

CITY OF BALTIMORE
STEPHANIE RAWLINGS-BLAKE, Mayor



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

December 17, 2014

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 14-0454 – Urban Renewal – Inner Harbor Project I –
Amendment

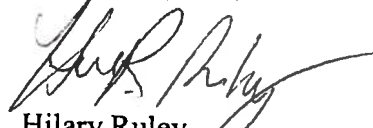
Dear President and City Council Members:

The Law Department has reviewed City Council Bill 14-0454 and Planning's suggested amendment for form and legal sufficiency. Section 2-6(g)(1) of Article 13 of the City Code requires that any change to an Urban Renewal Plan be made by ordinance. This is the appropriate mechanism for making changes to the Plan.

The bill would delete the prohibition in Development Area 18 of the Urban Renewal ("UR") Plan for Inner Harbor Project I (hereinafter the "Plan") that currently prevents parking at or above grade level. It would also delete Area 21 entirely from the Plan. Planning's amendment would make additional changes via this ordinance to accomplish additional goals for the area: deleting Area 7 from the Plan, changing the land use designation for 300 East Pratt from "Commercial/Public" to "Commercial/Residential" and also amending the Proposed Zoning exhibit for that property to remove the "Commercial Use District" designation. Obviously, amending the proposed zoning exhibit does not actually change the underlying zoning; a separate zoning ordinance would be needed. *See City Code, Art. 13, §206(d)(7); Md. Code, Land Use, §10-303; accord Donnelly v. Mayor and City Council of Baltimore, 279 Md. 660, 665 (1977)(zoning changes may not be made through an UR plan).*

As there are no prohibitions to these amendments, the Law Department can approve City Council Bill 14-0454 for form and legal sufficiency.

Very truly yours,


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Chief Solicitor

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cc: George Nilson, City Solicitor
Angela C. Gibson, Mayor's Legislative Liaison
Elena DiPietro, Chief Solicitor, General Counsel Division
Victor Tervalá, Chief Solicitor
Jennifer Landis, Assistant Solicitor

