
CITY OF BALTIMORE

BRANDON M. SCOTT
Mayor



DEPARTMENT OF LAW
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November 28, 2023

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: Zoning– C-5-IH Inner Harbor Subdistrict – Amendment

Dear President and City Council Members:

The Law Department has reviewed Mayor and City Council Bill 23-0446 for form and legal sufficiency. The bill would amend the City’s Zoning Code to change the description for the C-5-IH Inner Harbor Subdistrict in Section 10-207 of Article 32 of the City Code to reflect permitted mixed-use development. It would also amend Table 10-401 to remove the maximum building height restriction in the C-5-IH District.

The City Council must consider the following when evaluating changes to the text of 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). The Council must find facts that support the five points above.

Additionally, any bill that authorizes a change in the text of the Zoning Code is a “legislative authorization,” which requires that certain procedures be followed in the bill’s passage, including a public hearing. Baltimore City Code, Art. 32, §§ 5-501; 5-507; 5-601(a). Certain notice requirements apply to the bill. Baltimore City Code, Art. 32, §§ 5-601(b)(1), (c), (e). 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. Finally, certain limitations on the City Council’s ability to amend the bill apply. Baltimore City Code, Art. 32, §5-507(c).

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

Very truly yours,



Hilary Ruley
Chief Solicitor

cc: Ebony M. Thompson, Acting City Solicitor
Nina Themelis, Mayor's Office of Government Relations
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