

Introduced by: Councilmember Clarke, *Henry Torrey, SOUED, CW, Bunnell, Stoues*

Prepared by: Department of Legislative Reference

Date: January 7, 2019

Referred to: LAND USE AND TRANSPORTATION Committee

Also referred for recommendation and report to municipal agencies listed on reverse.

CITY COUNCIL *19-0321*

A BILL ENTITLED

AN ORDINANCE concerning

**Zoning – Modifications to Approved Final Development Plans**

FOR the purpose of modifying the procedure by which a major change may be made to an approved planned unit development.

BY repealing and reordaining, with amendments

Article 32 - Zoning  
Section 13-403(b)  
Baltimore City Code  
(Edition 2000)

*Robert SPA*

*Mayor Pat Clarke*

*Ryan*

*[Signature]*

*[Signature]*

*[Signature]*  
*[Signature]*

**\*\*The introduction of an Ordinance or Resolution by Councilmembers at the request of any person, firm or organization is a courtesy extended by the Councilmembers and not an indication of their position.**

Agencies

Department of Public Works	Baltimore City Public School System
Department of Real Estate	Baltimore Development Corporation
Department of Recreation and Parks	City Solicitor
Department of Transportation	Comptroller's Office
Fire Department	Department of Audits
Health Department	Department of Finance
Mayor's Office of Employment Development	Department of General Services
Mayor's Office of Human Services	Department of Housing and Community Development
Mayor's Office of Information Technology	Department of Human Resources
Office of the Mayor	Department of Planning
Police Department	Other:
Other:	Other:
Other:	Other:
Other:	Other:
Environmental Control Board	Board of Estimates
Fire & Police Employees' Retirement System	Board of Ethics
Labor Commissioner	Board of Municipal and Zoning Appeals
Parking Authority Board	Comm. for Historical and Architectural Preservation
Planning Commission	Commission on Sustainability
Wage Commission	Employees' Retirement System
Other:	Other:
Other:	Other:
Other:	Other:

Boards and Commissions

Board of Estimates	Board of Municipal and Zoning Appeals
Board of Ethics	Comm. for Historical and Architectural Preservation
Board of Municipal and Zoning Appeals	Commission on Sustainability
Comm. for Historical and Architectural Preservation	Employees' Retirement System
Commission on Sustainability	Other:
Employees' Retirement System	Other:
Other:	Other:
Other:	Other:
Other:	Other:
Environmental Control Board	Fire & Police Employees' Retirement System
Fire & Police Employees' Retirement System	Labor Commissioner
Labor Commissioner	Parking Authority Board
Parking Authority Board	Planning Commission
Planning Commission	Wage Commission
Wage Commission	Other:
Other:	Other:
Other:	Other:



CITY OF BALTIMORE  
ORDINANCE **19-252**  
Council Bill 19-0321

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Introduced by: Councilmembers Clarke, Henry, Dorsey, Sneed, Cohen, Burnett, Stokes  
Introduced and read first time: January 14, 2019  
Assigned to: Land Use and Transportation Committee  
Committee Report: Favorable with amendments  
Council action: Adopted  
Read second time: April 15, 2019

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AN ORDINANCE CONCERNING

**Zoning – Modifications to Approved Final Development Plans**

FOR the purpose of modifying the procedure by which a major change may be made to an approved planned unit development; and conforming, clarifying, correcting, and distinguishing related provisions dealing with applications and notice requirements for the creation, modification, or repeal of a planned unit development.

BY repealing and reordaining, with amendments  
Article 32 - Zoning  
Section Sections 5-601(a), 5-604(d)(2), 13-202(a), and 13-403(b)  
Baltimore City Code  
(Edition 2000)

BY adding  
Article 32 - Zoning  
Sections 5-604(g), 13-201(d), and 13-205  
Baltimore City Code  
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Laws of Baltimore City read as follows:

**Baltimore City Code**

**Article 32. Zoning**

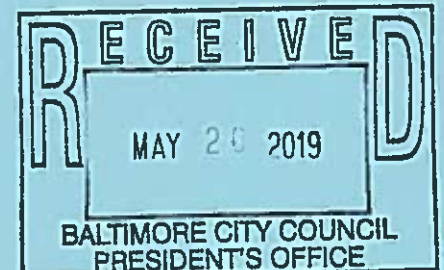
**Title 5. Applications and Authorizations**

**Subtitle 6. Notices**

**§ 5-601. Map or text amendments; PUDs.**

**(a) Hearing required.**

EXPLANATION: CAPITALS indicate matter added to existing law.  
[Brackets] indicate matter deleted from existing law.  
Underlining indicates matter added to the bill by amendment.  
~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from existing law by amendment.



**Council Bill 19-0321**

1 For a bill proposing a zoning map amendment, a zoning text amendment, or the creation,  
2 [or] modification, OR REPEAL of a planned unit development, the City Council committee  
3 to which the bill has been referred must conduct a hearing at which:

4 (1) the parties in interest and the general public will have an opportunity to be heard;  
5 and

6 (2) all agency reports will be reviewed.

7 **§ 5-604. Planning Commission consideration of site-specific projects.**

8 (d) Number and manner of posted notices.

9 The number of posted notices and the manner of their posting are as follows:

10 ....  
11 (2) For a notice applicable to more than one property (e.g., a [minor] modification to  
12 a planned unit development), at least 2 or more signs are required, as the  
13 Department of Planning designates.  
14 .....

15 (G) WRITTEN NOTICE TO PROPERTY OWNERS WITHIN PUD.

16 WHEN APPLYING FOR THE CREATION OF A NEW PLANNED UNIT DEVELOPMENT OR FOR A  
17 MAJOR CHANGE OR REPEAL OF A PLANNED UNIT DEVELOPMENT, THE APPLICANT MUST  
18 PROVIDE WRITTEN NOTIFICATION TO ALL OTHER OWNERS, OR THEIR AUTHORIZED AGENTS,  
19 OF PROPERTY WITHIN THE PROPOSED OR EXISTING PLANNED UNIT DEVELOPMENT  
20 BOUNDARIES, AS THE DEPARTMENT OF PLANNING REQUIRES.

21 **Title 13. Planned Unit Developments**

22 **Subtitle 2. Requirements; Approval Standards; Exceptions**

23 **§ 13-201. Authorization.**

24 (D) REPEAL OF PUDS.

25 PLANNED UNIT DEVELOPMENTS MAY ONLY BE REPEALED BY ORDINANCE OF THE MAYOR  
26 AND CITY COUNCIL ENACTED IN ACCORDANCE WITH THE PROVISIONS OF THIS TITLE.

27 **§ 13-202. General requirements.**

28 (a) Common ownership or unified control.

29 (1) The site of the planned unit development must be under common ownership or  
30 unified control.

31 (2) If there are 2 or more owners, the application for approval of a NEW planned unit  
32 development [or for approval of an amendment to an approved planned unit  
33 development] must be jointly filed by all owners, OR THEIR RESPECTIVE CONTRACT  
34 PURCHASERS OR AUTHORIZED AGENTS.



**Council Bill 19-0321**

1 (3) WHEN APPLYING FOR A MAJOR CHANGE OR REPEAL OF AN EXISTING PLANNED UNIT  
2 DEVELOPMENT, ONE OWNER OR CONTRACT PURCHASER, OR THE AUTHORIZED AGENT  
3 OF EITHER, MAY MAKE THE APPLICATION FOR APPROVAL, AS LONG AS ALL OTHER  
4 PROPERTY OWNERS, OR THEIR AUTHORIZED AGENTS, ARE NOTIFIED IN ACCORDANCE  
5 WITH TITLE 5, SUBTITLE 6 {"NOTICES"} OF THIS CODE.

6 **§ 13-205. REPEAL OF PUDs.**

7 IN DETERMINING WHETHER TO TO APPROVE THE REPEAL OF A PLANNED UNIT DEVELOPMENT,  
8 THE PLANNING COMMISSION AND THE CITY COUNCIL MUST FIND THAT:

9 (1) THE REPEAL OF THE PLANNED UNIT DEVELOPMENT IS IN THE PUBLIC INTEREST; AND

10 (2) THE APPROVED FINAL DEVELOPMENT PLAN OF THE PLANNED UNIT DEVELOPMENT:

11 (I) HAS BEEN SUBSTANTIALLY COMPLETED;

12 (II) IS NO LONGER NECESSARY IN LIGHT OF THE PROPERTY'S UNDERLYING ZONING;

13 (III) IS NO LONGER CONSISTENT WITH THE CITY'S MASTER PLAN; OR

14 (IV) HAS BEEN ABANDONED BY THE PROPERTY OWNER.

15 **Subtitle 4. Modifications to Approved Final Development Plans**

16 **§ 13-403. Major changes.**

17 (b) [*Change requires repeal of plan and resubmittal*] **CHANGE REQUIRES ENACTMENT BY**  
18 **ORDINANCE.**

19 A major change requires[:]

20 [(1) the repeal of the ordinance that approved the planned unit development; and]

21 [(2)] introduction and enactment of an ordinance to approve [a new] AN AMENDMENT  
22 TO THE planned unit development and PUD master plan.

23 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the catchlines contained in this Ordinance  
24 are not law and may not be considered to have been enacted as a part of this or any prior  
25 Ordinance.

26 **SECTION 3. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30<sup>th</sup> day  
27 after the date it is enacted.

Council Bill 19-0321

Certified as duly passed this \_\_\_\_\_ day of APR 22 2019

*Sharon M. White*  
President, Baltimore City Council

Certified as duly delivered to Her Honor, the Mayor,

this \_\_\_\_\_ day of APR 22 2019

*Chloe Johnson*  
Chief Clerk

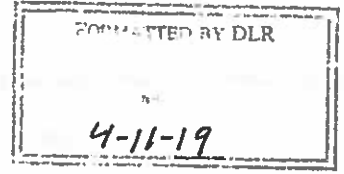
Approved this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
Mayor, Baltimore City

Approved For Form and Legal Sufficiency  
This 24th Day of April 2019  
*Elena R. DiPietro*  
Chief Solicitor

Pursuant to City Charter  
Article IV, section 5(c), this  
bill became law on May 13, 2019  
without the Mayor's signature

AMENDMENTS TO COUNCIL BILL 19-321  
(1<sup>st</sup> Reader Copy)



Proposed By: Land Use and Transportation Committee

**Amendment No. 1**

On page 1, in line 4, before the period, insert “; and conforming, clarifying, correcting, and distinguishing related provisions dealing with applications and notice requirements for the creation, modification, or repeal of a planned unit development”.

**Amendment No. 2**

On page 1, in line 7, strike “Section” and substitute “Sections 5-601(a), 5-604(d)(2), 13-202(a), and”; and after line 9, insert:

“BY adding  
Article 32 - Zoning  
Sections 5-604(g), 13-201(d), and 13-205  
Baltimore City Code  
(Edition 2000)”.

**Amendment No. 3 {Title 5. Applications and Authorizations}**

On page 1, after line 13, insert:

“Title 5. Applications and Authorizations

Subtitle 6. Notices

**§ 5-601. Map or text amendments; PUDs.**

**(a) Hearing required.**

For a bill proposing a zoning map amendment, a zoning text amendment, or the creation, [or] modification, OR REPEAL of a planned unit development, the City Council committee to which the bill has been referred must conduct a hearing at which:

- (1) the parties in interest and the general public will have an opportunity to be heard; and
- (2) all agency reports will be reviewed.

**§ 5-604. Planning Commission consideration of site-specific projects.**

**(d) Number and manner of posted notices.**

The number of posted notices and the manner of their posting are as follows:

- ....
- (2) For a notice applicable to more than one property (e.g., a [minor] modification to a planned unit development), at least 2 or more signs are required, as the Department of Planning designates.**
- ....

**(G) WRITTEN NOTICE TO PROPERTY OWNERS WITHIN PUD.**

WHEN APPLYING FOR THE CREATION OF A NEW PLANNED UNIT DEVELOPMENT OR FOR A MAJOR CHANGE OR REPEAL OF A PLANNED UNIT DEVELOPMENT, THE APPLICANT MUST PROVIDE WRITTEN NOTIFICATION TO ALL OTHER OWNERS, OR THEIR AUTHORIZED AGENTS, OF PROPERTY WITHIN THE PROPOSED OR EXISTING PLANNED UNIT DEVELOPMENT BOUNDARIES, AS THE DEPARTMENT OF PLANNING REQUIRES.”.

**Amendment No. 4 {Title 13. Planned Unit Developments}**

On page 1, after line 14, insert:

**“Subtitle 2. Requirements; Approval Standards; Exceptions**

**§ 13-201. Authorization.**

**(D) REPEAL OF PUDS.**

PLANNED UNIT DEVELOPMENTS MAY ONLY BE REPEALED BY ORDINANCE OF THE MAYOR AND CITY COUNCIL ENACTED IN ACCORDANCE WITH THE PROVISIONS OF THIS TITLE.

**§ 13-202. General requirements.**

**(a) Common ownership or unified control.**

- (1) The site of the planned unit development must be under common ownership or unified control.**
- (2) If there are 2 or more owners, the application for approval of a NEW planned unit development [or for approval of an amendment to an approved planned unit development] must be jointly filed by all owners, OR THEIR RESPECTIVE CONTRACT PURCHASERS OR AUTHORIZED AGENTS.**



(3) WHEN APPLYING FOR A MAJOR CHANGE OR REPEAL OF AN EXISTING PLANNED UNIT DEVELOPMENT, ONE OWNER OR CONTRACT PURCHASER, OR THE AUTHORIZED AGENT OF EITHER, MAY MAKE THE APPLICATION FOR APPROVAL, AS LONG AS ALL OTHER PROPERTY OWNERS, OR THEIR AUTHORIZED AGENTS, ARE NOTIFIED IN ACCORDANCE WITH TITLE 5, SUBTITLE 6 {"NOTICES"} OF THIS CODE.

§ 13-205. REPEAL OF PUDs.

IN DETERMINING WHETHER TO TO APPROVE THE REPEAL OF A PLANNED UNIT DEVELOPMENT, THE PLANNING COMMISSION AND THE CITY COUNCIL MUST FIND THAT:

- (1) THE REPEAL OF THE PLANNED UNIT DEVELOPMENT IS IN THE PUBLIC INTEREST; AND
- (2) THE APPROVED FINAL DEVELOPMENT PLAN OF THE PLANNED UNIT DEVELOPMENT:
  - (i) HAS BEEN SUBSTANTIALLY COMPLETED;
  - (ii) IS NO LONGER NECESSARY IN LIGHT OF THE PROPERTY'S UNDERLYING ZONING;
  - (iii) IS NO LONGER CONSISTENT WITH THE CITY'S MASTER PLAN; OR
  - (iv) HAS BEEN ABANDONED BY THE PROPERTY OWNER.''



# BALTIMORE CITY COUNCIL LAND USE AND TRANSPORTATION VOTING RECORD

DATE: April 10, 2019

BILL#: 19-0321

BILL TITLE: Zoning - Modifications to Approved Final Development Plans

MOTION BY: Clark      SECONDED BY: Middleton

- FAVORABLE                       FAVORABLE WITH AMENDMENTS  
 UNFAVORABLE                       WITHOUT RECOMMENDATION

NAME	YEAS	NAYS	ABSENT	ABSTAIN
Reisinger, Edward, Chair	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Middleton, Sharon, Vice Chair	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Clarke, Mary Pat	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Costello, Eric	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dorsey, Ryan	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Pinkett, Leon	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stokes, Robert	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>TOTALS</b>	<u>6</u>	<u>1</u>	<u>1</u>	<u> </u>

CHAIRPERSON: Edward Reisinger

COMMITTEE STAFF: Jennifer L. Coates, Initials: JLC





# The Daily Record

11 East Saratoga Street  
Baltimore, MD 21202-2199  
(443) 524-8100

<http://www.thedailyrecord.com>

Order #: 11712842

Case #:

Description:

PUBLIC HEARING ON BILL NO 19-0321

## PUBLISHER'S AFFIDAVIT

We hereby certify that the annexed advertisement was published in The Daily Record, a daily newspaper published in the State of Maryland 1 times on the following dates:

3/26/2019

Darlene Miller, Public Notice Coordinator  
(Representative Signature)

### BALTIMORE CITY COUNCIL PUBLIC HEARING ON BILL NO 19-0321

The Land Use and Transportation Committee of the Baltimore City Council will meet on Wednesday, April 10, 2019 at 1:00 p.m. in the City Council Chambers, 4th floor, City Hall, 100 N. Holliday Street to conduct a public hearing on City Council Bill No. 19-0321

CC 19-0321 Zoning - Modifications to Approved Final Development

**Plans**

FOR the purpose of modifying the procedure by which a major change may be made to an approved planned unit development.

BY repealing and reordinating, with amendments

Article 32 - Zoning

Section 13-403(b)

Baltimore City Code

(Edition 2000)

Applicant: Councilmember Clarke

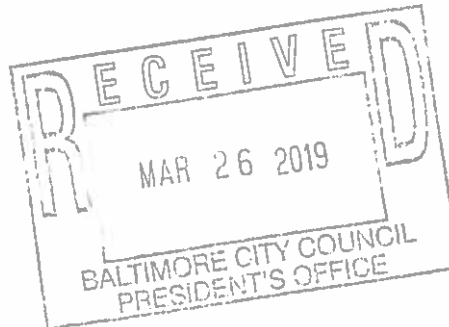
For more information contact: Committee Staff at (410) 396-1260.

NOTE: This bill is subject to amendment by the Baltimore City Council.

EDWARD REISINGER


Chair

mh26







<b>FROM</b>	NAME & TITLE	CHRIS RYER, DIRECTOR	CITY of BALTIMORE  <b>MEMO</b>	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 8 <sup>TH</sup> FLOOR, 417 EAST FAYETTE STREET		
	SUBJECT	CITY COUNCIL BILL #19-0321 / ZONING MODIFICATIONS TO APPROVED FINAL DEVELOPMENT PLANS		

**TO**

DATE:

February 25, 2019

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

At its regular meeting of February 21, 2019, the Planning Commission considered City Council Bill #19-0321, for the purpose of modifying the procedure by which a major change may be made to an approved planned unit development.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report which recommended amendment and approval of City Council Bill #19-0321 and adopted the following resolution nine members being present (nine in favor):

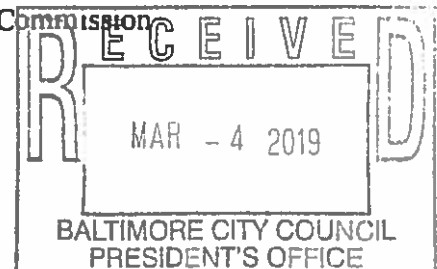
**RESOLVED**, That the Planning Commission concurs with the recommendation of its departmental staff, and recommends that City Council Bill #19-0321 be amended and passed by the City Council.

If you have any questions, please contact Mr. Eric Tiso, Division Chief, Land Use and Urban Design Division at 410-396-8358.

CR/ewt

attachment

cc: Mr. Pete Hammen, Chief Operating Officer  
Mr. Jim Smith, Chief of Strategic Alliances  
Ms. Karen Stokes, Mayor's Office  
Mr. Colin Tarbert, Mayor's Office  
Mr. Jeff Amoros, Mayor's Office  
The Honorable Edward Reisinger, Council Rep. to Planning Commission  
Mr. William H. Cole IV, BDC  
Mr. Derek Baumgardner, BMZA  
Mr. Geoffrey Veale, Zoning Administration  
Ms. Sharon Daboin, DHCD  
Mr. Tyrell Dixon, DCHD  
Ms. Elena DiPietro, Law Dept.  
Mr. Francis Burnszynski, PABC  
Mr. Michael Castagnola, DOT  
Ms. Natawna Austin, Council Services  
Mr. Ervin Bishop, Council Services



*Fav w/ Amends*





Catherine E. Pugh  
Mayor

**PLANNING COMMISSION**

Sean D. Davis, Chairman

**STAFF REPORT**



Chris Ryer  
Director

February 21, 2019

**REQUEST: City Council Bill #19-0321/ Zoning -Modifications to Approved Final Development Plans**

**RECOMMENDATION: Amend and Approve with the following amendments:**

1. Amend § 5-601 (a) to add “, repeal” after the words “or the creation”.
2. Amend § 5-604 (d)(2) to delete the word “minor”.
3. Insert new § 5-604(g) as follows:  
(g) *Written Notice to Property Owners Within A Planned Unit Development*  
At the time of application, repeal, or major change, the applicant must provide written notification to all other property owners or authorized agents within the existing or proposed planned unit development boundaries as the Department of Planning designates.
4. Insert new § 13-201 (d) as follows:  
(d) *Repeal of PUDs.*  
Planned unit developments may be repealed by ordinance of the Mayor and City Council enacted in accordance with the provisions of this title.
5. Amend § 13-202(a)(2) as follows:
  - Add the word “new” after “the application for approval of a”.
  - Delete the words “or for approval of an amendment to an approved planned unit development”.
  - Add to the end “, contract purchaser(s), or authorized agent(s)” before the “.”
6. Insert new § 13-202(a)(3) as follows:  
(3) For application for a major change or repeal to an existing planned unit development, at least one owner, contract purchaser or authorized agent may make application for approval provided that all other property owners or their authorized agent is notified in accordance with Title 5, Subtitle 6 {Notices}, of the Code.
7. Insert new § 13-205 as follows:  
**§ 13-205. Repeal of PUDs.**  
In determining whether to repeal a planned unit development, the Planning Commission and City Council must find that:
  - (a) The repeal of the planned unit development is in the public interest;
  - and





- (b) The approved final development plan of the planned unit development:
- (i) Has been substantially completed;
  - (ii) Is no longer necessary in light of the property's underlying zoning;
  - (iii) Is no longer consistent with the City's Master Plan; or
  - (iv) Has been abandoned by the property owner.

**STAFF:** Tamara Woods

**INTRODUCED BY:** City Council Member Mary Pat Clarke, 14<sup>th</sup> District

**OWNER:** Citywide Legislation

**ANALYSIS:**

**Background**

The rationale for City Council Bill #19-0321 is to remove the requirement that all Planned Unit Developments (PUD) that trigger a Major Change would have to be repealed and replaced. Prior to the enactment of Article 32 in June 2017, the zoning code in place authorized the City Council to do what were called Major Amendments to PUDs through City Council Legislation without having to replace the entirety of the PUD.

The zoning code rewrite that took effect in June 2017 did not include this provision. The previous zoning code had been in place since 1971. Some of the PUDs in the City date back as far as 1972. The provision in §13-403(a) of Article 32 outlines what constitutes a Major Change with a list of triggers such as, but not limited to: a 10% increase or 25% decrease in the approved numbers of dwelling units and maximum building heights, boundary changes, and a change in type, location or arrangement of land uses within the development as shown on the previously approved plan. The following section, §13-403(b), states that a major change automatically triggers a repeal and resubmittal. The rationale behind this provision is two-fold:

1. It would force the evaluation and possible repeal of PUDs that had been inactive for a while, substantially built, or potentially no longer needed and were coming back in with updated or wholesale new development plans; and
2. Require PUDs to become in compliance with the new zoning law and any other laws that may have come into effect since the establishment of the PUD.

With this provision, it left developers without a mechanism to modify aspects of the development plan with regard to building typology or density when the majority of the PUD was remaining in place. In addition, developments that are still active and needed a major change would now fall under the strict legal scrutiny required to establish a new PUD.

**Bill Summary:**

The purpose of City Council Bill #19-0321 is modify §13-403(b) of Article 32. As previously stated, this section of Title 13 states that a "[Major] Change requires repeal of plan and resubmittal." The section states that a major change requires:





- (1.) the repeal of the ordinance that approved the planned unit development; and
- (2.) introduction and enactment of an ordinance to approve a new planned unit development and PUD master plan.

The bill seeks to amend this section to delete §13-403(b)(1) completely and modify §13-403(b)(2) to state “A major change required introduction and enactment of an ordinance to approve an amendment to the planned unit development and PUD master plan.” This proposed modification allows for the reestablishment of the ability to do a Major Change by ordinance without a repeal and resubmittal of the PUD.

### **Proposed Amendments and Rationale**

In addition to the amendments proposed to §13-403(b) in the City Council Bill, Planning Staff recommends that City Council Bill #19-0321 make further amendments to modify additional parts of Title 5 and Title 13 of Article 32 that would clarify the rules of submitting applications for new PUDs and modifying and repealing existing PUDs. This is critical as the crux of City Council Bill #19-0321 is to split the process of getting a major change to a PUD from repealing and resubmitting the PUD. This modification changes the structure to something akin to the previous zoning code, therefore making it necessary to better align the rules and processes to accommodate all three distinct actions. The proposed amendments are as follows:

### **Amendments 1-3**

The first three proposed amendments are to Title 5, Subtitle 6 of Article 32. This set of amendments have to do with the notice requirements for zoning matters. The first amendment is to make clear that the notice requirements for a City Council Committee hearing apply to the repeal of PUDs. The second amendment is to clarify in the example that the notice requirements apply to major changes. The third amendment is a companion amendment to proposed changes to Title 13 in that a single entity can make application for a major change or repeal of a PUD. If this is the case, then the single entity must provide written notice to all other property owners within the PUD. The three proposed amendments are as follows:

**Amendment 1:** Amend § 5-601 (a) as follows:

- (a) *Hearing Required.*  
“...zoning text amendment, or the creation, REPEAL, or modification...”

**Amendment 2:** Amend § 5-604 (d)(2) to delete the word “minor”.

**Amendment 3:** Insert new § 5-604(g) as follows:

- (g) *Written Notice to Property Owners Within A Planned Unit Development*  
At the time of application, repeal, or major change, the applicant must provide written notification to all other property owners or authorized agents within the existing or proposed planned unit development boundaries as the Department of Planning designates.



#### **Amendment 4**

The following proposed amendment 4 adds in the expressed authorization that the repeal of PUDs can be done by ordinance of the Mayor and City Council. It is as follows:

**Amendment 4:** Insert new §13-201 (d) as follows:

(d) *Repeal of PUDs.*

Planned unit developments may be repealed by ordinance of the Mayor and City Council enacted in accordance with the provisions of this title.

#### **Amendments 5 and 6**

This next set of amendments are to the common ownership or unified control portion of the General Requirements section of Title 13 (Planned Unit Developments). The proposed amendments seek to provide clearer standards of “ownership” for new PUDs versus Major Changes and Repeals. Amendment 5 clarifies that new PUD applications with 2 or more owners must be jointly filed by the property owners, contract purchasers or authorized agent. This is important as applications are often not filed by the property owner, but the developer or an agent legally acting on behalf of the owner(s). This amendment allows for the flexibility needed to establish new PUDs.

Amendment 6 speaks to major changes or repeals of PUDs. Often with larger developments or repeals, there can be a primary entity making the request for future phases that are under development, or some owners may not no longer be present or in the picture as an active owner. In this scenario, the applicant must show that proper written notice was provided to all the other property owners at the time of application. This is a companion amendment to amendment 3 above. The proposed amendments 4 and 5 are as follows:

**Amendment 5:** Amend §13-202(a)(2) as follows:

- Add the word “new” after “the application for approval of a”.
- Delete the words “or for approval of an amendment to an approved planned unit development”.
- Add to the end “, contract purchaser(s), or authorized agent(s)” before the “.”

**Amendment 6:** Insert new § 13-202(a)(3) as follows:

(3) For application for a major change or repeal to an existing planned unit development, at least one owner, contract purchaser or authorized agent may make application for approval provided that all other property owners or their authorized agent is notified in accordance with Title 5, Subtitle 6 {Notices}, of the Code.



**Amendment 7**

The last proposed amendment is to add a new section of findings for the Planning Commission and City Council to use in determining if an existing PUD can be repealed. This is a companion amendment that complements amendment 4 which gives the Mayor and City Council expressed authorization to repeal PUDs. The proposed amendment is as follows:

**Amendment 7:**        Insert new §13-205 as follows:

**§ 13-205. Repeal of PUDs.**

In determining whether to repeal a planned unit development, the Planning Commission and City Council must find that:

- (c) The repeal of the planned unit development is in the public interest;  
and
- (d) The approved final development plan of the planned unit development:
  - (j) Has been substantially completed;
  - (v) Is no longer necessary in light of the property's underlying zoning;
  - (vi) Is no longer consistent with the City's Master Plan; or
  - (vii) Has been abandoned by the property owner.

After analysis and evaluation, Planning Staff recommends that City Council #19-0321 be approved by Planning Commission with the above amendments.

**Community Outreach and Notification:** In advance of this hearing the Department of Planning Staff notified interested parties using our Compass distribution list and the Planning Commission Agenda that go to approximately 14,000 recipients. In addition, the City Council President's office and all City Councilmembers have been notified.



**Chris Byer**  
Director





**DLR DRAFT II {FORMATTING ONLY} 18MAR19**

**AMENDMENTS TO COUNCIL BILL 19-321  
(1<sup>st</sup> Reader Copy)**

Proposed By: Planning Department  
{To be offered to the Land Use and Transportation Committee}

**Amendment No. 1**

On page 1, in line 4, before the period, insert “and conforming, clarifying, correcting, and distinguishing related provisions dealing with applications and notice requirements for the creation, modification, or repeal of a planned unit development”.

**Amendment No. 2**

On page 1, in line 7, strike “Section” and substitute “Sections 5-601(a), 5-604(d)(2), 13-202(a), and”; and after line 9, insert:

“BY adding  
Article 32 - Zoning  
Sections 5-604(g), 13-201(d), and 13-205  
Baltimore City Code  
(Edition 2000)”.

**Amendment No. 3 {Title 5. Applications and Authorizations}**

On page 1, after line 13, insert:

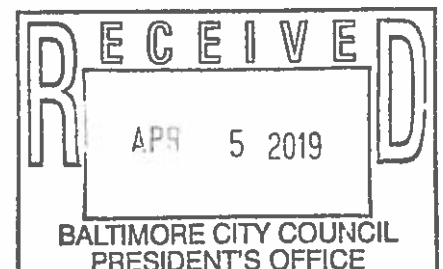
**“Title 5. Applications and Authorizations**

**Subtitle 6. Notices**

**§ 5-601. Map or text amendments; PUDs.**

**(a) Hearing required.**

For a bill proposing a zoning map amendment, a zoning text amendment, or the creation, [or] modification, OR REPEAL of a planned unit development, the City Council committee to which the bill has been referred must conduct a hearing at which:





(1) the parties in interest and the general public will have an opportunity to be heard; and

(2) all agency reports will be reviewed.

**§ 5-604. Planning Commission consideration of site-specific projects.**

(d) Number and manner of posted notices.

The number of posted notices and the manner of their posting are as follows:

\*\*\*  
(2) For a notice applicable to more than one property (e.g., a [minor] modification to a planned unit development), at least 2 or more signs are required, as the Department of Planning designates.

\*\*\*

(G) WRITTEN NOTICE TO PROPERTY OWNERS WITHIN PUD.

WHEN APPLYING FOR THE CREATION OF A NEW PLANNED UNIT DEVELOPMENT OR FOR A MAJOR CHANGE OR REPEAL OF A PLANNED UNIT DEVELOPMENT, THE APPLICANT MUST PROVIDE WRITTEN NOTIFICATION TO ALL OTHER OWNERS, OR THEIR AUTHORIZED AGENTS, OF PROPERTY WITHIN THE PROPOSED OR EXISTING PLANNED UNIT DEVELOPMENT BOUNDARIES, AS THE DEPARTMENT OF PLANNING REQUIRES.”

**Amendment No. 4 {Title 13. Planned Unit Developments}**

On page 1, after line 14, insert:

**“Subtitle 2. Requirements; Approval Standards; Exceptions**

**§ 13-201. Authorization.**

(D) REPEAL OF PUDS.

PLANNED UNIT DEVELOPMENTS MAY ONLY BE REPEALED BY ORDINANCE OF THE MAYOR AND CITY COUNCIL ENACTED IN ACCORDANCE WITH THE PROVISIONS OF THIS TITLE.

**§ 13-202. General requirements.**

(a) Common ownership or unified control.

(1) The site of the planned unit development must be under common ownership or unified control.





(2) If there are 2 or more owners, the application for approval of a NEW planned unit development [or for approval of an amendment to an approved planned unit development] must be jointly filed by all owners, OR THEIR RESPECTIVE CONTRACT PURCHASERS OR AUTHORIZED AGENTS.

(3) WHEN APPLYING FOR A MAJOR CHANGE OR REPEAL OF AN EXISTING PLANNED UNIT DEVELOPMENT, ONE OWNER OR CONTRACT PURCHASER, OR THE AUTHORIZED AGENT OF EITHER, MAY MAKE THE APPLICATION FOR APPROVAL, AS LONG AS ALL OTHER PROPERTY OWNERS, OR THEIR AUTHORIZED AGENTS, ARE NOTIFIED IN ACCORDANCE WITH TITLE 5, SUBTITLE 6 {"NOTICES"} OF THIS CODE.

### § 13-205. REPEAL OF PUDs.

IN DETERMINING WHETHER TO TO APPROVE THE REPEAL OF A PLANNED UNIT DEVELOPMENT, THE PLANNING COMMISSION AND THE CITY COUNCIL MUST FIND THAT:

(1) THE REPEAL OF THE PLANNED UNIT DEVELOPMENT IS IN THE PUBLIC INTEREST; AND

(2) THE APPROVED FINAL DEVELOPMENT PLAN OF THE PLANNED UNIT DEVELOPMENT:

(i) HAS BEEN SUBSTANTIALLY COMPLETED;

(ii) IS NO LONGER NECESSARY IN LIGHT OF THE PROPERTY'S UNDERLYING ZONING;

(iii) IS NO LONGER CONSISTENT WITH THE CITY'S MASTER PLAN; OR

(iv) HAS BEEN ABANDONED BY THE PROPERTY OWNER.”.



CITY OF BALTIMORE

CATHERINE E. PUGH, Mayor



BOARD OF MUNICIPAL AND  
ZONING APPEALS

DEREK J. BAUMGARDNER, Executive Director  
417 E. Fayette Street, Suite 922  
Baltimore, Maryland 21202

April 5, 2019

The Honorable President and  
Members of the City Council  
City Hall  
100 N. Holliday Street  
Baltimore, MD 21202

**RE: CC Bill #19-0321 Zoning – Modifications to Approved Final  
Development Plans**

Ladies and Gentlemen:

City Council Bill No. 19-321 has been referred by your Honorable Body to the Board of Municipal and Zoning Appeals for study and report.

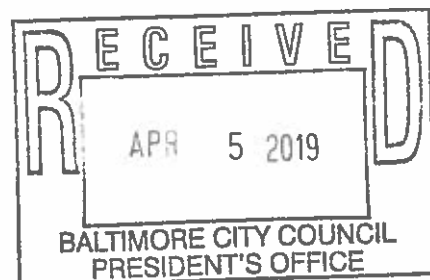
The purpose of City Council Bill No. 19-321 is to modify the procedure by which a major change may be made to an approved planned unit development.

The BMZA has reviewed the legislation and recommends approval of CC Bill. 19-321 with the amendments currently proposed by the Planning Department.

Sincerely,

Derek J. Baumgardner  
Executive Director

CC: Mayors Office of Council Relations  
City Council President  
Legislative Reference





CITY OF BALTIMORE

CATHERINE E. PUGH, Mayor



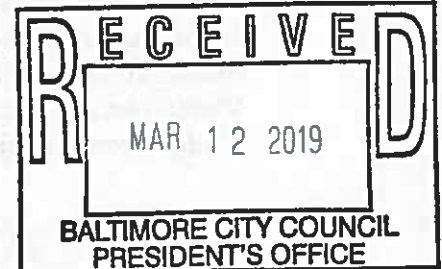
DEPARTMENT OF LAW

ANDRE M. DAVIS, City Solicitor  
101 City Hall  
Baltimore, Maryland 21202

March 12, 2019

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

*Favorable*



Re: City Council Bill 19-0321 – Zoning – Modifications to Approved Final Development Plans

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 19-0321 for form and legal sufficiency. The bill amends Section 13-403 of Article 32 (Zoning) of the City Code to clarify that an ordinance to make a major change to a PUD does not necessarily need to repeal the whole PUD and reenact it again with the amended language. Rather, it can simply be an ordinance suggesting the amendment. There is no legal impediment to this change.

In reviewing this text amendment, the Council must consider the following standards:

- (1) the amendment's consistency with the City's Comprehensive Master Plan;
- (2) whether the amendment would promote the public health, safety, and welfare;
- (3) the amendment's consistency with the intent and general regulations of this Code;
- (4) whether the amendment would correct an error or omission, clarify existing requirements, or effect a change in policy; and
- (5) the extent to which the amendment would create nonconformities.

Baltimore City Code, Art. 32, § 5-508(c).

Since the bill authorizes a change in the text of the Zoning Code (Article 32 of the Baltimore City Code), it is a "legislative authorization." Baltimore City Code, Art. 32, § 5-501. Legislative authorizations require that certain procedures be followed in the bill's passage, including a public hearing. Baltimore City Code, Art. 32, § 5-601(a). Certain notice requirements apply to the bill. Baltimore City Code, Art. 32, §§ 5-601(b)(1), (c), (e). The bill must be referred to certain City agencies, which are obligated to review the bill in a specified manner. Baltimore City Code, Art. 32, §§ 5-504, 5-506. Finally, certain limitations on the City Council's ability to amend the bill apply. Baltimore City Code, Art. 32, § 5-507. Assuming all the procedural requirements are met, the Law Department will approve the bill for form and legal sufficiency.


Very truly yours,

Hilary Ruley  
Chief Solicitor

**Page 2 of 2**

**cc: Andre M. Davis, City Solicitor  
Karen Stokes, Mayor's Office of Government Relations  
Jeffrey Amoros, Mayor's Office of Government Relations  
Elena DiPietro, Chief Solicitor  
Victor Tervalá, Chief Solicitor  
Ashlea Brown, Assistant Solicitor**



FROM	NAME & TITLE	Michelle Pourciau, Director	CITY of BALTIMORE  MEMO	
	AGENCY NAME & ADDRESS	Department of Transportation (DOT) 417 E Fayette Street, Room 527		
	SUBJECT	City Council Bill 19-0321		

TO: Mayor Catherine E. Pugh  
TO: Land Use and Transportation Committee  
FROM: Department of Transportation  
POSITION: No objection.  
RE: Council Bill – 19-0321

DATE: 2/1/19

**INTRODUCTION** – Zoning – Modifications to Approved Final Development

**PURPOSE/PLANS** - For the purpose of modifying the procedure by which a major change may be made to an approved planned unit development.

**COMMENTS** – Defer to Department of Planning.

**AGENCY/DEPARTMENT POSITION** –

The Department of Transportation has no objection to City Council bill 19-0321.

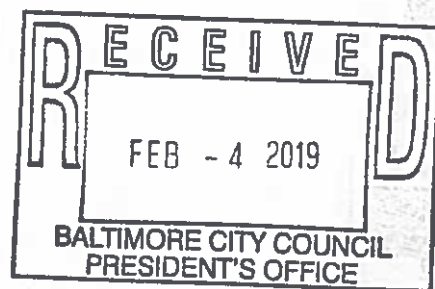
If you have any questions, please do not hesitate to contact Michael Castagnola at Michael.Castagnola@baltimorecity.gov, 410-396-6802.

Sincerely,



Michelle Pourciau  
Director

*no objection &  
Defer to Planning  
Dept.*







BALTIMORE CITY  
DEPARTMENT OF HOUSING &  
COMMUNITY DEVELOPMENT

## MEMORANDUM

To: The Honorable President and Members of the Baltimore City Council  
c/o Natawna Austin, Executive Secretary

From: Michael Braverman, Housing Commissioner

*MB*

Date: March 29, 2019

Re: **City Council Bill 19-0321, Zoning – Modifications to Approved Final Development Plans**

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The Department of Housing and Community Development (DHCD) has reviewed City Council Bill 19-0321, for the purpose of modifying the procedure by which a major change may be made to an approved planned unit development.

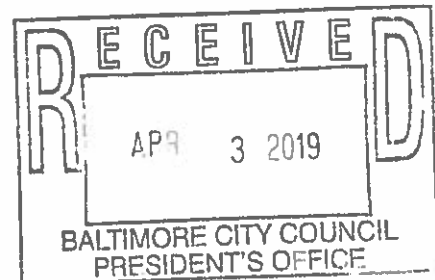
Under the 1971 zoning code, major changes to a planned unit development (PUD) could be made by ordinance. However, under the 2017 zoning code, major changes require the entire PUD be repealed and replaced. If enacted, this bill will permit major changes to PUDs by ordinance, as was previously the case under the 1971 zoning code.

In addition, at the February 21, 2019 Planning Commission Hearing, the Department of Planning staff introduced amendments to clarify the rules for submitting applications for new PUDs and modifying and repealing existing PUDs. The Planning Commission voted to approve the bill and the amendments.

DHCD supports the passage of City Council Bill 19-0321, as well as the Department of Planning's amendments.

MB:td

cc: Mr. Jeffrey Amoros, *Mayor's Office of Government Relations*

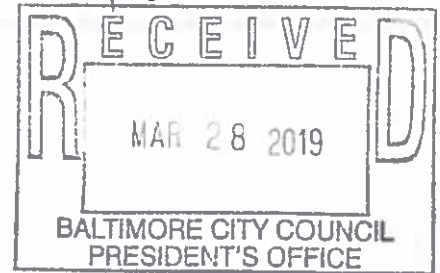


*Fav w/ Planning Amends*





*Forwarded*



**MEMORANDUM**

**DATE:** March 8, 2019  
**TO:** Land Use and Transportation Committee  
**FROM:** William H. Cole, President and CEO *[Signature]*  
**POSITION:** Support  
**SUBJECT:** City Council Bill No. 19-0321 – Zoning – Modifications to Approved Final Development Plans

INTRODUCTION

The Baltimore Development Corporation (BDC) is reporting on City Council Bill No. 19-0321 for the purpose of modifying the procedure by which a major change may be made to an approved planned unit development.

PURPOSE

This ordinance will modify the procedure by which a major change may be made to an approved Planned Unit Development (PUD). Rather than requiring that the PUD be repealed and replaced with a new PUD that incorporates the major change, this bill will allow for major change via ordinance.

BRIEF HISTORY

At present, the law requires that any major change to a PUD requires a full repeal and a reintroduction of the PUD with the desired change. Under the 1971 Zoning Code, a major change to a PUD was permitted via ordinance. This bill would reinstate that prior procedure.

At the Planning Commission hearing held on February 21, 2019, Planning introduced amendments to clarify and better execute the proposed modification. The amendments pertained to written notice to property owners, conditions that must be met in order to repeal a PUD, as well as minor modifications to the text of the existing code. The Planning Commission approved this bill and all amendments submitted by the staff of the Planning Department.

FISCAL IMPACT

NONE

AGENCY POSITION

BDC supports City Council Bill No. 19-0321, as well as the amendments to the bill introduced by Planning and approved by the Planning Commission on February 21, 2019.

If you have any questions, please do not hesitate to contact Kim Clark at (410) 837-9305 or [kclark@baltimoredevelopment.com](mailto:kclark@baltimoredevelopment.com).

cc: Jeffrey Amoros

[RR]





PLANNED UNIT DEVELOPMENTS

pp. 241-258

SUBTITLE 4

MODIFICATIONS TO APPROVED DEVELOPMENT PLANS

pp.243-256

**13-403. Major changes. (pp.255 & 256)**

(b) CHANGES REQUIRE APPROVAL BY CITY COUNCIL ORDINANCE [ *Change requires repeal of plan and resubmittal.*]

A major change requires :

[ (1) the repeal of the ordinance that approved the planned unit development;  
and, (2)]

Introduction and enactment of an ordinance to approve [a new] AMENDMENTS  
TO THE planned unit development and PUD master plan.

PUD amendment Major changes.doc

received  
4-10-19  
CC Clark



April 10, 2019

**Re: TESTIMONY IN SUPPORT – City Council Bill 19-0321**

Dear Chairman Reisinger and Members of the Land Use and Transportation Committee:

The Maryland Building Industry Association (MBIA), representing over 1,000 business members in Baltimore City and across the State of Maryland, writes in **support of Council Bill 19-0321**, with the amendments as approved and recommended to you by the Planning Commission.

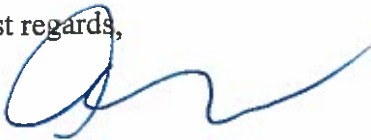
City Council Bill 19-0321 would modify and simplify the process by which a major change may be made to an existing planned unit development (PUD).

Under the prior zoning code, major changes to a PUD could be made by a City Council ordinance amending only the relevant portions of the existing PUD. The new code, as enacted in 2017, requires repealing and replacing the entire PUD to make what are often modest changes, such as adding or deleting a single use, or changing a single number, such as the number of residential units or permitted square footage. Therefore, neither the development industry nor the City Council has a practical mechanism to narrowly modify aspects of a development plan without triggering full repeal and resubmittal of the entire PUD package, an enormous and unnecessary expense that makes it more difficult for owners and the Council to adapt to changing market conditions. CCB 19-0321 would restore the Council's ability to make potential major changes by City Council ordinance, when it chooses to do so, rather than require a cumbersome repeal and replacement.

MBIA also supports the amendments approved by the Planning Commission on February 21. These include replacing the current requirement that all owners within a PUD must jointly file for an amendment with a requirement that all owners instead be properly notified of the proposed change. This change would allow all affected owners to make their views known to the Council, but prevent any single owner from denying the Council the opportunity to consider the proposed change

If you have questions about MBIA's position, please contact me at [abailey@marylandbuilders.org](mailto:abailey@marylandbuilders.org) or 202.815.4445.

Best regards,



Angelica Bailey, Esq.  
Vice President of Government Affairs  
Maryland Building Industry Association

CC: Chris Ryer, Department of Planning  
Jeffrey Amoros, Mayor's Office of Government Relations  
Michael Huber, Legislative Director, Office of the City Council President  
Jon Laria, Chair, MBIA Baltimore Chapter

**received**  
4-10-19 flc  
in Re: 0321



# City of Baltimore

City Council  
City Hall, Room 408  
100 North Holliday Street  
Baltimore, Maryland  
21202

## Meeting Minutes - Final

### Land Use and Transportation Committee

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Wednesday, April 10, 2019

1:00 PM

Du Burns Council Chamber, 4th floor, City Hall

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19-0321

#### **CALL TO ORDER**

#### **INTRODUCTIONS**

#### **ATTENDANCE**

- Present** 6 - Member Edward Reisinger, Member Sharon Green Middleton, Member Mary Pat Clarke, Member Eric T. Costello, Member Leon F. Pinkett III, and Member Robert Stokes Sr.
- Absent** 1 - Member Ryan Dorsey

#### **ITEMS SCHEDULED FOR PUBLIC HEARING**

19-0321

##### **Zoning - Modifications to Approved Final Development Plans**

For the purpose of modifying the procedure by which a major change may be made to an approved planned unit development.

**Sponsors:** Mary Pat Clarke, Bill Henry, Ryan Dorsey, Shannon Sneed, Zeke Cohen, Kristerfer Burnett, Robert Stokes, Sr.

**A motion was made by Member Clarke, seconded by Member Middleton, that the bill be recommended favorably with amendment. The motion carried by the following vote:**

- Yes:** 6 - Member Reisinger, Member Middleton, Member Clarke, Member Costello, Member Pinkett III, and Member Stokes Sr.
- Absent:** 1 - Member Dorsey

#### **ADJOURNMENT**





**HEARING NOTES**

**Bill: 19-0321**

**Zoning - Modifications to Approved Final Development Plans**

**Committee:** Land Use and Transportation  
**Chaired By:** Councilmember Edward Reisinger

**Hearing Date:** April 10, 2019  
**Time (Beginning):** 1:00 PM  
**Time (Ending):** 1:20 PM  
**Location:** Clarence "Du" Burns Chamber  
**Total Attendance:** ~ 20  
**Committee Members in Attendance:**  
Reisinger, Edward, Chairman  
Middleton, Sharon, Vice Chair  
Clarke, Mary Pat  
Costello, Eric  
Pinkett, Leon  
Stokes, Robert

Bill Synopsis in the file? .....	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> n/a
Attendance sheet in the file? .....	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> n/a
Agency reports read? .....	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> n/a
Hearing televised or <u>audio-digitally</u> recorded?.....	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> n/a
Certification of advertising/posting notices in the file?.....	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> n/a
Evidence of notification to property owners? .....	<input type="checkbox"/> yes	<input type="checkbox"/> no	<input checked="" type="checkbox"/> n/a
Final vote taken at this hearing? .....	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> n/a
Motioned by: .....	Councilmember Clarke		
Seconded by.....	Councilmember Middleton		
Final Vote .....	Favorable with Amendments		





**Major Speakers**  
*(This is not an attendance record.)*

- Ms. Tamara Woods, Department of Planning
  - Ms. Hilary Ruley, Department of Law
  - Mr. Jeff Amoros, Office of the Mayor
  - Mr. Derek Baumgardner, Board of Municipal Zoning Appeals
  - Ms. Tyrell Dixon, Department of Housing and Community Development
  - Mr. Ryan Rattanni, Baltimore Development Corporation
  - Ms. Angelica Bailey, Esquire, Vice President of Government Affairs, Maryland Building Industry Association (MBIA)
  - Mr. Jon Laria, Esquire, representing MBIA and the Baltimore Development Work Group
- 

**Major Issues Discussed**

1. Councilmember Reisinger introduced committee members and read the bill's title and purpose.
  2. Councilmember Clarke explained the purpose for the bill and provided a handout of the proposed Zoning Code change. She indicated that the bill simplifies the process for making major changes to a Planned Unit Development (PUD).
  3. Ms. Tamara Woods presented the Planning Commission's report which supports the bill with amendments. She presented a summary of the Planning Commission's amendments for the bill stressing that the amendments help to clarify the process.
  4. Ms. Hilary Ruley testified in support of the bill and commented about the need for creating new, self-imposed standards for repealing a PUD in Baltimore City, which is new to Baltimore zoning. Findings of facts would have to be produced before approval of a PUD repeal.
  5. Agency representatives testified in support of their respective agency's report on the bill.
  6. Ms. Angelica Bailey testified in support of the bill and provided a letter of support from the Maryland Building Industry Association (MBIA) . The bill makes the PUD repeal process more efficient.
  7. Mr. Jon Laria, Esquire, representing MBIA and the Baltimore Development Work Group, testified in support of the bill. The bill allows the Council to make changes to a PUD when it sees fit.
  8. The committee voted to recommend the bill favorable with amendments.
  9. The hearing was adjourned.
- 

**Further Study**

Was further study requested?  
If yes, describe.

Yes     No

**Committee Vote:**

Reisinger, Edward, Chairman.....Yea  
Middleton, Sharon, Vice Chair.....Yea  
Clarke, Mary Pat.....Yea  
Costello, Eric.....Yea

---



Dorsey, Ryan .....Absent  
Pinkett, Leon.....Yea  
Stokes, Robert:.....Yea

---

Jennifer L. Coates, Committee Staff



Date: April 10, 2019

cc: Bill File  
OCS Chrono File





# CITY OF BALTIMORE

## CITY COUNCIL HEARING ATTENDANCE RECORD

Committee: Land Use and Transportation      Chairperson: Edward Reisinger  
 Date: April 10, 2019      Time: 1:00 p.m.      Place: Clarence "Du" Burns Chambers  
 Subject: Ordinance - Zoning - Modifications to Approved Final Development Plans      CC Bill Number: 19-0321

**PLEASE PRINT**

**IF YOU WANT TO TESTIFY PLEASE CHECK HERE**



FIRST NAME	LAST NAME	ST. #	ADDRESS/ORGANIZATION NAME	ZIP	EMAIL ADDRESS	TESTIFY	FOR	AGAINST	YES	NO
John	Doe	100	North Charles Street	21202	Johndoenbmore@yahoo.com	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Angelica	Bailey		MBIA	30759	Ab Bailey @ maryland builders.org	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<del>TERRA</del>	Woods		Planning			<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Caroline	Hester		RMCA		chester@nashbert.org	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Son	Wren		Muir/302	21202	Wren@wrenosam.com	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Ryan	Wattman		the Strategic Plan		rwattman@baltimoredevelopment.com	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

(\*) NOTE: IF YOU ARE COMPENSATED OR INCUR EXPENSES IN CONNECTION WITH THIS BILL, YOU MAY BE REQUIRED BY LAW TO REGISTER WITH THE CITY ETHICS BOARD. REGISTRATION IS A SIMPLE PROCESS. FOR INFORMATION AND FORMS, CALL OR WRITE: BALTIMORE CITY BOARD OF ETHICS, C/O DEPARTMENT OF LEGISLATIVE REFERENCE, 626 CITY HALL, BALTIMORE, MD 21202. TEL: 410-396-4730; FAX: 410-396-8483.



# City of Baltimore

City Council  
City Hall, Room 408  
100 North Holliday Street  
Baltimore, Maryland  
21202

## Meeting Agenda - Final

### Land Use and Transportation Committee

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Wednesday, April 10, 2019

1:00 PM

Du Burns Council Chamber, 4th floor, City Hall

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19-0321

#### **CALL TO ORDER**

#### **INTRODUCTIONS**

#### **ATTENDANCE**

#### **ITEMS SCHEDULED FOR PUBLIC HEARING**

19-0321

##### **Zoning - Modifications to Approved Final Development Plans**

For the purpose of modifying the procedure by which a major change may be made to an approved planned unit development.

Sponsors:

Mary Pat Clarke, Bill Henry, Ryan Dorsey, Shannon Sneed, Zeke Cohen, Kristerfer Burnett, Robert Stokes, Sr.

#### **ADJOURNMENT**

**THIS MEETING IS OPEN TO THE PUBLIC**







**BALTIMORE CITY COUNCIL  
LAND USE AND TRANSPORTATION COMMITTEE**

**Mission Statement**

*On behalf of the Citizens of Baltimore City*, the mission of the Land Use and Transportation Committee is to review and support responsible development and zoning initiatives to ensure compatibility with the aim of improving the quality of life for the diverse population of Baltimore City.

**The Honorable Edward Reisinger  
Chairperson**

**PUBLIC HEARING**

**Wednesday, April 10, 2019  
1:00 PM**

***City Council Bill # 19-0321***

***Zoning - Modifications to Approved Final Development Plans***

## CITY COUNCIL COMMITTEES

### BUDGET AND APPROPRIATIONS

Eric Costello – Chair  
Leon Pinkett – Vice Chair  
Bill Henry  
Sharon Green Middleton  
Brandon M. Scott  
Isaac "Yitzy" Schleifer  
Shannon Sneed  
*Staff: Marguerite Currin*

### EDUCATION AND YOUTH

Zeke Cohen – Chair  
Mary Pat Clarke – Vice Chair  
John Bullock  
Kristofer Burnett  
Ryan Dorsey  
*Staff: Matthew Peters*

### EXECUTIVE APPOINTMENTS

Robert Stokes – Chair  
Kristofer Burnett – Vice Chair  
Mary Pat Clarke  
Zeke Cohen  
Isaac "Yitzy" Schleifer  
*Staff: Marguerite Currin*

### HOUSING AND URBAN AFFAIRS

John Bullock – Chair  
Isaac "Yitzy" Schleifer – Vice Chair  
Kristofer Burnett  
Bill Henry  
Shannon Sneed  
Zeke Cohen  
Ryan Dorsey  
*Staff: Richard Krummerich*

### JUDICIARY AND LEGISLATIVE INVESTIGATIONS

Eric Costello – Chair  
Mary Pat Clarke – Vice Chair  
John Bullock  
Leon Pinkett  
Edward Reisinger  
Brandon Scott  
Robert Stokes  
*Staff: Matthew Peters*

### LABOR

Shannon Sneed – Chair  
Robert Stokes – Vice Chair  
Eric Costello  
Bill Henry  
Mary Pat Clarke  
*Staff: Samuel Johnson*

### LAND USE AND TRANSPORTATION

Edward Reisinger – Chair  
Sharon Green Middleton – Vice Chair  
Mary Pat Clarke  
Eric Costello  
Ryan Dorsey  
Leon Pinkett  
Robert Stokes  
*Staff: Jennifer Coates*

### PUBLIC SAFETY

Brandon Scott – Chair  
Ryan Dorsey – Vice Chair  
Kristofer Burnett  
Shannon Sneed  
Zeke Cohen  
Leon Pinkett  
Isaac "Yitzy" Schleifer  
*Staff: Richard Krummerich*

### TAXATION, FINANCE AND ECONOMIC DEVELOPMENT

Sharon Green Middleton – Chair  
Leon Pinkett – Vice Chair  
Eric Costello  
Edward Reisinger  
Robert Stokes  
*Staff: Samuel Johnson*  
*- Larry Greene (pension only)*

**CITY OF BALTIMORE**

CATHERINE E. PUGH, Mayor



**OFFICE OF COUNCIL SERVICES**

LARRY E. GREENE, Director  
415 City Hall, 100 N. Holliday Street  
Baltimore, Maryland 21202  
410-396-7215 / Fax: 410-545-7596  
email: larry.greene@baltimorecity.gov

**BILL SYNOPSIS**

**Committee: Land Use and Transportation**

**Bill 19-0321**

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**Zoning - Modifications to Approved Final Development Plans**

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**Sponsor:** Councilmember Clarke

**Introduced:** January 14, 2019

**Purpose:**

For the purpose of modifying the procedure by which a major change may be made to an approved planned unit development.

**Effective:** 30<sup>th</sup> day after enactment

**Hearing Date/Time/Location:** April 10, 2019 /1:00 p.m./Clarence "Du" Burns Chambers

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**Agency Reports**

Planning Commission	Favorable/Amend
Board of Municipal and Zoning Appeals	
Department of Transportation	No Objection/ Defers to Planning
Department of Law	Favorable
Department of Housing	Favorable with Planning's Amendments
Baltimore Development Corporation	Favorable

---

## Analysis

### Current Law

Article 32 – Zoning; Section 13-403(b); Baltimore City Code (Edition 2000)

### Background

#### Planned Unit Developments

According to Article 32; Title 13-101, the purpose of a Planned Unit Developments (PUD) is to:

- 1) encourage flexibility in the development of land and in the design of structures;
- 2) encourage a creative approach to the use of land that results in better development and design than might otherwise be accomplished under the strict application of this Code on a lot-by-lot basis;
- 3) provide for the efficient use of land to facilitate a more effective arrangement of land uses, buildings, circulation systems, and utilities;
- 4) encourage the construction of appropriate aesthetic amenities that will enhance the character of the site;
- 5) promote quality development that is commensurate with other development within the community and compatible with the character of the surrounding area and adjacent properties; and
- 6) facilitate the implementation of the Comprehensive Master Plan.

#### PUD Amendments/Changes

An amendment to a (PUD) is categorized as either an engineering correction, minor change, or major change and must follow an approval process. If approved, Bill 19-0321, would modify the procedure by which a major change may be made to a PUD.

#### Approval Process for Amending a PUD

According to Article 32; Title 13-403(b), a major change to a PUD requires the following approval process:

- (1) the repeal of the ordinance that approved the planned unit development; and
- (2) introduction and enactment of an ordinance to approve a new planned unit development and PUD master plan.

Bill 19-0321 removes the repeal process.

According to Article 32; Title 13-403(a), a major change to a PUD constitutes the following:

- (1) a 10% increase or 25% decrease in the approved number of dwelling units;
- (2) a 10% increase or a 25% decrease in the maximum building heights in the approved planned unit development;
- (3) a change in the type, location, or arrangement of land use within the development, as shown on the previously approved final development plan;
- (4) a change in the boundaries of the planned unit development;
- (5) a decrease in open space that had been included as a public benefit or amenity under § 13-204 {"Exceptions from district regulations"} of this title; and
- (6) any change:
  - (i) that fails to substantially comply with the PUD master plan or City regulations; or
  - (ii) that violates:
    - (A) the underlying zoning;
    - (B) an approved exception;
    - (C) a condition of approval attached to the planned unit development, with the exception of modifications to the planned unit development's phasing schedule; or
    - (D) a provision of the ordinance that approved or amended the planned unit development.

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### Additional Information

**Fiscal Note:** Not Available

**Information Source(s):** Agency Reports

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Analysis by: Jennifer L. Coates *JLC*  
Analysis Date: April 5, 2019

Direct Inquiries to: (410) 396-1260

**CITY OF BALTIMORE  
COUNCIL BILL 19-0321  
(First Reader)**

---

Introduced by: Councilmembers Clarke, Henry, Dorsey, Sneed, Cohen, Burnett, Stokes  
Introduced and read first time: January 14, 2019

Assigned to: Land Use and Transportation Committee

---

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Board of Municipal and Zoning Appeals, Planning Commission, Department of Transportation, Department of Housing and Community Development, Baltimore Development Committee

---

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Zoning – Modifications to Approved Final Development Plans**

3 FOR the purpose of modifying the procedure by which a major change may be made to an  
4 approved planned unit development.

5 BY repealing and reordaining, with amendments

6 Article 32 - Zoning  
7 Section 13-403(b)  
8 Baltimore City Code  
9 (Edition 2000)

10 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the  
11 Laws of Baltimore City read as follows:

Baltimore City Code

Article 32. Zoning

Title 13. Planned Unit Developments

Subtitle 4. Modifications to Approved Final Development Plans

16 **§ 13-403. Major changes.**

17 (b) [*Change requires repeal of plan and resubmittal*] **CHANGE REQUIRES ENACTMENT BY**  
18 **ORDINANCE.**

19 A major change requires[:]

20 [(1) the repeal of the ordinance that approved the planned unit development; and]

21 [(2)] introduction and enactment of an ordinance to approve [a new] **AN AMENDMENT**  
22 **TO THE** planned unit development and PUD master plan.

**EXPLANATION:** CAPITALS indicate matter added to existing law.  
[Brackets] indicate matter deleted from existing law.

**Council Bill 19-0321**

1       **SECTION 2. AND BE IT FURTHER ORDAINED,** That the catchlines contained in this Ordinance  
2 are not law and may not be considered to have been enacted as a part of this or any prior  
3 Ordinance.

4       **SECTION 3. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30<sup>th</sup> day  
5 after the date it is enacted.



**LAND USE AND TRANSPORTATION COMMITTEE**

**BILL 19-0321**

**AGENCY REPORTS**

<b>Planning Commission</b>	<b>Favorable/Amend</b>
<b>Board of Municipal Zoning Appeals</b>	
<b>Department of Transportation</b>	<b>No Objection/Defers to Planning</b>
<b>Department of Law</b>	<b>Favorable</b>
<b>Department of Housing and Community Development</b>	<b>Favorable with Planning Amendments</b>
<b>Baltimore Development Corporation</b>	<b>Favorable</b>

## Coates, Jennifer

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**From:** Coates, Jennifer  
**Sent:** Tuesday, February 26, 2019 11:40 AM  
**To:** Greene, Larry  
**Cc:** Austin, Natawna B.; 'Clarke, Mary Pat'; Murdock, Stephanie  
**Subject:** Bill 19-0321 - Public Notice Instructions  
**Attachments:** Michele Griesbauer - Sunpaper - Advertising; Darlene Miller - Daily Record; Afro American; PNI - Letter -19-0321.docx

Mr. Greene,

Attached is the information you will need to publish the subject bill to be heard by the Land Use and Transportation Committee on **April 10, 2019 at 1:00 p.m.** I have also included business cards for newspaper contacts if you are in need of such. If you have questions, feel free to contact me.

**PLEASE ACKNOWLEDGE RECEIPT OF THIS EMAIL.**

Jennifer Coates  
Committee Staff



---

**Jennifer L. Coates**

*Senior Legislative Policy Analyst  
Office of Council Services*

100 N. Holliday Street, Room 415  
Baltimore, MD 21202

[jennifer.coates@baltimorecity.gov](mailto:jennifer.coates@baltimorecity.gov)

OFFICE OF COUNCIL SERVICES

Office: (410) 396-1260

Fax: (410) 545-7596

**Confidentiality Notice:**

This e-mail, including any attachment(s), is intended for receipt and use by the intended addressee(s), and may contain legal or other confidential and privileged information. If you are not an intended recipient of this e-mail, you are hereby notified that any unauthorized use or distribution of this e-mail is strictly prohibited, and requested to delete this communication and its attachment(s) without making any copies thereof and to contact the sender of this e-mail immediately. Nothing contained in the body and/or header of this e-mail is intended as a signature or intended to bind the addressor or any person represented by the addressor to the terms of any agreement that may be the subject of this e-mail or its attachment(s), except where such intent is expressly indicated.



**CITY OF BALTIMORE**

CATHERINE E. PUGH, Mayor



**OFFICE OF COUNCIL SERVICES**

LARRY E. GREENE, Director  
415 City Hall, 100 N. Holliday Street  
Baltimore, Maryland 21202  
410-396-7215 / Fax: 410-545-7596  
email: larry.greene@baltimorecity.gov

**TO:** Mr. Larry Greene, Director, Office of Council Services

**FROM:** Jennifer L. Coates, Staff, Land Use and Transportation Committee,  
Baltimore City Council

**Date:** February 26, 2019

**RE:** INSTRUCTIONS FOR NOTICE OF A PUBLIC HEARING – ZONING CODE AMENDMENT  
(TEXT AMENDMENT)

The Land Use and Transportation Committee has scheduled the following City Council Bill for a public hearing:

**Bill:** City Council Bill No. 19-0321

**Date:** Wednesday, April 10, 2019

**Time:** 1:00 p.m.

**Place:** City Council Chambers, 4<sup>th</sup> floor, City Hall, 100 N. Holliday Street

At the expense of the applicant, notice of the public hearing must be provided in accordance with:

**Article 32. Zoning § 5-601 – Map or Text Amendments; PUDs**

For helpful information about the notice requirements under Article 32 - Zoning (pages 127 – 128) - see *Attachment B*. You can access and review Article 32 using the web link below:

<http://ca.baltimorecity.gov/codes/Art%2032%20-%20Zoning.pdf>

**Disclaimer.** The City makes no claims as to the quality, completeness, accuracy, timeliness, or content of any data contained herein or on this site. All such items and materials are provided on an "as is" basis, and you are fully and solely responsible for your use of them and for any results or consequences of your use. They have been compiled from a variety of sources, including sources beyond the control of the City, and are subject to change without notice from the City. The data is subject to change as modifications and updates are complete. It is understood that the information contained in the site is being used at one's own risk. In no event shall the City or its elected/appointed officials, municipal agencies and departments, employees, agents, or volunteers be liable for any direct, indirect, special, punitive, incidental, exemplary or consequential damages arising from your accessing or using the site, or otherwise arising from this site or from anything contained in or displayed on this site. Nothing contained in or displayed on this site constitutes or is intended to constitute legal advice by the City or any of its elected/appointed officials, municipal agencies and departments, employees, agents, and volunteers

## Newspaper Advertisement

A notice of the public hearing must be published in one (1) newspaper of general circulation, 15 days prior to the date of the hearing.

You may choose any of the following newspapers for advertising purposes: The Daily Record, The Baltimore Sun; or the Afro-American.

## Wording for the Newspaper Advertisement

The information that must be published in a newspaper advertisement, appears between the double lines on the attached page (*see Attachment A*); the deadline date is indicated in **BOLD** letters at the top of Attachment A.

## Certification of Postings

Certification of the publication of the newspaper advertisement, in duplicate, must be received four (4) days prior to the hearing by:

Ms. Natawna Austin, Executive Secretary  
Baltimore City Council  
100 N. Holliday Street, Fourth Floor, Room 400  
Baltimore, MD 21202

If the required certification is not received as specified above, the public hearing will be cancelled without notice to the applicant. The deadline dates are as follows:

***Newspaper Advertisement Deadline:***

***March 26, 2019***

***Certificate of Posting Due:***

***April 5, 2019***

Please note that **ALL** of these requirement **MUST** be met in order for your hearing to proceed as scheduled. If you have any questions regarding your notice requirements please contact:

Ms. Jennifer L. Coates, Committee Staff  
Baltimore City Council,  
Land Use and Transportation Committee  
410-396-1260  
[Jennifer.Coates@baltimorecity.gov](mailto:Jennifer.Coates@baltimorecity.gov).

THE INFORMATION BETWEEN THE DOUBLE LINES (SEE BELOW) MUST BE PUBLISHED IN A NEWSPAPER OF GENERAL CIRCULATION **BY MARCH 26, 2019**, AS DISCUSSED ON THE PREVIOUS PAGE AND OUTLINED ON ATTACHMENT B.

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**BALTIMORE CITY COUNCIL  
PUBLIC HEARING ON BILL NO 19-0321**

The Land Use and Transportation Committee of the Baltimore City Council will meet on Wednesday, April 10, 2019 at 1:00 p.m. in the City Council Chambers, 4<sup>th</sup> floor, City Hall, 100 N. Holliday Street to conduct a public hearing on City Council Bill No. 19-0321

**CC 19-0321 Zoning - Modifications to Approved Final Development Plans**

FOR the purpose of modifying the procedure by which a major change may be made to an approved planned unit development.

BY repealing and reordaining, with amendments

Article 32 - Zoning  
Section 13-403(b)  
Baltimore City Code  
(Edition 2000)

Applicant: Councilmember Clarke

For more information contact: Committee Staff at (410) 396-1260.

NOTE: This bill is subject to amendment by the Baltimore City Council.

EDWARD REISINGER

Chair

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SEND CERTIFICATION OF PUBLICATION TO:      SEND BILL FOR THIS ADVERTISEMENT TO:

Baltimore City Council  
c/o Natawna B. Austin  
Room 409, City Hall  
100 N. Holliday Street  
Baltimore, MD 21202

Mr. Larry E. Greene  
Office of Council Services  
100 N. Holliday Street, Room 415  
Baltimore, MD 21202  
(410) 396-7215

**ZONING  
SUBTITLE 6 – NOTICES**

**ARTICLE 32, § 5-601**

<http://ca.baltimorecity.gov/codes/Art%2032%20-%20Zoning.pdf>

§ 5-601. Map or text amendments; PUDs.

*(a) Hearing required.*

For a bill proposing a zoning map amendment, a zoning text amendment, or the creation or modification of a planned unit development, the City Council committee to which the bill has been referred must conduct a hearing at which:

- (1) the parties in interest and the general public will have an opportunity to be heard; and
- (2) all agency reports will be reviewed.

*(b) Notice of hearing required.*

Notice of the hearing must be given by each of the following methods, as applicable:

- (1) by publication in a newspaper of general circulation in the City;
- (2) for the creation or modification of a planned unit development and for a zoning map amendment, other than a comprehensive rezoning:
  - (i) by posting in a conspicuous place on the subject property; and
  - (ii) by first-class mailing of a written notice, on forms provided by the Zoning Administrator, to each person who appears on the tax records of the City as an owner of the property to be rezoned; and
- (3) for a comprehensive rezoning:
  - (i) by posting in conspicuous places within and around the perimeter of the subject area or district, as the Department of Planning designates; and
  - (ii) by first-class mailing of a written notice, on forms provided by the Zoning Administrator, to each person who appears on the tax records of the City as an owner of property within the subject area or district.

*(c) Contents of notice.*

The notice must include:

- (1) the date, time, place, and purpose of the public hearing;
- (2) the address of the subject property or a drawing or description of the boundaries of the area affected by the proposed rezoning; and
- (3) the name of the applicant.

*(d) Number and manner of posted notices.*

- (1) For a zoning map amendment or the creation or modification of a planned unit development, the number and manner of posting is as follows:
  - (i) for an individual property, at least 1 sign must be visible from each of the property's street frontages;
  - (ii) for a comprehensive rezoning, a change in the boundaries of a zoning district, or the creation or modification of a planned unit development, at least 2 or more signs are required, as the Department of Planning designates;
  - (iii) each sign must be posted at a prominent location, near the sidewalk or public right-of-way, so that it is visible to passing pedestrians and motorists;
  - (iv) a window-mounted sign must be mounted inside the window glass and placed so that it is clearly visible to passing pedestrians and motorists; and
  - (v) each sign must be at least 3 feet by 4 feet in size.

- (2) Nothing in this subtitle prevents the voluntary posting of more notices than required by this subtitle.

*(e) Timing of notices – In general.*

The notice must be published, mailed, and, except as provided in subsection (f) of this section, posted:

- (1) at least 15 days before the public hearing; or
- (2) for a comprehensive rezoning, at least 30 days before the public hearing.

*(f) Timing of notices – Posting for map amendment or PUDs.*

For a zoning map amendment or the creation or modification of a planned unit development, the posted notice must be:



(1) posted at least 30 days before the public hearing; and

(2) removed within 48 hours after conclusion of the public hearing.

(g) Additional notice for proposed rezoning in MI District.

If an application is made to rezone any property in the MI District, the Director of Planning must notify the Maryland Port Administration and the owners of any adjacent property of the application.

*(Ord. 16-581; Ord. 17-015.)*

**Coates, Jennifer**

---

**Full Name:** Michele Griesbauer  
**Last Name:** Griesbauer  
**First Name:** Michele  
**Company:** Sunpaper - Advertising

**Business Address:** <http://ts.merlinone.com/scripts/foxisapi.dll/sur.x.go?WHkI8OI--1>

**Business:** (410) 332-6381  
**Business Fax:** (410) 783-2507

**E-mail:** mgriesbauer@baltsun.com  
**E-mail Display As:** Sunpaper - Advertising (mgriesbauer@baltsun.com)

Monday, June 09, 2014 4:07 PM:  
Michele Wharton 410-332-6522

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## Coates, Jennifer

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**Full Name:** Darlene Miller  
**Last Name:** Miller  
**First Name:** Darlene  
**Company:** Daily Record

**Business Address:** 443-524-8188 Direct, Line  
United States of America

**Business:** (410) 752-3849  
**Business Fax:** (410) 752-5469

**E-mail:** legalad@thedailyrecord.com  
**E-mail Display As:** Darlene Miller - Daily Record (legalads@thedailyrecord.com)



**Coates, Jennifer**

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**Full Name:** Afro American  
**Last Name:** American  
**First Name:** Afro

**Business:** (410) 554-8251

**E-mail:** TRobinson@afro.com  
**E-mail Display As:** TRobinson@afro.com



**CITY OF BALTIMORE  
COUNCIL BILL 19-0321  
(First Reader)**

---

Introduced by: Councilmembers Clarke, Henry, Dorsey, Sneed, Cohen, Burnett, Stokes  
Introduced and read first time: January 14, 2019

Assigned to: Land Use and Transportation Committee

---

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Board of Municipal and Zoning Appeals, Planning Commission, Department of Transportation, Department of Housing and Community Development, Baltimore Development Committee

---

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Zoning – Modifications to Approved Final Development Plans**

3 FOR the purpose of modifying the procedure by which a major change may be made to an  
4 approved planned unit development.

5 BY repealing and reordaining, with amendments

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9 (Edition 2000)

10 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the  
11 Laws of Baltimore City read as follows:

12 **Baltimore City Code**

13 **Article 32. Zoning**

14 **Title 13. Planned Unit Developments**

15 **Subtitle 4. Modifications to Approved Final Development Plans**

16 **§ 13-403. Major changes.**

17 (b) *[Change requires repeal of plan and resubmittal] CHANGE REQUIRES ENACTMENT BY*  
18 *ORDINANCE.*

19 A major change requires[:]

20 [(1) the repeal of the ordinance that approved the planned unit development; and]

21 [(2)] introduction and enactment of an ordinance to approve [a new] AN AMENDMENT  
22 TO THE planned unit development and PUD master plan.

EXPLANATION: CAPITALS indicate matter added to existing law.  
[Brackets] indicate matter deleted from existing law.

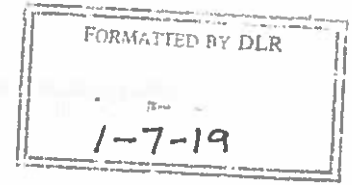


**Council Bill 19-0321**

1       **SECTION 2. AND BE IT FURTHER ORDAINED,** That the catchlines contained in this Ordinance  
2 are not law and may not be considered to have been enacted as a part of this or any prior  
3 Ordinance.

4       **SECTION 3. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30<sup>th</sup> day  
5 after the date it is enacted.

INTRODUCTORY\*  
CITY OF BALTIMORE  
COUNCIL BILL \_\_\_\_\_



---

Introduced by: Councilmember Clarke

---

A BILL ENTITLED

AN ORDINANCE concerning

**Zoning – Modifications to Approved Final Development Plans**

FOR the purpose of modifying the procedure by which a major change may be made to an approved planned unit development.

BY repealing and reordaining, with amendments

Article 32 - Zoning  
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**Title 13. Planned Unit Developments**

**Subtitle 4. Modifications to Approved Final Development Plans**

**§ 13-403. Major changes.**

(b) [*Change requires repeal of plan and resubmittal*] **CHANGE REQUIRES ENACTMENT BY ORDINANCE.**

A major change requires[:]

[(1) the repeal of the ordinance that approved the planned unit development; and]

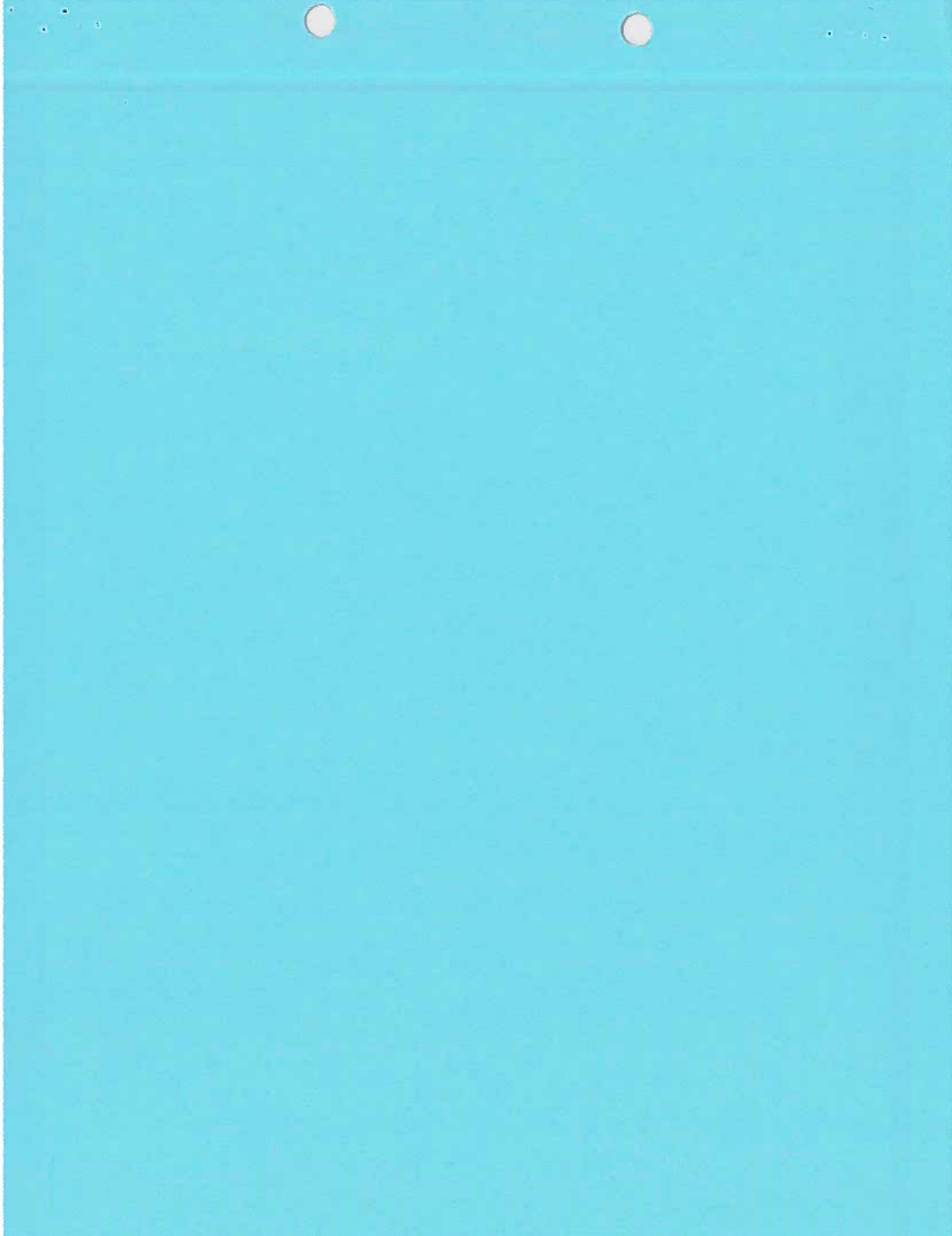
[(2)] introduction and enactment of an ordinance to approve [a new] AN AMENDMENT TO THE planned unit development and PUD master plan.

EXPLANATION: CAPITALS indicate matter added to existing law.  
[Brackets] indicate matter deleted from existing law.

\* WARNING: THIS IS AN UNOFFICIAL, INTRODUCTORY COPY OF THE BILL.  
THE OFFICIAL COPY CONSIDERED BY THE CITY COUNCIL IS THE FIRST READER COPY.

**SECTION 2. AND BE IT FURTHER ORDAINED,** That the catchlines contained in this Ordinance are not law and may not be considered to have been enacted as a part of this or any prior Ordinance.

**SECTION 3. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30<sup>th</sup> day after the date it is enacted.



ACTION BY THE CITY COUNCIL

JAN 14 2019

FIRST READING (INTRODUCTION) \_\_\_\_\_ 20 \_\_\_\_\_

PUBLIC HEARING HELD ON April 10, \_\_\_\_\_ 20 19

COMMITTEE REPORT AS OF April 15, \_\_\_\_\_ 20 19

\_\_\_\_\_ FAVORABLE \_\_\_\_\_ UNFAVORABLE  FAVORABLE AS AMENDED \_\_\_\_\_ WITHOUT RECOMMENDATION

Edward K. [Signature]  
Chair

COMMITTEE MEMBERS:

COMMITTEE MEMBERS:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

SECOND READING: The Council's action being favorable (unfavorable), this City Council bill was (was not) ordered printed for Third Reading on:

\_\_\_\_\_ Amendments were read and adopted (defeated) as indicated on the copy attached to this blue backing.

APR 15 2019

THIRD READING \_\_\_\_\_

\_\_\_\_\_ Amendments were read and adopted (defeated) as indicated on the copy attached to this blue backing.

APR 22 2019

THIRD READING (ENROLLED) \_\_\_\_\_ 20 \_\_\_\_\_

\_\_\_\_\_ Amendments were read and adopted (defeated) as indicated on the copy attached to this blue backing.

THIRD READING (RE-ENROLLED) \_\_\_\_\_ 20 \_\_\_\_\_

WITHDRAWAL \_\_\_\_\_ 20 \_\_\_\_\_

There being no objections to the request for withdrawal, it was so ordered that this City Council Ordinance be withdrawn from the files of the City Council.

[Signature]  
President

[Signature]  
Chief Clerk