



April 26, 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 12-0055 – Residential Substance-Abuse Treatment
Facilities


Dear President and City Council Members:

The Law Department has reviewed City Council Bill 12-0055 for form and legal sufficiency. The bill would amend several sections of the Zoning Code to define residential substance-abuse treatment facilities, provide for reasonable accommodation of those facilities by the Zoning Administrator in certain circumstances, and list them as permitted or conditional by ordinance in different zoning districts. Additionally, the bill addresses the number of required parking spaces for these facilities. This bill is in response to a recent federal court ruling in two related cases, Numbers JFM-09-1049 and JFM-09-1766, which requires that the City amend its Zoning Code to reflect these changes.

Any amendment to the City's Zoning Code requires advertisement by publication in a newspaper of general circulation in the City at least 15 days before the hearing. *See* Md. Code, Art. 66B, §2.04(b)(2)(i); Zoning Code of Baltimore City, §§16-101(d)(2); 16-402(b)(1); 16-402(c)(2). In addition, any Zoning Legislation, such as this bill, requires a Third Reading hold-over before final passage by the Council. *See* Zoning Code of Baltimore City, §16-404(b).

The Law Department approves this bill for form and legal sufficiency and urges its prompt passage.

Very truly yours,


Hilary Ruley
Assistant Solicitor



cc: George Nilson, City Solicitor
Angela C. Gibson, Mayor's Legislative Liaison
Matthew Nayden, Chief Solicitor
Elena DiPietro, Chief Solicitor
Daniel Sparaco, Assistant Solicitor
Ashlea Brown, Assistant Solicitor
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