



HEARING NOTES

Bill: 21-0113

Zoning Code – Modifications

Committee: Economic and Community Development

Chaired By: Councilmember Sharon Green Middleton

Hearing Date: May 10, 2022

Time (Beginning): 2:00 PM

Time (Ending): 3:35PM

Location: Virtual WEBEX

Total Attendance: Approximately 20

Committee Members in Attendance:

John Bullock Mark Conway Ryan Dorsey Odette Ramos Robert Stokes

Bill Synopsis in the file? yes no n/a

Attendance sheet in the file? yes no n/a

Agency reports read?..... yes no n/a

Video or audio-digitally recorded?..... yes no n/a

Certification of advertising/posting notices in the file? yes no n/a

Evidence of notification to property owners?..... yes no n/a

Final vote taken at this hearing? yes no n/a

Motioned by:.....Councilmember

Seconded by:.....Councilmember

Final Vote:.....

Major Speakers

(This is not an attendance record.)

- Hilary Ruley, City Solicitor
- Tamara Wood, Planning Commission
- Liam Davis, Department of Transportation

Major Issues Discussed

1. Councilmember Sharon Green Middleton opened the meeting, introduced committee members and City representatives and read the bill into the record.
2. Tamara Woods presented and explained proposals outlined in the bill for Title 2 through Title 5
3. Title 2-202(9) – Exempt utility and governmental uses - Councilmember Dorsey did not fully support the bill's proposed language for this section, especially if it negates a proposed amendment he has for another section of the bill (Page 52 – Table 7-202 - Opens Space Districts. The committee discussed what uses Section 2-202(9) might apply to and considered telecom equipment. The intent of the language in the bill needs to be more clearly defined.
4. Title 2-203 Transition rules - Councilmember Conway asked for clarity about what type of zoning changes might qualify under this section. The new language reverts Article 32 Title 2 back to language that existed prior to Transform Baltimore. The new language gives authority for certain types of zoning changes back to the Board of Municipal Zoning Appeals (BMZA). The new language repeals the related language found in Transform Baltimore. When Transform Baltimore was being reviewed, the City Council felt a need for the Council to retain review and authority for certain zoning changes. The committee received a letter regarding this section from the Bellona-Gittings community.
5. Title 4-405 - Design Review – Applicability – The committee discussed and wanted to know exactly what is being reviewed when “painted/mural signs” go to Design Review. It is important to distinguish what is a painted sign or mural. The committee discussed proposed language in the bill for Sections 17-102, 17-202 and 17-412. Language in the bill does not regulate artistic expression or content.
6. Title 5-201- Applications and Authorizations – The Committee discussed the role of the Zoning Administrator duties and how that role would be impacted by the proposed changes for this section of the bill. Certain application submissions would be moved from the Zoning Administrator to the authority of the BMZA. BMZA would also be able to refer applications to DOT for review.
7. Title 5-305 Major variances – As an employee of the Department of Housing and Community Development would the Zoning Administrator be reviewing zoning use application for things different than what the BMZA would review for. BMZA is an appeal board. The Zoning Administrator reviews use applications and issues permits. The Zoning Administrator reviews applications for conditional uses, but does not grant authority for conditional uses. Language in the bill would allow applicants to go directly to BMZA for a review of the application for the conditional use. Staffing is a consideration. The committee would like to speak to the Zoning Administrator regarding related the proposed changes.
8. Title 5-310 Discretion to Deny – The Department of Planning would like to delete and amend this entire proposed section of the bill (as well as Section 5-410). The committee discussed liens and code violations related to the subject property.

- 9. Title 5-4 Conditional Uses and Signs – The committee discussed the proposed change for the time frame (from 60 to 90 days) that the Board of Municipal Zoning Appeals would be allowed to render decisions. The committee discussed due process.
 - 10. The hearing was recessed.
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Further Study

Was further study requested?
If yes, describe.

Yes **No**

Liam Davis, Department of Transportation was asked to provide clarity about alley-streets.

Committee Vote:

Sharon Green Middleton, Chair
John Bullock:
Mark Conway:
Ryan Dorsey:
Antonio Glover:
Odette Ramos:
Robert Stokes:

Jennifer L. Coates, Committee Staff

Date: May 15, 2022

cc: Bill File
OCS Chrono File