

EIGHTEENTH DAY

THIRD COUNCILMANIC YEAR - SESSION OF 2020-2024

JOURNAL
CITY COUNCIL OF BALTIMORE

October 16, 2023

Rabbi Shmuel Silber of the Suburban Orthodox Congregation Toras Chaim led the Council in Prayer.

The President and members of the Council recited the Pledge of Allegiance to the Flag.

SHOWCASE BALTIMORE

Dr. Steve Czinn, the Chair of the Department of Pediatrics at the University of Maryland Children's Hospital, delivered a presentation.

The City Council of Baltimore met pursuant to adjournment. Present: Nicholas J. Mosby, President, and Councilmembers Cohen, McCray, Conway, Schleifer, Middleton, Burnett, Bullock, Porter, Costello, Glover, Ramos Absent: Dorsey, Torrence, Stokes

JOURNAL APPROVED

The Journal of October 2, 2023 was read and approved.

COMMUNICATIONS FROM THE MAYOR

APPROVED BY THE MAYOR

OFFICE OF THE MAYOR

October 11, 2023

The Honorable Nick J. Mosby, Council President
Baltimore City Hall
100 N. Holliday Street
Baltimore, MD 21202

Dear Honorable President Mosby and Members of the City Council:

I am pleased to inform your Honorable Body that I have signed into law this day the following bills:

22-0424 –Unfair, Abusive, or Deceptive Trade Practices – Penalties

For the purpose of prohibiting unfair, abusive, or deceptive trade practices; establishing certain penalties; authorizing the City Solicitor to take certain action if there is reason to believe a person is engaging in certain practices; defining certain terms; and generally relating to penalties for unfair, abusive, or deceptive trade practices.

In service,

Brandon M. Scott

Mayor

INTRODUCTION AND READ FIRST TIME

The President laid before the City Council the following bills and Resolutions of the Mayor and City Council for first reading:

Bill No. 23-0438 - By Councilmember Ramos (Administration - Mayor's Office of Immigrant Affairs)

An Ordinance establishing the Mayor's Office of Immigrant Affairs; defining certain terms, providing for the establishment of the Office; articulating the purpose of the Office; establishing the powers and duties of the Office; providing for the administration, staffing, and budget of the Office; and requiring the Office to submit a certain annual report.

The bill was read the first time and referred to the Public Safety and Government Operations Committee.

Bill No. 23-0439 – By Councilmember Schleifer

An Ordinance granting a variance from certain side yard regulations in the R-1E Zoning District for the expansion of a residential dwelling on the property known as 6709 Western Run Drive (Block 4250, Lot 016), as outlined in red on the accompanying plat.

The bill was read the first time and referred to the Economic and Community Development Committee.

Bill No. 23-0440 – By Councilmember Costello

An Ordinance authorizing the Mayor and City Council of Baltimore to sell, at either public or private sale, all its interest in certain properties that are located within that area formerly known as the Market Center Renewal Plan Area, originally established by Ordinance 77-579, as last amended by Ordinance 18-214, and are no longer needed for public use; and providing for a special effective date.

The bill was read the first time and referred to the Ways and Means Committee.

Bill No. 23-0441 – By Councilmember Costello

An Ordinance amending the Parking Management Plan Restatement for RPP Area 30 (South Baltimore East) to add an exception to the Plan's general permit allotments for dwelling units.

The bill was read the first time and referred to the Economic and Community Development Committee.

Bill No. 23-0442 – By Councilmember Torrence

An Ordinance changing the zoning for the property known as 2220 Reisterstown Road (Block 3227, Lot 050), as outlined in red on the accompanying plat, from the C-2 Zoning District to the C-1 Zoning District.

The bill was read the first time and referred to the Economic and Community Development Committee.

Bill No. 23-0443 – By Councilmember Torrence

An Ordinance changing the zoning for the property known as 3500 West Forest Park Avenue (Block 2911, Lot 023), as outlined in red on the accompanying plat, from the C-1 Zoning District to the R-1 Zoning District.

The bill was read the first time and referred to the Economic and Community Development Committee.

Bill No. 23-0195R – By Councilmember Stokes

A Resolution inviting representatives from the Baltimore City Police Commissioner; the State's Attorney for Baltimore City; the Chief Academic Officer of the Baltimore City Public School System; the Deputy Commissioner of Youth Wellness & Community Health from the Baltimore City Health Department; the Chief of Police for the Baltimore City School Police; the Director of the Mayor's Office of Neighborhood Safety and Engagement; the Director of the Mayor's Office of Children and Family Success; the Director of the Mayor's Office of Employment Development; the Director of the Mayor's Office of African-American Male Engagement; the Director of the Mayor's Office of Performance and Innovation; and interested members of the Baltimore City Youth Commission to come before the City Council to discuss the increase in youth violence across the city; and the risk factors that are driving these incidents

The bill was read the first time and referred to the Education, Workforce, and Youth Committee.

CONSENT CALENDAR

CEREMONIAL RESOLUTIONS NO. 1763, 1764, 1765, 1766, 1767, 1768, 1769, 1770, 1771, 1772, 1773, 1774, 1775, 1776 AND 1777 ADOPTED UNDER RULE 3-9.

The resolutions were read.

The roll was called on the adoption of the resolutions, resulting as follows:

Yeas - President and Councilmembers Cohen, McCray, Conway, Schleifer, Middleton, Burnett, Bullock, Porter, Costello, Glover, Ramos - Total 12.

Nays - 0.

Absent - Dorsey, Torrence, Stokes - Total 3

The President declared the resolutions adopted under Rule 3-9.

Ceremonial Resolutions will be found at the end of the Journal.

COMMITTEE REPORTS

BILL NO. 23-0356 REPORTED FAVORABLY, WITH AMENDMENTS, AND ORDERED PRINTED FOR THIRD READING

Councilmember Middleton, for the Economic Committee, reported Bill No. 23-0356 favorably, with amendments.

An Ordinance amending the definition of research and development establishment; creating use standards for research and development establishments; amending certain Tables of Uses to reflect revised use provisions for research and development establishments in certain Zoning Districts.

Committee Amendments to City Council Bill No. 23-0356

Amendment No. 1

On page 2, in line 21, after “CONTAINED” insert “INDOORS”.

Amendment No. 2

On page 2, after line 28, insert:

“(C) MINIMUM PARCEL SIZE – C-2 ZONING DISTRICT.

IN THE C-2 ZONING DISTRICT A MINIMUM PARCEL SIZE OF AT LEAST 1 ACRE IS
REQUIRED.”

Amendment No. 3

On page 3, in line 6, in the “C-2” column, insert “CB”.

The amendments were read and adopted.

Favorable report, as amended, adopted.

The bill, as amended, was read the second time and ordered printed for third reading.

**BILL NO. 23-0396 REPORTED FAVORABLY
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Middleton, for the Economic and Community Development Committee, reported Bill No. 23-0396 favorably.

An Ordinance condemning and closing a 20 foot alley and two 10 foot alleys bounded by Park Heights Avenue, Woodland Avenue, Denmore Avenue, and West Garrison Avenue, as shown on a plat numbered 317-A-28A dated March 6, 2023, and filed in the Department of Transportation; and providing for a special effective date.

Favorable report adopted.

The bill was read the second time and ordered printed for third reading.

**BILL NO. 23-0361 REPORTED FAVORABLY
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Middleton, for the Economic and Community Development Committee, reported that the Committee has complied with the Land Use Article of the Maryland Code and recommends the adoption of Bill No. 23-0361 favorably.

An Ordinance permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 2 dwelling units in the R-8 Zoning District on the property known as 1613 Edmondson Avenue (Block 122, Lot 025), as outlined in red on the accompanying plat; and providing for a special effective date.

Councilmember Middleton made a motion, duly seconded, that pursuant to Article 32, § 5-406 of the Baltimore City Code the Council adopt these findings of fact concerning a conditional use.

Journal of the City Council**Findings of Fact****City Council Bill No. 23-0361**

Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District - Variances - 1613 Edmondson Avenue

- (1) the establishment, location, construction, maintenance, or operation of the conditional use **will not** be detrimental to or endanger the public health, safety, or welfare **for the following reasons:**

The bill authorizes the conversion of a single-family dwelling unit to two dwelling units at 1613 Edmondson Avenue. Establishment, location, construction, maintenance, and operation of the property as a multi-family dwelling will not negatively impact public health, safety, or welfare.

- (2) the use **would not** be precluded by any other law, including an applicable Urban Renewal Plan:

No other law or Urban Renewal Plan precludes the use of this property as a multi-family dwelling.

- (3) the authorization **would not** be contrary to the public interest **for the following reasons:**

Use of this property as a multi-family dwelling is in the public interest because it will provide additional housing options in the community.

- (4) the authorization **would** be in harmony with the purpose and intent of this Code **for the following reasons:**

Use of this property as a multi-family dwelling will provide additional housing options in the community with no negative impact on public health, safety, or welfare.

After consideration of the following, where applicable (**fill out all that are *only* relevant**):

- (1) the nature of the proposed site, including its size and shape and the proposed size, shape and arrangement of structures;

1613 Edmondson Avenue is located on the south side of Edmondson Avenue midway between its intersections with Gilmor Street and Vincent Street. It is currently improved with a three-story attached dwelling measuring approximately 15'6" by 57' on a lot measuring approximately 15'6" by 95'. This structure, built in the second half of the 19th Century, is now a vacant single-family residential property. The site is zoned R-8 and is located in the Harlem Park II Urban Renewal Area, the Old West Baltimore National Register Historic District, and the Harlem Park community.

- (2) the resulting traffic patterns and adequacy of proposed off-street parking and loading;

One off-street parking space is required to serve the newly-created dwelling unit. Since the property cannot provide parking spaces meeting Zoning Code standards, as the existing structure is on a lot that was made landlocked by implementation of the Harlem Park II Urban Renewal Plan's creation of "inner block parks", a parking variance is needed in order to meet this requirement. This variance is included in Section 3 of the bill.

- (3) the nature of the surrounding area and the extent to which the proposed use might impair its present and future development;

This is a primarily residential area with scattered non-residential uses such as religious institutions and small street-corner commercial uses located several blocks in either direction along Edmondson Avenue it is unlikely that the proposed multi-family use would impair present or future development.

- (4) the proximity of dwellings, churches, schools, public structures, and other places of public gathering;

There is reasonable proximity of other dwellings, churches and other places of worship, schools, public structures, and places of public gathering.

- (5) accessibility of the premises for emergency vehicles;

There is adequate accessibility of the premises for emergency vehicles.

- (6) accessibility of light and air to the premises and to the property in the vicinity;

There is adequate light and air to the premises and to properties in the vicinity.

- (7) the type and location of adequate utilities, access roads, drainage, and other necessary facilities that have been or will be provided;

Adequate utilities, access roads, drainage, and other necessary facilities have been provided.

- (8) the preservation of cultural and historic landmarks and structures;

The proposed use will not interfere with the preservation of cultural and historic landmarks and structures.

- (9) the character of the neighborhood;

The surrounding area is one in which the predominant residential type was originally single-family owner-occupancy row housing but in which some conversions of single-family to multi-family dwellings occurred during the 20th Century.

- (10) the provisions of the City's Comprehensive Master Plan;

The proposed use is consistent with the Comprehensive Master Plan for Baltimore.

- (11) the provisions of any applicable Urban Renewal Plan;

The proposed use is not prevented or limited by any Urban Renewal Plan.

- (12) all applicable standards and requirements of this Code;

The proposed use requires variances from the lot area size, and off-street parking, per unit type requirements of the Zoning Code. With the variances, the use meets all applicable standards and requirements of the Zoning Code.

- (13) the intent and purpose of this Code; and

The proposed use is consistent with the intent and purpose of the Zoning Code.

- (14) any other matters considered to be in the interest of the general welfare.

The proposed use is consistent with any other matters considered to be in the interest of the general welfare.

Councilmember Middleton made a motion, duly seconded and pursuant to the applicable sections of Article 32 of the Baltimore City Code, that the Council adopt these findings of fact concerning any variances of applicable standards for:

City Council Bill No. 23-0361

1613 Edmondson Avenue

Variance from Lot Area Size Requirements

Threshold Question:

[x] *In accordance with Section 5-305(c), it has been determined that there is no written decision by the Board of Municipal and Zoning Appeals on an application for this same subject matter.*

Hardship or Practical Difficulty:

The City Council has considered at least one of the following:
(check all that apply to evidence consideration)

[x] The physical surroundings around the **Structure/ Land** involved;
(underline one)

[x] The shape of the **Structure/ Land** involved;
(underline one)

[] The topographical conditions of the **Structure/ Land** involved;
(underline one)

and finds either that:

(1) An unnecessary hardship **Would** / **Would Not** exist if the strict letter of the applicable
(underline one)
requirement from which the variance is sought were applied because:

or that:

- (2) Practical difficulty Would / **Would Not** exist if the strict letter of the applicable
(underline one)
 requirement from which the variance is sought were applied because:

The existing building contains approximately 3,350 square feet of gross floor area, which creates an unusual ratio of floor area to lot area. The interior space of the building is larger than what would ordinarily be needed for a single-family dwelling, and so the minimal lot area variance requested is reasonable.

The Zoning Code requires, for a property in the R-8 zoning district, 750 square feet of lot area per dwelling unit (Table 9-401). A lot area of 1,500 square feet is thus required for two dwelling units. As this lot has approximately 1,472.5 square feet, a 27.5 square feet lot area size variance, amounting to less than 2%, is needed for approval. A lot area variance of 1.8% has been included in Section 2 of the bill.

Variance for: Off-Street Parking Requirements

Threshold Question:

- [x] *In accordance with Section 5-305(c), it has been determined that there is no written decision by the Board of Municipal and Zoning Appeals on an application for this same subject matter.*

Hardship or Practical Difficulty:

The City Council has considered at least one of the following:
 (check all that apply to evidence consideration)

- [x] The physical surroundings around the Structure/ Land involved;
(underline one)
- [x] The shape of the Structure/ Land involved;
(underline one)

[] The topographical conditions of the **Structure/ Land** involved;
(underline one)

and finds either that:

(1) An unnecessary hardship **Would / Would Not** exist if the strict letter of the applicable
(underline one)
requirement from which the variance is sought were applied because:

or that:

(2) Practical difficulty **Would / Would Not** exist if the strict letter of the applicable
(underline one)
requirement from which the variance is sought were applied because:

The owner is not able to provide an off-street parking space due to past operation of the Urban Renewal Plan, and so a parking variance is more reasonable than strict compliance with the requirement

One off-street parking space is required to serve the newly-created dwelling unit. Since the property cannot provide parking spaces meeting Zoning Code standards, as the existing structure is on a lot that was made landlocked by the implementation of the Harlem Park II Urban Renewal Plan's creation of "inner block parks", a parking variance is needed in order to meet this requirement. This variance is included in Section 3 of the bill.

Source of Findings:

(check all that apply)

[x] Planning Report, dated May 19, 2023, including the Department of Planning Staff Report, dated May 18, 2023.

[x] Testimony presented at the Committee hearing:

[x] Oral – Witnesses Names:

- Martin French - Department of Planning - Council Hearing October 10, 2023

[x] Written – Authors’ Names:

- Planning Commission Memo - May 19, 2023
- Department of Planning Staff Report - May 18, 2023
- Department of Housing and Community Development, Agency

Report - October 10, 2023

- Baltimore Development Corporation, Agency Report - Dated July 17, 2023
- Parking Authority, Agency Report - Dated March 24, 2023
- Law Department Agency Report - Dated October 5, 2023

Economic and Community Development Committee:

Committee Members Voting in Favor

Middleton, Sharon
Bullock, John
Conway, Mark
Ramos, Odette
Stokes, Robert

Findings of Fact adopted.

Favorable report adopted.

The bill was read the second time and ordered printed for third reading.

**BILL NO. 23-0343 REPORTED FAVORABLY, WITH AMENDMENTS,
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Middleton, for the Economic and Community Development Committee, reported that the Committee has complied with the Land Use Article of the Maryland Code and recommends the adoption of Bill No. 23-0343 favorably.

An Ordinance permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 3 dwelling units in the R-8 Zoning District on the property known as 633 South Montford Avenue (Block 1837, Lot 074), as outlined in red on the accompanying plat; and granting a variance from certain off-street parking requirements.

Committee Amendments to City Council Bill No. 23-0343

Amendment No. 1

On page 1, in line 8, strike “a variance” and substitute “variances”; and, on that same page, in that same line, after “from” insert “certain bulk regulations (lot area size), and”; and, on that same page, in line 11, after “5-308,” insert “9-401 (Table 9-401),”; and, on that same page, in that same line, after “9-701(2),” insert “9-703(d),”.

Amendment No. 2

On page 1, after line 20, insert:

“SECTION 2. AND BE IT FURTHER ORDAINED, That pursuant to the authority granted by §§ 5-305(a) and 5-308 of Article 32 - Zoning, permission is granted from the rear yard setback requirements of § 9-401 (Table 9-401: Rowhouse and Multi-Family Residential Districts - Bulk and Yard Regulations) and 9-703(d), as the minimum rear yard setback requirement for a Dwelling: Multi-Family, in the R-8 Zoning District, is 25 feet, and the rear yard setback is 16 feet, thus requiring a variance of 36%.”; and,

on page 1, in line 21, strike “SECTION 2” and substitute “SECTION 3”; and, on page 2, in lines 1, and 9, strike “SECTION 3” and “SECTION 4”, respectively, and substitute “SECTION 4” and “SECTION 5”, respectively.

The amendments were read and adopted.

Councilmember Middleton made a motion, duly seconded, that pursuant to Article 32, § 5-406 of the Baltimore City Code the Council adopt these findings of fact concerning a conditional use.

Findings of Fact**City Council Bill No. 23-0343**

Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 3 Dwelling Units in the R-8 Zoning District - Variances - 633 South Montford Avenue

Journal of the City Council

- (1) the establishment, location, construction, maintenance, or operation of the conditional use **will not** be detrimental to or endanger the public health, safety, or welfare **for the following reasons:**

Given the size of the existing structure and its location in a predominantly residential area that contains a mix of single-family attached dwellings and multi-family dwellings, the conditional use conversion proposed in this bill would not be detrimental to or endanger public health, safety, or welfare; not be precluded by any other law; not be contrary to the public interest; and would be in harmony with the purpose and intent of the Zoning Code.

- (2) the use **would not** be precluded by any other law, including an applicable Urban Renewal Plan:

The City Council adopts the finding from the Department of Planning staff that no applicable law would be precluded by this conditional use or variance. Presently the structure is a single-family dwelling used as 3 apartments - it will be 3 condominiums after construction.

- (3) the authorization **would not** be contrary to the public interest **for the following reasons:**

The City Council adopts the finding from the Department of Planning staff that this conditional use and variance would not be contrary to the public interest.

- (4) the authorization **would** be in harmony with the purpose and intent of this Code **for the following reasons:**

The City Council adopts the finding that this conditional use and variance would be in harmony with the purpose and intent for this Code.

After consideration of the following, where applicable (**fill out all that are *only* relevant**):

- (1) the nature of the proposed site, including its size and shape and the proposed size, shape and arrangement of structures;

633 South Montford Avenue is located on the east side of the street, north of its intersection with Foster Avenue. This L-shaped mid-block property measures approximately 21' along Montford Avenue and is approximately 94' deep and contains approximately 0.058 acre. It is currently improved with a three-story attached

residential building measuring approximately 21' by 76'. This site is located within the Canton National Register Historic District and community.

- (2) the resulting traffic patterns and adequacy of proposed off-street parking and loading;

Two off-street parking spaces are required to serve the two newly-created dwelling units (BCZC §9-703.f.). Due to the landlocked mid-block location of this property, no off-street parking is possible on-site. Due to the historic development pattern of this block CCB #23-0343/ Conditional Use Conversion - 633 South Montford Avenue 4 and its surrounding blocks, no off-street parking is possible on any other property within 600' of this one. A variance of this requirement has therefore been included in City Council bill no. 23-0343.

- (3) the nature of the surrounding area and the extent to which the proposed use might impair its present and future development;

The area around the site is the Canton National Register Historic District. The predominantly residential area contains a mix of single-family attached dwellings and multi-family dwellings.

- (4) the proximity of dwellings, churches, schools, public structures, and other places of public gathering;

There are religious, institutional, and small-scale commercial uses in the area, with commercial uses historically concentrated in the waterfront portion of Canton, and retail commercial uses scattered along Canton's northern boundary, Eastern Avenue.

- (5) accessibility of the premises for emergency vehicles;

There is no finding that this conditional use or variance would impact the public's health, safety, or welfare.

- (6) accessibility of light and air to the premises and to the property in the vicinity;

Neither this conditional use nor variances would impede access to light or air to the property or vicinity.

- (7) the type and location of adequate utilities, access roads, drainage, and other necessary facilities that have been or will be provided;

This conditional use would not impede utilities in the proposed dwellings.

- (8) the preservation of cultural and historic landmarks and structures;

No cultural, or historic structures or landmarks would be affected by this conditional use.

- (9) the character of the neighborhood;

The property is located in the Canton neighborhood - a revitalized area of the city with cultural, religious, and social sites as well as offices and high-end residential development.

- (10) the provisions of the City's Comprehensive Master Plan;

The proposed use is consistent with the Comprehensive Master Plan for Baltimore.

- (11) the provisions of any applicable Urban Renewal Plan;

The proposed use is not prevented or limited by any Urban Renewal Plan.

- (12) all applicable standards and requirements of this Code;

The proposed use requires variances from the lot area size, gross floor area per unit type requirements, and off-street parking, per unit type requirements of the Zoning Code. With the variances, the use meets all applicable standards and requirements of the Zoning Code.

- (13) the intent and purpose of this Code; and

The proposed use is consistent with the intent and purpose of the Zoning Code.

- (14) any other matters considered to be in the interest of the general welfare.

The proposed use is consistent with any other matters considered to be in the interest of the general welfare.

Councilmember Middleton made a motion, duly seconded and pursuant to the applicable sections of Article 32 of the Baltimore City Code, that the Council adopt these findings of fact concerning any variances of applicable standards for:

City Council Bill No. 23-0343

633 South Montford Avenue

Variance from Lot Area Size Requirements

Threshold Question:

[x] In accordance with Section 5-305(c), it has been determined that there is no written decision by the Board of Municipal and Zoning Appeals on an application for this same subject matter.

Hardship or Practical Difficulty:

The City Council has considered at least one of the following:
(check all that apply to evidence consideration)

[x] The physical surroundings around the Structure/ Land involved;
(underline one)

[x] The shape of the Structure/ Land involved;
(underline one)

[] The topographical conditions of the Structure/ Land involved;
(underline one)

and finds either that:

(1) An unnecessary hardship Would / Would Not exist if the strict letter of the applicable requirement from which the variance is sought were applied because:
(underline one)

or that:

(2) Practical difficulty Would / Would Not exist if the strict letter of the applicable requirement from which the variance is sought were applied because:
(underline one)

There is a practical difficulty with complying with the lot area size requirements in the Zoning Code that has not been caused by the action or inaction of any person with a

present interest in this property. The existing building covers approximately 47% of the property, yet also contains approximately 1,600 square feet of gross floor area, which creates an unusual ratio of floor area to lot area. The interior space of the building may be considered larger than what would ordinarily be needed for a single-family dwelling.

Conditions on which this variance is based are unique to this property and are not generally applicable to other property within the same zoning classification. The purpose of the variance needed is not based exclusively on a desire to increase the value or income potential of the property. The variance would not be injurious to the use and enjoyment of other property in the immediate vicinity and not substantially diminish or impair property values in the neighborhood. The variance requested is in harmony with the Comprehensive Master Plan, and related considerations of public health, safety, and general welfare.

Variance from Off-Street Parking Requirements

Threshold Question:

[x] *In accordance with Section 5-305(c), it has been determined that there is no written decision by the Board of Municipal and Zoning Appeals on an application for this same subject matter.*

Hardship or Practical Difficulty:

The City Council has considered at least one of the following:

(check all that apply to evidence consideration)

[x] The physical surroundings around the **Structure/ Land** involved;
(underline one)

[x] The shape of the **Structure/ Land** involved;
(underline one)

[] The topographical conditions of the **Structure/ Land** involved;
(underline one)

and finds either that:

(1) An unnecessary hardship **Would / Would Not** exist if the strict letter of the applicable
(underline one)
requirement from which the variance is sought were applied because:

or that:

(2) Practical difficulty **Would / Would Not** exist if the strict letter of the applicable
(underline one)
requirement from which the variance is sought were applied because:

There is a practical difficulty with complying with the off-street parking requirements in the Zoning Code that has not been caused by the action or inaction of any person with a present interest in this property. Although the width of the property would allow creation of one parking space meeting Zoning Code standards for width, the rear yard depth does not meet those same standards. The property owner would need to demolish part of the rear of the building to provide an off-street parking space.

Conditions on which this variance is based are unique to this property and are not generally applicable to other property within the same zoning classification. The purpose of the variance needed is not based exclusively on a desire to increase the value or income potential of the property. The variance would not be injurious to the use and enjoyment of other property in the immediate vicinity and not substantially diminish or impair property values in the neighborhood. The variance requested is in harmony with the Comprehensive Master Plan, and related considerations of public health, safety, and general welfare.

Variance from Gross Floor Area Per Unit Type Requirements

Threshold Question:

[x] *In accordance with Section 5-305(c), it has been determined that there is no written decision by the Board of Municipal and Zoning Appeals on an application for this same subject matter.*

Hardship or Practical Difficulty:

The City Council has considered at least one of the following:

(check all that apply to evidence consideration)

[] The physical surroundings around the **Structure/ Land** involved;
(*underline one*)

[x] The shape of the **Structure/ Land** involved;
(*underline one*)

[] The topographical conditions of the **Structure/ Land** involved;
(*underline one*)

and finds either that:

(1) An unnecessary hardship **Would / Would Not** exist if the strict letter of the applicable
(*underline one*)
requirement from which the variance is sought were applied because:

or that:

(2) Practical difficulty **Would / Would Not** exist if the strict letter of the applicable
(*underline one*)
requirement from which the variance is sought were applied because:

There is a practical difficulty with complying with the gross floor area per unit type requirements in the Zoning Code that has not been caused by the action or inaction of any person with a present interest in this property. Floor plans provided by the owner propose creation of a two-bedroom dwelling unit on the first-floor level, and a two-bedroom unit on the second-floor level, of existing the structure. A two-bedroom dwelling unit requires

1,000 square feet of gross floor area. The first floor and second floor levels each provide approximately 800 square feet of gross floor area.

Conditions on which this variance is based are unique to this property and are not generally applicable to other property within the same zoning classification. The purpose of the variance needed is not based exclusively on a desire to increase the value or income potential of the property. The variance would not be injurious to the use and enjoyment of other property in the immediate vicinity and not substantially diminish or impair property values in the neighborhood. The variance requested is in harmony with the Comprehensive Master Plan, and related considerations of public health, safety, and general welfare.

Source of Findings:

(check all that apply)

Planning Report – dated April 10, 2023, including the Department of Planning Staff Report, dated April 6, 2023

Testimony presented at the Committee hearing:

Oral – Witnesses Names: Martin French - Department of Planning

Written – Authors’ Names:

- Baltimore Development Corporation Report Dated March 6, 2023
- Parking Authority Agency Report Dated February 27, 2023
- Department of Housing and Community Development Report Dated July 24, 2023
- City Law Department Agency Report Dated April 25th 2023

Economic and Community Development Committee:

Committee members voting in favor:

Middleton, Sharon
Bullock, John
Conway, Mark
Ramos, Odette

Stokes, Robert

Findings of Fact adopted.

Favorable report, as amended, adopted.

The bill, as amended, was read the second time and ordered printed for third reading.

**BILL NO. 23-0375 REPORTED FAVORABLY, WITH AMENDMENTS,
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Costello, for the Education, Workforce, and Youth Committee, reported Bill No. 23-0375 favorably, with amendments.

An Ordinance changing the name of REACH! Partnership School Field, located at 2555 Harford Road, Baltimore, MD 21218, to Senator Robert L. Dalton Stadium.

Committee Amendments to City Council Bill No. 23-0375

Amendment No. 1

On page 1, in line 3, after “**Stadium**” insert “**at Lake Clifton**”; and, on that same page, in lines 5 and 13, in each instance, after “Stadium” insert “**at Lake Clifton**”.

The amendments were read and adopted.

Favorable report, as amended, adopted.

The bill, as amended, was read the second time and ordered printed for third reading.

**BILL NO. 22-0137R REPORTED FAVORABLY
AND ADOPTED**

Councilmember Costello, for the Education, Workforce, and Youth Committee, reported Bill No. 22-0137R favorably.

Informational Hearing - Hiring Initiatives - Spanish Speakers

FOR the purpose of inviting representatives from the Mayor's Office of Employment Development, the Mayor's Office of Immigrant Affairs, the Department of Human Resources, the Department of Public Works, the Department of Housing and Community Development, the Department of Recreation and Parks, the Department of Transportation, the Department of General Services, the Office of Equity and Civil Rights, and the Baltimore City Public School System to discuss the hiring of Spanish speakers for employment in City government.

Recitals

WHEREAS, the 2020 Census noted a 76% increase in the Hispanic and Latino population of Baltimore City, rising from 25,960 residents in 2010 to 45,927 residents at the time of the survey.

WHEREAS, despite this stark increase, analysis of post-enumeration survey data from the 2020 Census revealed that Hispanic and Latino populations in both rural and urban areas were detrimentally undercounted.

WHEREAS, this significant undercounting has serious implications for Hispanic and Latino residents with regard to issues including health care, education, and representation in State and City government.

WHEREAS, the dramatic increase in Hispanic and Latino residents is indicative of a population that is no longer limited to Broadway, Eastern Avenue, and Highlandtown, but rather integrated and integral throughout the many neighborhoods and communities of Baltimore City.

WHEREAS, Baltimore City government should reflect the population it seeks to represent, including its Hispanic and Latino residents, in order to promote municipal services that are open and accessible to all.

WHEREAS, data regarding Hispanic and Latino residents in Baltimore City have consistently revealed detrimental under-use of City government services: a reality that was perhaps most evident during the COVID-19 pandemic, in which local public health officials encountered low rates of initial vaccine uptake among Hispanic and Latino residents due to distrust, language barriers, and logistical issues.

WHEREAS, this phenomenon extends to other facets of City government, such as Baltimore City 3-1-1 services, which received 660,000 calls in English but only 2,000 in Spanish between January 2020 and December 2021, suggesting a critical under-use by Spanish speaking residents.

WHEREAS, Baltimore City government employs approximately 13,000 people in a variety of jobs, which can be a route to a living wage and family-supporting income.

WHEREAS, Baltimore City government should seek to increase the number of Spanish speaking employees in public-facing roles, including an examination of relevant City hiring processes aimed at recruiting and retaining Spanish speaking employees.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BALTIMORE, that the City Council invites representatives from the Mayor's Office of Employment Development, the Mayor's Office of Immigrant Affairs, the Department of Human Resources, the Department of Public Works, the Department of Housing and Community Development, the Department of Recreation and Parks, the Department of Transportation, the Department of General Services, the Office of Equity and Civil Rights, and the Baltimore City Public School System to discuss the hiring of Spanish speakers for employment in City government.

AND BE IT FURTHER RESOLVED, that a copy of this Resolution be sent to the Director of the Mayor's Office of Employment Development, the Director of the Mayor's Office of Immigrant Affairs, the Director of the Department of Human Resources, the Director of the Department of Public Works, the Director of the Department of Housing and Community Development, the Director of the Department of Recreation and Parks, the Director of the Department of Transportation, the Director of the Department of General Services, the Director of the Office of Equity and Civil Rights, the Chief Executive Officer of the Baltimore City Public School System, and the Mayor's Legislative Liaison to the City Council.

Favorable report adopted.

The roll was called on the adoption of the Resolution, resulting as follows:

Yeas - President and Councilmembers Cohen, McCray, Conway, Schleifer, Middleton, Burnett, Bullock, Porter, Costello, Glover, Ramos - Total 12.

Nays - 0.

Absent - Councilmembers Dorsey, Torrence, Stokes - Total 3.

The President declared the Resolution adopted.

**BILL NO. 23-0372 REPORTED FAVORABLY, WITH AMENDMENTS,
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Conway, for the Public Safety and Government Operations Committee, reported Bill No. 23-0372 favorably, with amendments.

An Ordinance establishing the Office of CitiStat; defining certain terms; providing for the appointment and confirmation of the Director of the Office; establishing the power and duties of the Office; providing for a staff and budget for the Office; establishing a data-driven officer for each principal agency of the Office; and providing for a special effective date.

Committee Amendments to City Council Bill No. 23-0372

Amendment No. 1

On page 3, in line 19, strike “*AGREEMENT*” and substitute “*PLAN*”; and, on that same page, in line 20, strike the first instance of “*AGREEMENT*” and substitute “*PLAN*”; and on page 5, in line 17, strike “*PERFORMANCE MANAGEMENT AGREEMENTS*” and substitute “*PERFORMANCE MANAGEMENT PLANS*”; and on page 6, in line 26, strike “*AGREEMENT*” and substitute “*PLAN*”.

Amendment No. 2

On page 4, strike line 1 in its entirety; and, on that same page, in lines 2, 3, 4, and 5, strike “(7)”, “(8)”, “(9)”, and “(10)”, respectively, and substitute “(6)”, “(7)”, “(8)”, and “(9)”, respectively.

Amendment No. 3

On page 5, strike beginning with “*ENSURE*” in line 20 down through and including “*ARE*” in line 22 and substitute “*ESTABLISH MEASUREMENTS THAT CAN BE CONSIDERED*”; and, on that same page, strike beginning with “*ENSURE*” in line 25 down through and including “*PORTAL*” in line 26 and substitute “*ASSIST IN PUBLISHING ACCURATE DATA ON THE CITY’S OPEN DATA PORTAL AS ALLOWED BY APPLICABLE LAWS*”; and, on that same page, strike beginning with “*FROM*” in line 27 down through and including “*PERIOD*” in line 29; and, on that same page, in line 29, after the semicolon, insert “*AND*”; and, on that same page, strike beginning with “*BETWEEN*” in line 30 down through and including “*ADMINISTRATOR*” in line 33.

Amendment No. 4

On page 6, in lines 11 and 27, in each instance, strike “*AND IMPLEMENT*”; and, on that same page, in lines 13 and 16, in each instance, strike “*AND DISTRIBUTE*”; and, on that same page, in line 26, strike “*MANAGE*” and substitute “*MONITOR PROGRESS ON*”; and, on that same page,

in line 28, after the semicolon, insert “AND”; and, on that same page, strike beginning with the semicolon in line 29 down through and including “ADMINISTRATOR” in line 31.

The amendments were read and adopted.

The roll was called on the adoption of the Committee’s report favorable report, as amended, resulting as follows:

Yeas - President and Councilmembers Cohen, Conway, Schleifer, Middleton, Burnett, Costello, Ramos - Total 8.

Nays - Councilmembers McCray, Porter, Glover - Total 3.

Abstain - Councilmember Bullock - Total 1.

Absent - Councilmembers Dorsey, Torrence, Stokes - Total 3.

Favorable report, as amended, adopted.

The bill, as amended, was read the second time and ordered printed for third reading.

**BILL NO. 21-0159 REPORTED FAVORABLY, WITH AMENDMENTS,
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Costello, for the Ways and Means Committee, reported Bill No. 21-0159 favorably, with amendments.

An Ordinance converting the City fleet of vehicles, subject to certain exceptions, to zero-emission vehicles; defining certain terms; authorizing rules and regulations; and generally related to the City’s procurement of vehicles.

Committee Amendments to City Council Bill No. 21-0159

Amendment No. 1

On page 1, after line 20, insert:

“(B) ADMINISTRATIVE FLEET.”

“ADMINISTRATIVE FLEET” MEANS THE GROUP OF CITY-OWNED, LEASED, OR RENTED VEHICLES WITH GROSS VEHICLE WEIGHT RATINGS OF 8,600 POUNDS OR LESS.”

Amendment No. 2

On page 2, in lines 1, 4, 7, and 11, strike “(B)”, “(C)”, “(D)”, and “(E)”, respectively, and substitute “(C)”, “(D)”, “(E)”, and “(F)”, respectively; and, on that same page, after line 13, insert:

“(G) VOCATIONAL FLEET.”

“VOCATIONAL FLEET” MEANS THE GROUP OF CITY-OWNED, LEASED, OR RENTED VEHICLES WITH GROSS VEHICLE WEIGHT RATINGS OF MORE THAN 8,600 POUNDS.”;

and, on that same page, in line 14, strike “(F)” and substitute “(H)”.

Amendment No. 3

On page 2, after line 16, insert:

“(I) ZERO-EMISSION VEHICLE EQUIVALENT.”

“ZERO-EMISSION VEHICLE EQUIVALENT” MEANS A ZERO-EMISSION VEHICLE THAT POSSESSES THE SAME CAPABILITIES AS A TRADITIONAL VEHICLE POWERED BY AN INTERNAL COMBUSTION ENGINE.

“(J) ZERO-EMISSION VEHICLE INFRASTRUCTURE.”

“ZERO-EMISSION VEHICLE INFRASTRUCTURE” MEANS THE STRUCTURES, MACHINERY, EQUIPMENT, AND UTILITIES NECESSARY TO SUPPORT THE USE AND MAINTENANCE OF A ZERO-EMISSION VEHICLE.”

Amendment No. 4

On page 2, in line 18, strike “SHALL” and substitute “MUST”; and, on that same page, in that same line, strike the colon; and, on that same page, in line 19 strike “(I)”; and, on that same page, in that same line, strike “50%” and substitute “100%”; and, on that same page, in that same line, strike “THE CITY FLEET” and substitute “ALL VEHICLES PURCHASED, LEASED, OR RENTED FOR THE ADMINISTRATIVE FLEET”; and, on that same page, strike line 20 in its entirety.

Amendment No. 5

On page 2, strike lines 25 through 29 in their entirety, and substitute:

“(B) ZERO-EMISSION VEHICLE EQUIVALENCE.

(1) IN GENERAL.

THE DEPARTMENT OF GENERAL SERVICES SHALL:

- (I) DETERMINE IF A ZERO-EMISSION VEHICLE EQUIVALENT IS AVAILABLE TO SATISFY EACH VEHICLE PROCUREMENT CONTRACT AND SUBCONTRACT; AND
- (II) IF THE DEPARTMENT DETERMINES THAT A ZERO-EMISSION VEHICLE EQUIVALENT IS AVAILABLE, RECOMMEND AT LEAST 1 ZERO-EMISSION VEHICLE EQUIVALENT TO THE CITY PURCHASING AGENT TO SATISFY THE VEHICLE PROCUREMENT CONTRACT OR SUBCONTRACT.

(2) DETERMINATION OF EQUIVALENCY.

THE DEPARTMENT OF GENERAL SERVICES SHALL CONSIDER THE FOLLOWING FACTORS WHEN DETERMINING IF A ZERO-EMISSION VEHICLE EQUIVALENT IS AVAILABLE TO SATISFY A VEHICLE PROCUREMENT CONTRACT OR SUBCONTRACT:

- (I) OPERATIONAL AND RELIABILITY SPECIFICATIONS;
- (II) COST; AND
- (III) MARKET AVAILABILITY.

(3) EQUIVALENCY FACTOR – COST.

IN DETERMINING EQUIVALENCY, ANALYSIS OF THE “COST” FACTOR REQUIRED BY PARAGRAPH (2) SHALL INCLUDE:

- (I) THE EVALUATION OF THE AVAILABLE ZERO-EMISSION VEHICLE INFRASTRUCTURE AND WHETHER IT IS SUFFICIENT TO SUPPORT ZERO-EMISSION VEHICLES TO BE PROCURED UNDER THE SUBJECT VEHICLE PROCUREMENT CONTRACT OR SUBCONTRACT; AND
- (II) WHAT, IF ANY, CONSTRUCTION OF NEW ZERO-EMISSION VEHICLE INFRASTRUCTURE IS REQUIRED TO SUPPORT THE PROCUREMENT OF ZERO-EMISSION VEHICLES UNDER THE SUBJECT VEHICLE PROCUREMENT CONTRACT OR SUBCONTRACT.

(4) ZERO-EMISSION VEHICLE EQUIVALENT – UNAVAILABLE.

IF THE DEPARTMENT OF GENERAL SERVICES DETERMINES THAT A ZERO-EMISSION VEHICLE EQUIVALENT IS UNAVAILABLE TO FULFILL A SINGLE VEHICLE PROCUREMENT CONTRACT OR SUBCONTRACT THE DEPARTMENT SHALL DELIVER A CERTIFIED DETERMINATION BY THE DIRECTOR OR THE DIRECTOR’S DESIGNEE TO THE CITY PURCHASING AGENT CONTAINING:

- (I) AN EXPLANATION OF THE DETERMINATION;
- (II) THE DEPARTMENT’S ANALYSIS OF THE FOLLOWING FACTORS:
 - (A) OPERATIONAL AND RELIABILITY SPECIFICATIONS;
 - (B) COST; AND
 - (C) MARKET AVAILABILITY; AND
- (III) SUPPORTING MATERIALS.”.

Amendment No. 6

On page 3, in line 6, strike “CITY PURCHASING AGENT” and substitute “DEPARTMENT OF GENERAL SERVICES”; and, on that same page, in line 7, after “COUNCIL” insert “THAT INCLUDES:”; and, on that same page, strike beginning with “ON” in line 7 down through and including “SUBTITLE.” in line 9 and substitute:

“(1) THE QUANTITY AND VALUE OF ALL VEHICLE PROCUREMENT CONTRACTS AND SUBCONTRACTS FROM THE PAST YEAR;

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(2) AN ACCOUNTING OF BOTH THE ADMINISTRATIVE FLEET AND THE VOCATIONAL FLEET, INCLUDING:

(I) THE NUMBER OF VEHICLES;

(II) THE LIFE CYCLE AGE OF EACH VEHICLE;

(III) THE PLANNED REPLACEMENT YEAR FOR EACH VEHICLE; AND

(IV) A DETERMINATION IF THERE IS CURRENTLY A ZERO-EMISSION VEHICLE EQUIVALENT AVAILABLE TO REPLACE THE VEHICLE;

(3) A LIST OF ALL VOCATIONAL FLEET VEHICLES REPLACED DURING THE PRECEDING YEAR AND AN EXPLANATION WHY A ZERO-EMISSION VEHICLE EQUIVALENT WAS NOT SELECTED;

(4) AN ASSESSMENT OF WHEN IT WILL BE BOTH OPERATIONALLY AND FISCALLY APPROPRIATE TO CREATE FIXED ZERO-EMISSION VEHICLE EQUIVALENT REPLACEMENT GOALS FOR THE VOCATIONAL FLEET; AND

(5) AN ASSESSMENT OF ZERO-EMISSION VEHICLE TECHNOLOGY AND ANALYSIS OF HOW THAT TECHNOLOGY WILL IMPACT THE CITY'S SUSTAINIBILITY AND ENVIRONMENTAL MANAGEMENT PLAN, SPECIFICALLY THE PLAN'S MEASURES FOR DEVELOPING, IMPLEMENTING, AND COORDINATING THE CITY POLICIES THAT MAKE ALL CITY OPERATIONS ACHIEVE NET-ZERO EMISSIONS BY JANUARY 1, 2045."

Amendment No. 7

On page 3, in line 12, after "FINANCE" insert "AND THE DIRECTOR OF THE DEPARTMENT OF GENERAL SERVICES".

The amendments were read and adopted.

Favorable report, as amended, adopted.

The bill, as amended, was read the second time and ordered printed for third reading.

THIRD READING

The President laid before the City Council:

BILL NO. 23-0387 - An Ordinance reauthorizing and continuing the Minority and Women's Business Program; providing for a special effective date; and generally relating to minority and women's business enterprises.

It was read the third time.

The bill being on its final passage, the yeas and nays were called, resulting as follows:

Yeas - President and Councilmembers Cohen, McCray, Conway, Schleifer, Middleton, Burnett, Bullock, Porter, Costello, Glover, Ramos - Total 12.

Nays - 0.

Absent - Dorsey, Torrence, Stokes - Total 3.

The bill was read and approved, and the bill was declared "Passed".

ADJOURNMENT

On motion of Councilmember Middleton, duly seconded, the City Council adjourned to meet on Monday, October 30, 2023, at 5:00 p.m.

Consent Calendar**CR 1763 President Mosby, All Members**

A Baltimore City Resolution congratulating Graciana Lysettle Gross on your achieving the Rank of Eagle Scout.

CR 1764 Cohen

A Baltimore City Resolution congratulating Glen Middleton, Sr. on your retirement and over 40 years of leadership in service of Maryland workers and families.

CR 1765 President Mosby, All Members

A Baltimore City Resolution on the death of Brenda Mary Coleman, April 7, 1945 - August 14, 2023.

CR 1766 President Mosby, All Members

A Baltimore City Resolution congratulating Parin Tinsley on your retirement after 13 years of dedicated and committed service to the City of Baltimore and its citizens.

CR 1767 President Mosby, All Members

A Baltimore City Resolution congratulating Tiffany Maclin on celebrating your 43rd Birthday!

CR 1768 President Mosby, All Members

A Baltimore City Resolution congratulating Pless B. Jones, Sr. on being the Founder/Member of the Maryland Minority Contractors Association, Inc.

CR 1769 President Mosby, All Members

A Baltimore City Resolution congratulating Charles A. Sparks, Sr. on your 75th Birthday and being a devoted member of Maryland Minority Contractors Association, Inc.

CR 1770 President Mosby, All Members

A Baltimore City Resolution congratulating David Fisher on your Minority Outreach Award from Maryland Minority Contractors Association, Inc.

CR 1771 President Mosby, All Members,

A Baltimore City Resolution congratulating Natasha Horton on your Majority Partner Award.

CR 1772 President Mosby, All Members

A Baltimore City Resolution congratulating Councilwoman Odette Ramos on being the first elected Latinx to the Baltimore City Council.

CR 1773 President Mosby, All Members

A Baltimore City Resolution congratulating the Dunkin Ribbon Cutting on celebrating your Grand Opening.

CR 1774 President Mosby, All Members

A Baltimore City Resolution congratulating Arts Education in Maryland Schools on your 25+ Anniversary and over two decades of ensuring all students have access to high quality arts education.

CR 1775 President Mosby, All Members

A Baltimore City Resolution congratulating Miss Iyana Brumfield on your participation as Deputy Council President for the Day at City Hall and your reign as Miss Black USA Talented Teen 2023.

CR 1776 Cohen

A Baltimore City Resolution congratulating Asylee Women Enterprise on AWE's relentless commitment to community and essential role as a resource for migrants in Baltimore City.

CR 1777 Bullock

A Baltimore City Resolution congratulating Muriel E. Rice on your years of service to St. Edwards Catholic Church.