

CITY OF BALTIMORE

STEPHANIE RAWLINGS-BLAKE, Mayor



DEPARTMENT OF LAW

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

March 7, 2012

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 12-0026 – Zoning – Conditional Use Second-hand Store  
– 914 West 36<sup>th</sup> Street

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 12-0026 for form and legal sufficiency. The bill permits the establishment, maintenance, and operation of a second-hand store at 914 West 36<sup>th</sup> Street.

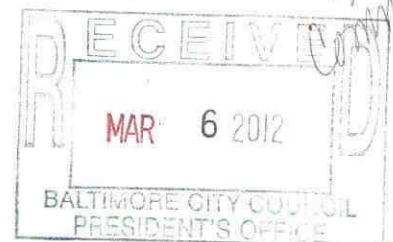
The subject property is zoned B-2-2 (Community Business District) and located in the Community Business area of the Hampden Business Area Urban Renewal Plan (“Hampden UR”). The conditional uses that require the enactment of an ordinance in a B-2 zone include second-hand stores. City Zoning Code (“ZC”) § 6-309(12a). City Council Bill 12-0026 provides for that approval. In addition, the use is permitted under the terms of the Hampden UR.

Pursuant to the City Zoning Code, a bill concerning a conditional use is classified as a “legislative authorization.” ZC § 16-101. Legislative authorizations require that certain procedures be followed in the bill’s passage. Specifically, certain notice requirements apply to the introduction of the bill. *See* ZC § 16-203. The bill must be referred to certain City agencies, which are obligated to review the bill in a specified manner: *See* ZC §§ 16-301, 16-302 & 16-304. Additional public notice and hearing requirements also apply to the bill. *See* ZC § 16-402. Finally, certain limitations on the City Council’s ability to amend the bill apply. *See* ZC § 16-403.

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

Very truly yours,

Hilary Ruley  
Assistant Solicitor



cc: George Nilson, City Solicitor  
Angela C. Gibson, Mayor's Legislative Liaison  
Elena DiPietro, Chief Solicitor  
Ashlea Brown, Assistant Solicitor  
Victor Tervalá, Assistant Solicitor