

CITY OF BALTIMORE

STEPHANIE RAWLINGS-BLAKE, Mayor



DEPARTMENT OF LAW

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

April 11, 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 12-0034 – Repeal of Planned Unit Development
Designation – Gateway South

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 12-0034 for form and legal sufficiency. The bill removes the Gateway South Planned Unit Development (“PUD”) by repealing Ordinance 08-0010. There are no legal impediments to this repeal.

Pursuant to the City Zoning Code, the repeal of a PUD is classified as a “legislative authorization,” requiring certain procedures. ZC §§ 16-101(b)(1), 16-101(d). Notice requirements apply to the introduction of the bill, including posting the property for 30 days within one week of the notice of introduction. 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 & 16-303. Additional public notice and hearing requirements also apply to the bill, including advertising the time, place and subject of the hearing in a paper of general circulation for 15 days and posting the property conspicuously with this same information. See Md. Code, Art. 66B, §2.04(b)(2)(i); ZC § 16-402. Finally, certain limitations on the City Council’s ability to amend the bill apply, including a Third Reading hold-over before final passage by the Council. 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,


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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

