASE OF INDUSTRY AND  
8 COMMERCE AND A BALANCED ECONOMY;

9 2. ASSISTING IN THE RETENTION OF EXISTING INDUSTRY  
10 AND COMMERCE AND IN THE ATTRACTION OF NEW INDUSTRY AND COMMERCE;

11 3. PROMOTING ECONOMIC DEVELOPMENT AND GROWTH;  
12 AND

13 4. GENERALLY PROMOTING THE HEALTH, WELFARE, AND  
14 SAFETY OF THE RESIDENTS OF THE COUNTY;

15 (6) THE ACQUISITION BY THE COUNTY OF LAND OR PROPERTY BY ANY  
16 METHOD PROVIDED FOR IN THIS ARTICLE IS NECESSARY FOR THE CONSOLIDATION  
17 OF PROPERTY IN ORDER TO DEVELOP AND REDEVELOP LAND OR PROPERTY FOR  
18 RESIDENTIAL, COMMERCIAL, OR INDUSTRIAL DEVELOPMENT FOR THE PUBLIC  
19 BENEFIT;

20 (7) THE EXERCISE BY THE COUNTY OF THE POWER OF EMINENT  
21 DOMAIN IN ACCORDANCE WITH THIS ARTICLE IS HEREBY DECLARED TO BE A PUBLIC  
22 PURPOSE OR PUBLIC USE;

23 (8) THE POWERS GRANTED BY THIS ARTICLE SHALL BE REGARDED AS  
24 SUPPLEMENTAL AND ADDITIONAL TO POWERS CONFERRED BY OTHER LAWS, AND  
25 MAY NOT BE REGARDED AS IN DEROGATION OF ANY OTHER EXISTING POWERS;

26 (9) THIS ARTICLE IS NECESSARY FOR THE REVITALIZATION AND  
27 RENEWAL OF BALTIMORE COUNTY AND IS IN THE PUBLIC INTEREST OF ITS  
28 CITIZENS;

29 (10) THIS ARTICLE SHALL BE LIBERALLY CONSTRUED TO CARRY OUT ITS  
30 PURPOSES; AND

31 (11) THE PROVISIONS OF THIS ACT ARE NECESSARY TO FURTHER THE  
32 PUBLIC INTEREST.

33 9-102.

34 (A) IN THIS ARTICLE THE FOLLOWING TERMS HAVE THE MEANINGS  
35 INDICATED.

36 (B) "COUNTY" MEANS BALTIMORE COUNTY.

1 (C) "LOCAL LAW" MEANS A LEGISLATIVE ACT OF THE BALTIMORE COUNTY  
2 COUNCIL.

3 (D) "RENEWAL AREAS" MEANS:

4 (1) THE ESSEX MIDDLE RIVER WATERFRONT RENEWAL AREA;

5 (2) THE YORKWAY RENEWAL AREA IN DUNDALK; AND

6 (3) THE LIBERTY ROAD RENEWAL AREA.

7 9-103.

8 THE POWER AND AUTHORITY CONFERRED ON BALTIMORE COUNTY BY THIS  
9 ARTICLE SHALL BE LIMITED TO THE FOLLOWING AREAS DESCRIBED IN THIS  
10 SECTION.

11 (1) THE ESSEX MIDDLE RIVER WATERFRONT RENEWAL AREA SHALL BE  
12 THE AREA BOUNDED BY A LINE STARTING AT THE INTERSECTION OF MARYLAND  
13 ROUTE 702 AND EASTERN BOULEVARD PROCEEDING NORTHEAST ALONG EASTERN  
14 BOULEVARD AND INCLUDE ALL PROPERTIES ALONG BOTH SIDES OF EASTERN  
15 BOULEVARD UNTIL TURNING NORTHWEST TO FOLLOW THE CENTER LINE OF  
16 BENNETT ROAD UNTIL TURNING EAST TO FOLLOW THE CENTER LINE OF MARLYN  
17 UNTIL TURNING NORTH TO FOLLOW THE CENTER LINE OF ORVILLE ROAD UNTIL  
18 TURNING NORTHEAST TO FOLLOW THE CONRAIL RIGHT OF WAY UNTIL TURNING  
19 SOUTHEAST ON A LINE THAT PASSES BETWEEN FENWAY AND OAKLAND AVENUE  
20 UNTIL REACHING THE HEADWATERS OF MIDDLE RIVER AND PROCEEDING DOWN  
21 THE MIDDLE OF MIDDLE RIVER UNTIL TURNING SOUTHWEST INTO HOPKINS CREEK  
22 AND PROCEEDING TO A POINT BETWEEN DARTFORD ROAD AND HOPEWELL AVENUE  
23 AND THEN PROCEEDING SOUTHWEST TO THE INTERSECTION OF BACKRIVER NECK  
24 ROAD AND HOMBERG AVENUE AND FOLLOWING THE CENTER LINE OF HOMBERG  
25 AVENUE UNTIL TURNING NORTHWEST TO FOLLOW THE CENTER LINE OF MARYLAND  
26 ROUTE 702 TO THE INTERSECTION OF MARYLAND ROUTE 702 AND EASTERN  
27 BOULEVARD;

28 (2) THE YORKWAY RENEWAL AREA IN DUNDALK SHALL BE THE AREA  
29 KNOWN AS THE YORKWAY APARTMENTS INCLUDING THE EVEN NUMBERED  
30 ADDRESSES FROM 76 YORKWAY THROUGH AND INCLUDING 86 YORKWAY, THE EVEN  
31 AND ODD ADDRESSES FROM 2500 YORKWAY THROUGH AND INCLUDING 2534  
32 YORKWAY AND THE ODD ADDRESSES FROM 2601 YORKWAY THROUGH AND  
33 INCLUDING 2631 YORKWAY; AND

34 (3) THE LIBERTY ROAD RENEWAL AREA SHALL BE THE AREA BOUNDED  
35 BY A LINE STARTING AT THE INTERSECTION OF COURTLEIGH DRIVE AND LIBERTY  
36 ROAD AND PROCEEDING NORTHEAST ALONG THE CENTER LINE OF COURTLEIGH  
37 DRIVE AND THEN TURNING WEST TO FOLLOW THE CENTER LINE OF FIELDWAY  
38 DRIVE AND THEN TURNING WEST TO FOLLOW THE CENTER LINE OF CHURCH LANE  
39 AND THEN TURNING SOUTH TO FOLLOW THE CENTER LINE OF ANNE HATHAWAY  
40 DRIVE AND CROSSING LIBERTY ROAD AND CONTINUING ALONG THE NORTHWEST  
41 BOUNDARY OF PARCEL NUMBER 1255 AS KEPT IN THE LAND RECORDS OF THE STATE

1 DEPARTMENT OF ASSESSMENTS AND TAXATION OF BALTIMORE COUNTY UNTIL  
2 MEETING THE CENTER LINE OF GREENS LANE AND THEN TO TURN SOUTHEAST TO  
3 FOLLOW THE CENTER LINE OF GREENS LANE AND THEN TO TURN EAST TO FOLLOW  
4 THE CENTER LINE OF OLD COURT ROAD AND THEN TO TURN SOUTHEAST TO FOLLOW  
5 CARLSON LANE AND SO AS TO INCLUDE ALL PROPERTIES ON BOTH SIDES OF  
6 CARLSON LANE IN THE AREA UNTIL TURNING NORTHEAST TO FOLLOW THE CENTER  
7 LINE OF STEVENSWOOD ROAD UNTIL TURNING NORTH TO FOLLOW THE CENTER  
8 LINE OF COURTLEIGH ROAD TO THE INTERSECTION OF COURTLEIGH ROAD AND  
9 LIBERTY ROAD.

10 9-104.

11 (A) NOTWITHSTANDING ANY OTHER PROVISION OF LOCAL LAW AND IN  
12 ADDITION TO POWERS GRANTED UNDER ARTICLE 25A, § 5 OF THE ANNOTATED CODE  
13 OF MARYLAND AND ANY ADDITIONAL POWERS CONFERRED BY OTHER LAWS, THE  
14 COUNTY IS AUTHORIZED TO:

15 (1) ACQUIRE, WITHIN THE BOUNDARY LINES OF THE RENEWAL AREAS,  
16 LAND AND PROPERTY AND ANY RIGHT, INTEREST, FRANCHISE, EASEMENT, OR  
17 PRIVILEGE IN THE PROPERTY, BY PURCHASE, LEASE, OR GIFT FOR RESIDENTIAL,  
18 COMMERCIAL, OR INDUSTRIAL DEVELOPMENT OR REDEVELOPMENT, INCLUDING  
19 THE COMPREHENSIVE RENOVATION OR REHABILITATION OF THE PROPERTY;

20 (2) ACQUIRE BY EXERCISING THE POWER OF EMINENT DOMAIN LAND  
21 AND PROPERTY DESCRIBED IN SUBSECTION (B) OF THIS SECTION, AND ANY RIGHT,  
22 INTEREST, FRANCHISE, EASEMENT, OR PRIVILEGE IN THE PROPERTY FOR  
23 RESIDENTIAL, COMMERCIAL, OR INDUSTRIAL DEVELOPMENT OR REDEVELOPMENT,  
24 INCLUDING THE COMPREHENSIVE RENOVATION OR REHABILITATION OF THE  
25 PROPERTY;

26 (3) DEVELOP OR REDEVELOP, WITHIN THE BOUNDARY LINES OF THE  
27 RENEWAL AREAS, LAND AND PROPERTY, ACQUIRED BY ANY OF THE METHODS  
28 PROVIDED IN THIS ARTICLE, FOR RESIDENTIAL, COMMERCIAL, OR INDUSTRIAL  
29 DEVELOPMENT OR REDEVELOPMENT, INCLUDING THE COMPREHENSIVE  
30 RENOVATION OR REHABILITATION OF THE PROPERTY; AND

31 (4) SELL, LEASE, CONVEY, TRANSFER, OR OTHERWISE DISPOSE OF THE  
32 LAND OR PROPERTY FOR ANY VALUE WITHIN THE BOUNDARY LINES OF THE  
33 RENEWAL AREAS REGARDLESS OF WHETHER THE LAND OR PROPERTY HAS BEEN  
34 DEVELOPED, REDEVELOPED, ALTERED, OR IMPROVED AND IRRESPECTIVE OF THE  
35 MANNER OR MEANS BY WHICH IT MAY HAVE BEEN ACQUIRED BY THE COUNTY, TO  
36 ANY PRIVATE, PUBLIC, OR QUASI-PUBLIC CORPORATION, PARTNERSHIP,  
37 ASSOCIATION, PERSON, OR OTHER LEGAL ENTITY FOR RESIDENTIAL, COMMERCIAL,  
38 OR INDUSTRIAL DEVELOPMENT OR REDEVELOPMENT, INCLUDING THE  
39 COMPREHENSIVE RENOVATION OR REHABILITATION OF THE PROPERTY.

40 (B) THE AUTHORITY OF THE COUNTY TO ACQUIRE LAND OR PROPERTY BY  
41 EXERCISING THE POWER OF EMINENT DOMAIN AS PROVIDED FOR IN SUBSECTION  
42 (A)(2) OF THIS SECTION SHALL BE LIMITED TO THE FOLLOWING PROPERTIES:

- 1           (1)     IN THE ESSEX MIDDLE RIVER WATERFRONT RENEWAL AREA:
- 2                   (I)     1601, 1603, 1605, 1607, 1609, 1611, 1613, 1615, 1617, 1619, 1621, 1623,  
3 1625, 1627, 1629, 1631, 1633, 1635, 1637, 1639, 1641, 1643, 1645, 1647, 1649, 1651, 1653, 1655,  
4 1657, 1659, 1661, 1663, 1665, 1667, 1669, 1671, 1673, 1675, 1677, 1679, 1681, 1683, 1652, 1654,  
5 1656, 1658, 1660, 1662, 1664, 1666, AND 1668 ESSEXTOWNE CIRCLE;
- 6                   (II)    43, 45, 47, 49, 51, 53, 55, 57, 59, 61, 63, 65, 67, AND 69 STEMMERS  
7 RUN ROAD;
- 8                   (III)   1527, 1700, 1700A, 1918, 1920, 1923, 1925, 1927, 1929, AND 1933 OLD  
9 EASTERN AVENUE;
- 10                  (IV)    1600, 1601, 1602, 1603, 1604, 1605, 1606, 1607, 1608, 1609, 1610, 1611,  
11 1612, 1613, 1614, 1615, 1616, 1617, 1618, 1619, 1620, 1621, 1622, 1623, 1624, 1625, 1626, 1627,  
12 1628, 1629, 1630, 1631, 1632, 1633, 1635, 1637, 1639, 1641, AND 1643 DARTFORD ROAD;
- 13                  (V)     100, 101, 102, 103, 104, 105, AND 106 KINGSLEY ROAD;
- 14                  (VI)    1601, 1602, 1603, 1604, 1605, 1606, 1607, 1608, 1609, 1610, 1611, 1612,  
15 1613, 1614, 1615, 1616, 1617, 1618, 1619, 1620, 1621, 1622, 1623, 1624, 1625, 1626, 1627, 1628,  
16 1629, 1630, 1631, 1632, 1633, AND 1634 GAIL ROAD;
- 17                  (VII)   101, 301, 302, 303, 304, 205, 307, 308, 309, 310, AND 311 PUNTE LANE  
18 AND MAP 90-PARCEL 1359, MAP 90-PARCEL 661, AND MAP 90-PARCEL 391;
- 19                  (VIII)   6, 100, 102, AND 200 MARS ROAD;
- 20                  (IX)    102, 104, 106, 108, 110, 112, AND 114 ORVILLE ROAD;
- 21                  (X)     1752, 1754, 1756, 1758, 1760, 1770, 1772, 1774, 1776, 1778, 1786, 1789,  
22 1800, 1801, 1817, 1821, 1825, 1827, 1829, 1831, 1925, AND 1933 EASTERN BOULEVARD; AND
- 23                  (XI)    1800 AND 1814 EARHART ROAD; AND
- 24           (2)     IN THE YORKWAY RENEWAL AREA IN DUNDALK:
- 25                   (I)     76, 78, 80, 82, 84, AND 86 YORKWAY;
- 26                   (II)    2500, 2502, 2504, 2506, 2508, 2510, 2512, 2514, 2516, 2518, 2520, 2522,  
27 2524, 2526, 2528, 2530, 2532, AND 2534 YORKWAY;
- 28                   (III)   2601, 2603, 2605, 2607, 2609, 2611, 2613, 2615, 2617, 2619, 2621, 2623,  
29 2625, 2627, 2629, AND 2631 YORKWAY; AND
- 30                   (IV)    2501, 2503, 2505, 2507, 2509, 2511, 2513, 2515, 2517, 2519, 2521, 2523,  
31 2525, 2527, 2529, 2531, AND 2533 YORKWAY; AND
- 32           (3)     IN THE LIBERTY ROAD RENEWAL AREA:

1 (I) 8702, 8704, 8709, 8709 1/2, 8710, 8711, 8712, 8715, 8717, 8721, 8723,  
2 8725, 8727, 8727A, AND 8737 LIBERTY ROAD;

3 (II) 3440, 3442, 3446, 3510, 3516, 3520, 3522, 3524, 3526, 3534, 3535, 3536,  
4 3537, 3539, 3538, 3540, 3541, AND 3605 BRENBROOK DRIVE;

5 (III) 3501, 3503, 3505, 3507, 3509, AND 3511 FOXCLIFF COURT;

6 (IV) 3501, 3503, 3505, AND 3507 BEAGLE LANE; AND

7 (V) 8500, 8501, 8502 8503, 8505, 8507, 8509, AND 8511 GLENN MICHAEL  
8 LANE.

9 (C) ALL LAND OR PROPERTY ACQUIRED BY EMINENT DOMAIN UNDER THIS  
10 SECTION:

11 (1) MAY NOT BE TAKEN WITHOUT JUST COMPENSATION; AND

12 (2) MAY NOT BE USED FOR THE DEVELOPMENT OF MULTIFAMILY  
13 HOUSING AS DEFINED IN THE BALTIMORE COUNTY ZONING REGULATIONS.

14 (D) ALL LAND OR PROPERTY OWNED BY A FEDERAL, STATE, OR LOCAL  
15 GOVERNMENT, OR ANY AGENCY OF THE FEDERAL, STATE, OR LOCAL GOVERNMENT  
16 MAY NOT BE ACQUIRED BY EXERCISE OF THE POWER OF EMINENT DOMAIN  
17 WITHOUT THE PRIOR CONSENT OF THE FEDERAL, STATE, OR LOCAL GOVERNMENT  
18 OR AGENCY OWNING THE LAND OR PROPERTY.

19 9-105.

20 THE COUNTY MAY ADOPT REGULATIONS IN ACCORDANCE WITH TITLE 2,  
21 ARTICLE VIII OF THE BALTIMORE COUNTY CODE TO CARRY OUT THE PROVISIONS OF  
22 THIS ARTICLE.

23 9-106.

24 BEFORE EXERCISING THE POWER OF EMINENT DOMAIN PROVIDED FOR IN THIS  
25 ARTICLE, THE BALTIMORE COUNTY COUNCIL SHALL:

26 (1) ADOPT IMPLEMENTATION PLANS FOR EACH RENEWAL AREA  
27 IDENTIFYING THE RENEWAL GOALS FOR THAT AREA; AND

28 (2) PROVIDE FOR AN OPPORTUNITY FOR THE PUBLIC TO COMMENT ON  
29 EACH IMPLEMENTATION PLAN.

30 SECTION 3. AND BE IT FURTHER ENACTED, That if any provision of this  
31 Act or the application thereof to any person or circumstance is held invalid for any  
32 reason in a court of competent jurisdiction, the invalidity does not affect other  
33 provisions or any other application of this Act which can be given effect without the  
34 invalid provision or application, and for this purpose the provisions of this Act are  
35 declared severable.

1 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect  
2 July 1, 2000.