

CITY OF BALTIMORE

BERNARD C. "JACK" YOUNG, Mayor



OFFICE OF COUNCIL SERVICES

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HEARING NOTES

Ordinance: 20-0506

Baltimore City Critical Area Management Program - Critical Area Manual, Map, and Zoning

Committee: Land Use
Chaired by: Councilmember Edward Reisinger

Hearing Date: May 20, 2020
Time (Beginning): 1:05 PM
Time (Ending): 1:30 PM
Location: Webex Virtual Hearing
Total Attendance: Approximately 40 people

Committee Members in Attendance:
Edward Reisinger Shannon Sneed
Mary Pat Clarke Eric Costello
Ryan Dorsey Sharon Green Middleton
Leon Pinkett Robert Stokes

Bill Synopsis in the file? [X] YES [] NO [] N/A
Attendance sheet in the file? [] YES [] NO [X] N/A
Agency reports read? [X] YES [] NO [] N/A
Hearing televised or audio-digitally recorded? [X] YES [] NO [] N/A
Certification of advertising/posting notices in the file? [X] YES [] NO [] N/A
Evidence of notification to property owners? [X] YES [] NO [] N/A
Final vote taken at this hearing? [X] YES [] NO [] N/A
Motioned by: Councilmember Clarke
Seconded by: Councilmember Dorsey
Final Vote: Favorable

Major Speakers

(This is not an attendance record.)

Bruna Attila, Department of Planning
Laurie Feinberg, Department of Planning
Derek Baumgardner, Board of Municipal and Zoning Appeals
Victor Tervala, Department of Law

Major Issues Discussed

1. Chairman Reisinger called the hearing to order; read the bill number, title, and purpose; and confirmed that the public notice requirements were met.
2. Bruna Attila and Laurie Feinberg explained the bill, the Critical Area Management Program, the Department of Planning's process for developing the revised map and manual with the Maryland Critical Area Commission, and the changes made in the new map and manual.
3. Laurie Feinberg discussed two clarifying amendments to the bill, but the amendments were not available at the hearing. Chairman Reisinger noted that the amendments could be offered as floor amendments on 2nd reader.
4. Councilmembers asked the following questions:
 - a. Does the critical area program allow off-site mitigation or payment in-lieu of mitigation? Bruna Attila explained that off-site mitigation and payments can be allowed when the physical circumstances do not allow on-site mitigation, but that on-site mitigation is preferred.
 - b. How is the mitigation fee for trees quantified and is it based on the true cost of replacement? Bruna Attila explained that the fee is calculated using the caliper diameter of the trees removed. The fee includes costs for planting and two years of maintenance.
5. Derek Baumgardner stated that the Board of Municipal and Zoning Appeals has no objection to the bill and defers to the Department of Planning.
6. Victor Tervalá discussed the legal requirements and confirmed that the Law Department can approve the bill for form and legal sufficiency. He also noted that the Department of Planning's amendments did not sound problematic.
7. The committee voted to recommend the bill favorably.

Further Study

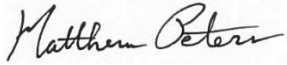
Was further study requested?

Yes No

If yes, describe.

Committee Vote:

E. Reisinger: **Yea**
S. Sneed: **Yea**
M. Clarke: **Yea**
E. Costello: **Yea**
R. Dorsey: **Yea**
S. Middleton: **Yea**
L. Pinkett: **Yea**
R. Stokes: **Yea**



Matthew L. Peters, Committee Staff

Date: May 22, 2020

Cc: Bill File
OCS Chrono File