
CITY OF BALTIMORE

BERNARD C. "JACK" YOUNG
Mayor



DEPARTMENT OF LAW
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October 20, 2020

The Honorable President and Members
of the Baltimore City Council
Room 409, City Hall
100 N. Holliday Street
Baltimore, Maryland 21202

Re: City Council Bill 20-0623 –Zoning – Signs – Conversion of Existing Non-Digital Billboards

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 20-0623 for form and legal sufficiency. The bill would amend Section 17-406 of the Zoning Code text to reduce the requirements to convert a non-digital billboard to a digital one. Currently, the conversion must be accompanied by documentation that three existing billboards are being removed. This bill would eliminate that requirement. The bill would also remove the prohibition that existing billboards on a building or pole less than 35 feet high could not be converted. The bill would also remove the requirement that the new billboard be no less than fifteen feet from its original location. However, the billboard must still meet with the other requirements of the Zoning Code if it is placed somewhere other than an existing billboard location.

The City Council must consider the following when evaluating changes to the text of the City's Zoning Code (Article 32 of the Baltimore City Code):

- (1) the amendment's consistency with the City's Comprehensive Master Plan;
- (2) whether the amendment would promote the public health, safety, and welfare;
- (3) the amendment's consistency with the intent and general regulations of this Code;
- (4) whether the amendment would correct an error or omission, clarify existing requirements, or effect a change in policy; and
- (5) the extent to which the amendment would create nonconformities.

Baltimore City Code, Art. 32, § 5-508(c). The Planning Staff Report did not support this textual change. The Planning Commission disagreed. Therefore, the Council must find facts that support the five points above as the Staff Report does not have the requisite facts.

Additionally, any bill that authorizes a change in the text of the Zoning Code is a "legislative authorization," which requires that certain procedures be followed in the bill's passage, including a public hearing. Baltimore City Code, Art. 32, §§ 5-501; 5-507; 5-601(a). Certain notice requirements apply to the bill. Baltimore City Code, Art. 32, §§ 5-601(b)(1), (c), (e). The

bill must be referred to certain City agencies, which are obligated to review the bill in a specified manner. Baltimore City Code, Art. 32, §§ 5-504, 5-506. Finally, certain limitations on the City Council's ability to amend the bill apply. Baltimore City Code, Art. 32, §5-507(c).

Assuming all the procedural requirements are met, the Law Department can approve the bill for form and legal sufficiency.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Hilary R. Ruley".

Hilary Ruley
Chief Solicitor

cc: Dana P. Moore, Acting City Solicitor
Matthew Stegman, Mayor's Office of Government Relations
Elena DiPietro, Chief Solicitor, General Counsel Division
Victor Tervalá, Chief Solicitor
Ashlea Brown, Assistant Solicitor