

CITY OF BALTIMORE

STEPHANIE RAWLINGS-BLAKE, Mayor

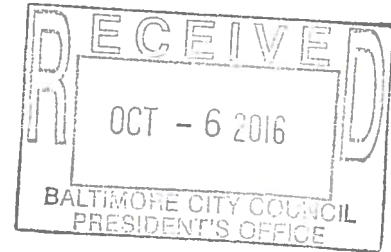


DEPARTMENT OF LAW

GEORGE A. NILSON, City Solicitor
101 City Hall
Baltimore, Maryland 21202

October 6, 2016

The Honorable President and Members
of the Baltimore City Council
Attn: Natawna B. Austin, Executive Secretary
Room 409, City Hall
100 N. Holliday Street
Baltimore, Maryland 21202



Re: City Council Bill 16-0708 – Urban Renewal – Rosemont - Amendment

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 16-0708 for form and legal sufficiency. The bill amends the Urban Renewal Plan for Rosemont to amend Exhibits A and D of the Plan to reflect the change of zoning, upon approval by separate ordinance, for the property known as 1410 North Monroe Street. The bill also waives certain content and procedural requirements, makes the provisions of this Ordinance severable, provides for the application of this Ordinance in conjunction with certain other ordinances, and provides for an immediate effective date.

The proposed change to the Urban Renewal Plan is contingent on the passage of Council Bill 16-0707, which seeks to rezone 1410 North Monroe Street from the B-3-2 Zoning District to the M-2-1 Zoning District. The Department of Planning issued a Staff Report (“Report”) which recommended approval of this rezoning pursuant to the companion bill. *See Report at 2-3.* **The Report also recommended an amendment to the bill in order to amend Section F.2.d.1 of the Plan to add, with regard to fencing material, that “the use of barbed wire, razor wire, or similar is prohibited.”** The Planning Commission concurred with the recommendation. If adopted, this additional amendment to the Plan would not affect the legal sufficiency of the bill.

Article 13, Section 2-6(g)(1) of the Baltimore City Code requires that any change to an Urban Renewal Plan be made by ordinance. *See also* Baltimore City Code, Article 13 § 2-1(c)(3) and § 2-6(d)(7) (any zoning change proposed by an urban renewal plan must be approved by an ordinance pursuant to the Land Use Article of the Maryland Annotated Code); *Donnelly v. Mayor and City Council of Baltimore*, 279 Md. 660, 665 (1977) (requirement that any change in zoning embodied in an urban renewal plan is to be approved by separate ordinance in accordance with procedures governing zoning ordinances assures that urban renewal schemes will not be utilized to enact zoning changes). As this is the appropriate mechanism for making changes to the Plan, and assuming the City Council adopts the Report’s finding of a substantial change in the neighborhood and passes Council Bill 16-0707, the Law Department approves the bill for form and legal sufficiency.

fav w/ comments

Sincerely,

A handwritten signature in black ink, appearing to read "Jennifer Landis". The signature is fluid and cursive, with the first name being more prominent.

Jennifer Landis
Assistant Solicitor

cc: David Ralph, Acting City Solicitor
Angela C. Gibson, Mayor's Legislative Liaison
Elena DiPietro, Chief Solicitor, General Counsel Division
Hilary Ruley, Chief Solicitor
Victor Terval, Chief Solicitor
Avery Aisenstark, Director, Legislative Reference