
CITY OF BALTIMORE

BRANDON M. SCOTT
Mayor



DEPARTMENT OF LAW
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February 27, 2024

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

Re: City Council Bill 23-0434 – Planned Unit Development – Repeal and Replace –
North Charles Village

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 23-0434 for form and legal sufficiency. The bill would effectively repeal and replace the existing North Charles Village Planned Unit Development (“PUD”) and its Development Plan.

The bill cannot be approved for form and legal sufficiency because the applicant is the Charles Village Civic Association, Inc., which, according to the Planning Commission, is not a property owner within the PUD boundaries. Article 32, Section 13-202(a)(2) of the City Code requires an application for a new PUD to be “jointly filed by all owners, or their respective contract purchaser or authorized agents.” Even if this bill was trying to effect a “major change” to the PUD/Development Plan, instead of a wholesale repeal and replace, it would still require at least one property owner as the applicant. *See* Art. 32, Sections 13-403 and 13-202(a)(3).

Lack of owner application was only one of the reasons given by Planning Commission staff to support their recommendation of disapproval, although the Planning Commission ultimately approved the bill. Lack of owner application is alone enough to render the bill legally deficient. Accordingly, the Law Department cannot approve the bill for form and legal sufficiency.

Sincerely,

Jeffrey Hochstetler
Chief Solicitor

cc: Ebony Thompson, Acting City Solicitor
Nina Themelis, Mayor’s Office of Government Relations

Elena DiPietro, Chief Solicitor, General Counsel Division
Hilary Ruley, Chief Solicitor
Ashlea Brown, Chief Solicitor
Michelle Toth, Special Solicitor
Teresa Cummings, Assistant Solicitor