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CITY OF BALTIMORE

BRANDON M. SCOTT  
Mayor



DEPARTMENT OF LAW  
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June 9, 2026

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

Re: City Council Bill 26-0153 – Measurement of Building Height – Gambrel Roofs

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 26-0153 for form and legal sufficiency. The bill amends the calculation of building height measurements for buildings with gambrel roofs.

The following standards must be considered for text amendments to the Zoning 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).

#### Planning Commission Recommendation

The Planning Commission considered City Council Bill 26-0153 at its regular meeting on April 2, 2026, and recommended that the bill be amended and approved. The Planning Commission Report states that the proposed amendments to the bill text would “change the methodology to measure from the top plate of the building” so that certain roof styles cannot circumvent the height limit.

#### Procedural Requirements

Certain procedural requirements apply to this bill because an ordinance that authorizes a text amendment is considered a “legislative authorization.” Baltimore City Code, Art. 32, § 5-501(1). Specifically, notice requirements apply to the bill, and 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, 5-601. Finally, certain limitations on the City Council’s ability to amend the bill apply. Baltimore City Code, Art. 32, § 5-507.

The bill is the appropriate method for the City Council to review the facts and make the determination as to whether the legal standard for a text amendment has been met. Assuming that appropriate notice of the bill was provided, the Law Department can approve the bill for form and legal sufficiency.

Sincerely,



Desiree Luckey  
Assistant Solicitor

cc: Ebony Thompson, City Solicitor  
Hilary Ruley, Chief Solicitor, General Counsel Division  
Jeff Hochstetler, Chief Solicitor  
Ashlea Brown, Chief Solicitor  
Michelle Toth, Assistant Solicitor