

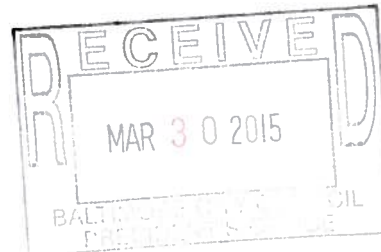
CITY OF BALTIMORE
STEPHANIE RAWLINGS-BLAKE, Mayor



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

March 30, 2015

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



Re: City Council Bill 15-0472 – Urban Renewal – Franklin Square – Amendment


Dear President and City Council Members:

The Law Department has reviewed City Council Bill 15-0472 for form and legal sufficiency. Section 2-6(g)(1) of Article 13 of the City Code requires that any change to an Urban Renewal Plan be made by ordinance. This is the appropriate mechanism for making changes to the Plan.

The bill would amend Exhibits 1 and 4 to reflect the changed zoning and land use category for 31-35 North Fulton Avenue. Those changes will not actually occur until the enactment of a separate zoning bill, 15-0473. See City Code, Art. 13, §206(d)(7); Md. Code, Land Use, §10-303; *accord Donnelly v. Mayor and City Council of Baltimore*, 279 Md. 660, 665 (1977)(zoning changes may not be made through an UR plan). Without enactment of the companion rezoning bill, this bill would not be legally sufficient as it would reference changes in another ordinance that had not been enacted. Therefore, the Law Department recommends that the two companion bills move together and be signed by the Mayor on the same date.

As there are no prohibitions to these amendments, the Law Department can approve City Council Bill 15-0472 for form and legal sufficiency assuming its companion zoning bill, 15-0473, is also enacted.

Very truly yours,


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Chief Solicitor

cc: George Nilson, City Solicitor
Angela C. Gibson, Mayor's Legislative Liaison
Elena DiPietro, Chief Solicitor, General Counsel Division
Victor Tervalo, Chief Solicitor
Jennifer Landis, Assistant Solicitor