

CITY OF BALTIMORE

STEPHANIE RAWLINGS-BLAKE, Mayor



DEPARTMENT OF LAW

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

November 8, 2012

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 12-0136– Zoning – Conditional Use, Open Off-  
Street Parking Area – 3012 Clifton Avenue

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 12-0136 for form and legal sufficiency. The bill permits the establishment, maintenance, and operation of a parking, open off-street area on the properties known as 3012 Clifton Avenue.

The subject property is zoned R-6 (General Residence District). The conditional uses that require the enactment of an ordinance in an R-6 zone are those in an R-1 zone. City Zoning Code (“ZC”) § 4-903. The conditional uses that require the enactment of an ordinance in an R-1 zone include an open off-street parking area for 3 or more vehicles, *but only if no fee is to be charged for parking.* ZC § 4-204 (4).

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. 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, and that no fee is to be charged for parking, the Law Department will approve the bill for form and legal sufficiency.

*F*  
*Comment*



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