

CITY OF BALTIMORE

STEPHANIE RAWLINGS-BLAKE, Mayor



DEPARTMENT OF LAW

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

June 15, 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 12-0030 – Zoning – Conditional Use – Amending
Ordinance 98-208

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 12-0030 for form and legal sufficiency. The bill permits an increase in the number of beds in the nonprofit home and transitional housing facility located at 3500-3502 Clifton Avenue, by amending conditional use Ordinance 98-208, which authorized the shelter. There are no legal impediments to this increase.

Pursuant to the City Zoning Code, a conditional use is classified as a “legislative authorization,” requiring certain procedures. ZC §§ 16-101(b)(2), 16-101(d)(1). 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 & 16-304. 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, 16-404. 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 Tervalva, Assistant Solicitor

