

FROM	NAME & TITLE	<i>TJS</i> THOMAS J. STOSUR, DIRECTOR
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 8 TH FLOOR, 417 EAST FAYETTE STREET
	SUBJECT	CCB #14-0448 / Natural Recourses – Soil Erosion and Sediment Control – Delegation of Hearing Authority

CITY of
BALTIMORE
MEMO



TO The Honorable President and
Members of the City Council
City Hall, Room 400
100 North Holliday Street

DATE: November 20, 2014

At its regular meeting of November 20, 2014, the Planning Commission considered City Council Bill #14-0448, for the purpose of revising the provisions governing delegations of hearing authority in administrative appeals of soil erosion and sediment control matters to conform to the counterpart delegations authorized in appeals of floodplain management matters and in appeals of stormwater management matters; providing for a special effective date; and generally relating to administrative hearings relating to soil erosion and sediment control.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report, which recommended approval of City Council Bill #14-0448 and adopted the following resolution; eight members being present (eight in favor):

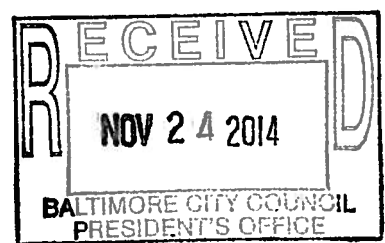
RESOLVED, That the Planning Commission concurs with the recommendation of its Departmental staff, and recommends that City Council Bill #14-0448 be passed by the City Council.

If you have any questions, please contact Mr. Wolde Ararsa, Division Chief, Land Use and Urban Design Division at 410-396-4488.

TJS/WA/cag

Attachment

- cc: Ms. Kaliopé Parthemos, Chief of Staff
 Mr. Colin Tarbert, Deputy Mayor
 Mr. Leon Pinkett, Assistant Deputy Mayor for Economic and Neighborhood Development
 Ms. Angela Gibson, Mayor's Office
 The Honorable Rochelle "Rikki" Spector, Council Rep. to Planning Commission
 Mr. David Tanner, BMZA
 Mr. Geoffrey Veale, Zoning Administration
 Ms. Elena DiPietro, Law Dept.
 Ms. Natawna Austin, Council Services
 Mr. Avery Aisenstark, Legislative Reference





Stephanie Rawlings-Blake
Mayor

PLANNING COMMISSION

Wilbur E. "Bill" Cunningham, Chairman

STAFF REPORT



Thomas J. Stosur
Director

November 20, 2014

REQUEST: City Council Bill #14-0448 – Soil Erosion and Sediment Control – Delegation of Hearing Authority

For the purpose of revising the provisions governing delegations of hearing authority in administrative appeals of soil erosion and sediment control matters to conform to the counterpart delegations authorized in appeals of floodplain management matters and in appeals of stormwater management matters; providing for a special effective date; and generally relating to administrative hearings relating to soil erosion and sediment control.

RECOMMENDATION: Approval

STAFF: Christina Gaymon

PETITIONER(S): Council President Jack Young and Councilmembers Kraft, Middleton, Costello, Scott, Stokes, Holton, Reisinger, Welch, Curran, and Branch

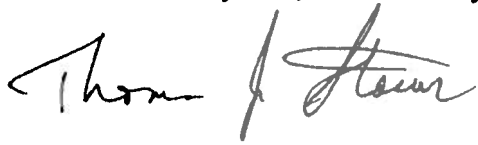
HISTORY

There are no previous legislative or Planning Commission actions regarding this bill. However, this bill serves to amend Article 7 of the Baltimore City Code, which was last amended in 2014 by Ordinance 14-307.

ANALYSIS

This bill pertains to the delegation authority of the Director of Public Works as it relates to administrative appeals of soil erosion and sediment control matters. This bill would allow the Director to delegate to a hearing officer the authority to issue final findings of fact; final conclusions of law; final findings of fact and conclusions of law; final orders; and the final administrative decision of the department. This delegation of hearing authority is consistent with the delegations authorized to the Planning Director for appeals of floodplain management matters and the Director of Public Works for appeals of stormwater management matters, and thus aligns the subject administrative process to counterpart processes in Article 7 of the Baltimore City Code.

Notification: Notification of this Planning Commission action was distributed to community associations citywide, as well as city officials and staff.

A handwritten signature in black ink, appearing to read "Thomas J. Stosur". The signature is written in a cursive style with a large, stylized initial "T".

Thomas J. Stosur
Director