



Baltimore Development Workgroup

November 17, 2021

Sean Davis, Chair
Baltimore City Planning Commission
417 E. Fayette Street
Baltimore, Maryland 21202

Re: City Council Bill 21-0113 (Zoning Code – Modifications)

Dear Chairman Davis:

I am writing on behalf of the Baltimore Development Workgroup, an affinity group composed of real estate industry professionals working in a volunteer capacity on economic development policy issues in Baltimore. We congratulate the Planning Department on keeping to its promise during the original adoption of Transform Baltimore that regular reviews would be undertaken to allow for needed clarifications and amendments such as those before the Commission today. I will add that because this Bill is described as primarily corrective and for clarifications, there are numerous more substantive issues raised in the past that are missing and will still need attention in subsequent annual reviews.

In general, we support the vast majority of the proposed amendments, having previously reviewed them in a similar Bill in 2020 that did not pass the City Council before its term expired. Of particular importance is the clarification of the height measurements and the clarification over the City's procedure to changes to existing conditional uses (Section 2-203). Both of these proposed amendments would essentially return to the procedures in the prior Zoning Code.

We do offer comments on a few of the proposals. These include:

1. The change to the Neighborhood Commercial outdoor use standards is not needed and the Board should retain the authority to approve on a case-by-case basis.
2. The parking garage design standards requiring 50% active uses of ground floors should not be a requirement but an objective to consider in the review process.
3. Removing the ground floor exemption for IMU properties should not be approved and the previous exemption that was recently passed by Council should be retained.
4. We support staff's proposed amendment to Bill with respect to the historic parking exemption.

5. We have expressed concerns to staff over the new provisions which permit the BMZA and Zoning Administrator to deny or refuse to hear applications when any code violation exists or fine/fee remains unpaid, which could potentially prohibit reapplication for a year. We understand that additional changes are being considered, which we will review when available.

Thank you and the Department for the opportunity to review the Bill and participate in the Commission's consideration

Sincerely,

Alfred W. Barry III
on behalf of the Baltimore Development Workgroup

cc: Tamara Woods
Chris Ryer