

CITY OF BALTIMORE

STEPHANIE RAWLINGS-BLAKE, Mayor



DEPARTMENT OF LAW

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

December 10, 2013

Honorable President and Members
of the City Council of Baltimore
Room 409, City Hall
100 N. Holliday Street
Baltimore, Maryland 21202



Attn: Karen Randle
Executive Secretary

Re: City Council Bill 13-0269 – Zoning – Conditional Use Parking,
Open Off-Street Parking Area – 4001 Roland Avenue

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 13-0269 for form and legal sufficiency. The bill permits the establishment, maintenance, and operation of a parking, open off-street area on the property known as 4001 Roland Avenue.

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. ZC § 4-1004 (4). The Report of the Planning Commission (“Report”) establishes that the site will be used for additional parking for an adjacent retirement community. An ordinance therefore would be required to approve the use.

The Report recommends that Council Bill 13-0269 be amended as outlined in the Staff Report, which is attached to the Planning Commission’s bill report. The proposed amendment, which requires a designated site plan be attached to the bill, does not appear to present any legal obstacle to its adoption.

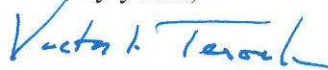
Pursuant to the City Zoning Code, a bill concerning a conditional use is classified as a “legislative authorization.” ZC § 16-101. Legislative authorizations require that certain procedures be followed in the bill’s passage. Specifically, certain notice requirements apply to the introduction of the bill. *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

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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.

Sincerely yours,



Victor K. Tervala
Assistant Solicitor

cc: George Nilson, City Solicitor
Angela C. Gibson, Mayor's Legislative Liaison
Elena DiPietro, Chief Solicitor
Hilary Ruley, Assistant Solicitor
Jennifer Landis, Assistant Solicitor