

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 12-0019

Introduced by: The Council President
At the request of: The Administration (Department of Planning)
Introduced and read first time: January 23, 2012
Assigned to: Land Use and Transportation Committee
Committee Report: Favorable with amendments
Council action: Adopted
Read second time: July 16, 2012

AN ORDINANCE CONCERNING

Comprehensive Rezonings – Amendments

FOR the purpose of ~~excepting amendments to~~ substituting comprehensive rezoning
“comprehensive rezoning” bills for “multi-property rezoning” bills ~~from~~ for purposes of
certain rules that govern legislative authorizations for and amendments to multi-property
rezoning bills; ~~excepting comprehensive rezoning bills from certain rehearing requirements;~~
defining certain terms; and generally relating to the processing of comprehensive rezoning
bills.

~~BY repealing and reordaining, without amendments~~

Article - Zoning
Section(s) ~~16-101(c)~~
Baltimore City Revised Code
(Edition 2000)

BY repealing and reordaining, with amendments

Article - Zoning
Section(s) 16-101(b) and (c), 16-201(a), 16-202(a), 16-203(a), 16-402(b) - (e), and 16-403
Baltimore City Revised 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 Revised Code

Article – Zoning

Title 16. Legislative Authorizations and Amendments

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 12-0019

1 **§ 16-101. Definitions.**

2 (B) COMPREHENSIVE REZONING.

3 “COMPREHENSIVE REZONING” MEANS A LEGISLATIVE AUTHORIZATION THAT IS:

4 (1) INITIATED BY CITY GOVERNMENT;

5 (2) BASED ON CONSIDERATIONS CONCERNING THE COMMON NEEDS OF A SUBSTANTIAL
6 GEOGRAPHIC AREA, INVOLVING A CONSIDERABLE NUMBER OF PROPERTIES;

7 (3) DESIGNED TO CONTROL AND DIRECT THE USE OF LAND AND STRUCTURES
8 ACCORDING TO PRESENT AND PLANNED FUTURE CONDITIONS; AND

9 (4) THE PRODUCT OF:

10 (I) CAREFUL CONSIDERATION AND EXTENSIVE STUDY BY THE PLANNING
11 DEPARTMENT; AND

12 (II) REVIEW BY THE PLANNING COMMISSION.

13 (C) [(b)] Legislative authorization.

14 “Legislative authorization” means any ordinance that approves, authorizes, or amends a
15 prior approval or authorization relating to specific property, including:

16 (1) a change in the zoning classification of any property;

17 (2) a conditional use; or

18 (3) a Planned Unit Development.

19 ~~(e) Multi-property rezoning.~~

20 ~~“Multi-property rezoning” means any legislative authorization that:~~

21 ~~(1) is initiated by a unit of City government; and~~

22 ~~(2) proposes changes in the zoning classifications of 2 or more contiguous properties.~~

23 **§ 16-201. Reapplication for previously denied rezoning.**

24 (a) Scope of section.

25 This section does not apply to a reclassification of property that is or was a subject of a
26 proposed [multi-property] COMPREHENSIVE rezoning.

Council Bill 12-0019

1 **§ 16-202. Introductory statement of intent.**

2 (a) Scope of section.

3 This section does not apply to a proposed [multi-property] COMPREHENSIVE rezoning.

4 **§ 16-203. Public notice of introduction.**

5 (a) Scope of section.

6 This section does not apply to a proposed [multi-property] COMPREHENSIVE rezoning.

7 **§ 16-402. Public notice and hearing.**

8 (b) Public notice – General.

9 Notice of the time, place, and subject of the hearing must be given by each of the
10 following methods, as applicable:

11 (1) for all zoning legislation, by publication in a newspaper of general circulation in
12 the City;

13 (2) for any legislative authorization, other than a [multi-property] COMPREHENSIVE
14 rezoning, by posting in a conspicuous place on the property in question; and

15 (3) for any [multi-property] COMPREHENSIVE rezoning or any change in the
16 boundaries of a zoning district:

17 (i) by posting in conspicuous places within and around the perimeter of the
18 subject area or district, as the Department of Planning designates; and

19 (ii) by first class mail to each person who appears on the tax records of the
20 City as an owner of the property within the subject area or district.

21 (c) Public notice – Timing.

22 (1) For a [multi-property] COMPREHENSIVE rezoning, the notice must be given at least 30
23 days before the hearing.

24 (2) For all other zoning legislation, the notice must be given at least 15 days before the
25 hearing.

26 (d) Public notice – Boundary description.

27 For a [multi-property] COMPREHENSIVE rezoning, the notices required by this section
28 must include a drawing or description of the boundaries of the area affected by the
29 proposed rezoning.

Council Bill 12-0019

1 (e) Public notice – Responsibility.

2 The notices required by this section must be given by and at the expense of the following:

3 (1) for a bill proposing any legislative authorization, other than a [multi-property]
4 COMPREHENSIVE rezoning, the applicant for that authorization;

5 (2) for a [multi-property] COMPREHENSIVE rezoning, the Mayor and City Council of
6 Baltimore; and

7 (3) in all other cases, the City Council.

8 **§ 16-403. Amendments.**

9 (a) *Rehearing required.*

10 Except as otherwise specified in this section, whenever a bill proposing any zoning
11 legislation is amended after the public hearing:

12 (1) another public hearing must be held on the bill as amended; and

13 (2) the requirements of this subtitle for notice and for reading of agency reports apply
14 to the additional hearing.

15 (b) *Exceptions =General.*

16 An additional hearing is not required for:

17 (1) an amendment that consists only of a change in punctuation, grammar, or spelling
18 and does not in any way alter the substance of the ordinance;

19 (2) any other amendment that does not in any way alter the substance of the
20 ordinance; ~~or~~

21 (3) ~~except [for a multi-property rezoning] AS PROVIDED IN SUBSECTION (C) OF THIS~~
22 ~~SECTION,~~ an amendment made in Committee; OR

23 (4) AN AMENDMENT TO A COMPREHENSIVE REZONING IF, FOR AT LEAST 14 DAYS
24 BEFORE ANY VOTE IS TAKEN ON THE AMENDMENT, A DESCRIPTION OF THE
25 AMENDMENT:

26 (I) HAS BEEN PROVIDED TO THE DEPARTMENT OF LEGISLATIVE REFERENCE
27 AND TO THE DEPARTMENT OF PLANNING AND BY THEM MADE AVAILABLE
28 FOR INSPECTION AND COPYING BY THE PUBLIC; AND

29
30 (II) HAS BEEN POSTED ON THE DEPARTMENT OF PLANNING’S WEBSITE.

Council Bill 12-0019

1 ~~(e) Exceptions—Multi-property, BUT NON-COMPREHENSIVE, rezonings.~~

2 ~~(1) (i) [This] EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THE PARAGRAPH, THIS~~
3 ~~subsection applies to any amendment[, other than a technical correction as~~
4 ~~described in subsection (b)(1) of this section,] to a bill proposing a multi-property~~
5 ~~rezoning.~~

6 ~~(II) THIS SUBSECTION DOES NOT APPLY TO:~~

7 ~~(A) A TECHNICAL CORRECTION, AS DESCRIBED IN SUBSECTION (B)(1) OR (2) OF~~
8 ~~THIS SECTION; OR~~

9 ~~(B) AN AMENDMENT TO A BILL PROPOSING A COMPREHENSIVE REZONING.~~

10 ~~(III) IN THIS SECTION, “COMPREHENSIVE REZONING” MEANS A MULTI-PROPERTY~~
11 ~~REZONING THAT:~~

12 ~~(A) ENCOMPASSES ALL OR SUBSTANTIALLY ALL OF BALTIMORE CITY;~~

13 ~~(B) CONTROLS AND DIRECTS THE USE OF LAND AND DEVELOPMENT~~
14 ~~THROUGHOUT ALL OR SUBSTANTIALLY ALL OF BALTIMORE CITY; AND~~

15 ~~(C) SETS FORTH AND REGULATES PERMITTED LAND USES IN ALL OR~~
16 ~~SUBSTANTIALLY ALL OF BALTIMORE CITY.~~

17 ~~(2) Another public hearing must be held with respect to all properties subject to the~~
18 ~~amendment.~~

19 ~~(3) At least 15 days’ notice of the time, place, and subject of the additional hearing must~~
20 ~~be given as follows:~~

21 ~~(i) by publication in a newspaper of general circulation in the City;~~

22 ~~(ii) by posting in conspicuous places within and around the perimeter of the area~~
23 ~~affected by the proposed amendment, as the Department of Planning~~
24 ~~designates; and~~

25 ~~(iii) by first class mail to each person who appears on the tax records of the City~~
26 ~~as an owner of property subject to the amendment.~~

27 ~~(4) The requirements of this subtitle for agency reports do not apply to the amendment or~~
28 ~~the additional hearing.~~

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

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

Council Bill 12-0019

Certified as duly passed this _____ day of _____, 20__

President, Baltimore City Council

Certified as duly delivered to Her Honor, the Mayor,
this _____ day of _____, 20__

Chief Clerk

Approved this _____ day of _____, 20__

Mayor, Baltimore City