

CITY OF BALTIMORE

STEPHANIE RAWLINGS-BLAKE, Mayor



DEPARTMENT OF LAW

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

March 20, 2015

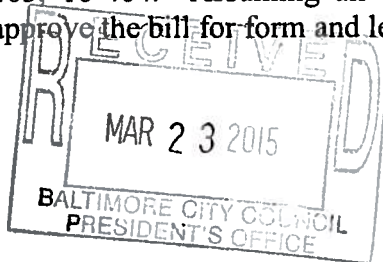
The Honorable President and Members
of the Baltimore City Council
Attn: Karen Randle, Executive Secretary
Room 409, City Hall
100 N. Holliday Street
Baltimore, Maryland 21202

Re: City Council Bill 15-0483 – Planned Unit Development – Amendment 1 –
New Lafayette Courts

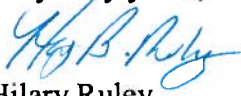
Dear President and City Council Members:

The Law Department has reviewed City Council Bill 15-0483 for form and legal sufficiency. The bill would amend the existing Development Plan for the New Lafayette Courts Planned Unit Development (“PUD”), to allow for elementary or secondary schools in the area. Specifically, there is a desire to develop 1200 East Fayette Street, zoned B-3-2, as a charter school. Although schools are generally permitted in B-3-2, they were originally excluded from this PUD. The bill is in accordance with Title 9 of the Zoning Code concerning PUDs.

Pursuant to the City Zoning Code, the amendment of a PUD is classified as a “legislative authorization,” requiring certain procedures. ZC §§16-101(c)(3); 16-101(d). 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 §§16-301–16-303. 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, Land Use, §10-303; 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,


Hillary Ruley
Chief Solicitor

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