

CITY OF BALTIMORE

STEPHANIE RAWLINGS-BLAKE, Mayor



DEPARTMENT OF LAW

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

October 27, 2016

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

Re: City Council Bill 16-0738 – Zoning – Conditional Use Home for Homeless Women and Home for Women and Children – 1200 North Fremont Ave.

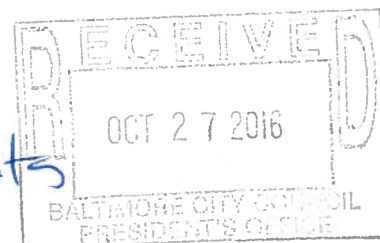
Dear President and City Council Members:

The Law Department has reviewed City Council Bill 16-0738 for form and legal sufficiency. The bill permits, subject to certain conditions, the establishment, maintenance, and operation of a home for homeless women and for the establishment, maintenance, and the operation of a seasonal home for homeless women and children, and, in the event of an emergency situation, a home for homeless women and children on the property known as 1200 North Fremont Avenue.

The subject property is zoned R-8 (General Residence District). The conditional uses that require the enactment of an ordinance in an R-8 zone are the same as in an R-7 zone. City Zoning Code (“ZG”) § 4-1104. The conditional uses that require the enactment of an ordinance in an R-7 zone include homes for the care and custody of homeless persons. ZG § 4-1004. Thus, the passage of this bill is required before the property can be used as intended.

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.

F w/ comments



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Assuming all the procedural requirements are met, the Law Department will approve the bill for form and legal sufficiency.

Sincerely yours,

*Elena R. DiPietro*

Elena R. DiPietro  
Chief Solicitor

cc: David Ralph, Acting City Solicitor  
Angela C. Gibson, Mayor's Legislative Liaison  
Victor Tervalá, Chief Solicitor  
Jennifer Landis, Assistant Solicitor  
Hilary Ruley, Chief Solicitor