

CITY OF BALTIMORE

STEPHANIE RAWLINGS-BLAKE, Mayor

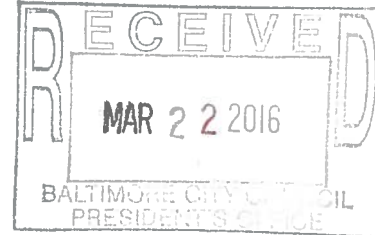


DEPARTMENT OF LAW

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

March 22, 2016

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



Re: City Council Bill 16-0625 – Zoning – Conditional Use – Amending  
Ordinance 14-206

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 16-0625 for form and legal sufficiency. The bill amends Ordinance 14-206 to reauthorize and continue the permission for the establishment, maintenance, and operation of a parking, open-off street area for the parking of 4 or more automobiles on the property known as 4001 Roland Avenue. It also provides for the automatic termination of this Ordinance and for a special effective date. There is no legal impediment to this bill.

Ordinance 14-206 was enacted on March 19, 2014, and became effective on April 19, 2014. It authorized the establishment of an open-off street parking area at 4001 Roland Avenue, with an automatic termination of this use on April 19, 2016, two years after it became effective. Council Bill 16-0625 would reauthorize the open-off street parking area at 4001 Roland Avenue until April 19, 2018.

The subject property is zoned R-7 (General Residence District). The conditional uses that require the enactment of an ordinance in an R-7 District include an open off-street parking area for 3 or more automobiles. Zoning Code of Baltimore City, § 4-1004 (4). A conditional use is the subject of this proposed ordinance; accordingly, the ordinance satisfies the above requirement. The Report of the Planning Commission (“Report”) prepared for Ordinance 14-206 provided findings of fact to support the authorization of this conditional use. If no new conditions are being added, additional findings are not required.

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.

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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 approves the bill for form and legal sufficiency.

Sincerely,



Jennifer Landis  
Assistant Solicitor

cc: George Nilson, City Solicitor  
Angela C. Gibson, Mayor's Legislative Liaison  
Elena DiPietro, Chief Solicitor, General Counsel Division  
Hilary Ruley, Chief Solicitor  
Victor Tervalva, Chief Solicitor