

DLR DRAFT II {FORMATTING ONLY} 18MAR19

**AMENDMENTS TO COUNCIL BILL 19-321
(1st Reader Copy)**

Proposed By: Planning Department
{To be offered to the Land Use and Transportation Committee}

Amendment No. 1

On page 1, in line 4, before the period, insert “; and conforming, clarifying, correcting, and distinguishing related provisions dealing with applications and notice requirements for the creation, modification, or repeal of a planned unit development”.

Amendment No. 2

On page 1, in line 7, strike “Section” and substitute “Sections 5-601(a), 5-604(d)(2), 13-202(a), and”; and after line 9, insert:

“By adding
Article 32 - Zoning
Sections 5-604(g), 13-201(d), and 13-205
Baltimore City Code
(Edition 2000)”.

Amendment No. 3 {Title 5. Applications and Authorizations}

On page 1, after line 13, insert:

“Title 5. Applications and Authorizations

Subtitle 6. Notices

§ 5-601. Map or text amendments; PUDs.

(a) Hearing required.

For a bill proposing a zoning map amendment, a zoning text amendment, or the creation, [or] modification, OR REPEAL of a planned unit development, the City Council committee to which the bill has been referred must conduct a hearing at which:

(1) the parties in interest and the general public will have an opportunity to be heard; and

(2) all agency reports will be reviewed.

§ 5-604. Planning Commission consideration of site-specific projects.

(d) Number and manner of posted notices.

The number of posted notices and the manner of their posting are as follows:

(2) For a notice applicable to more than one property (e.g., a [minor] modification to a planned unit development), at least 2 or more signs are required, as the Department of Planning designates.

(G) WRITTEN NOTICE TO PROPERTY OWNERS WITHIN PUD.

WHEN APPLYING FOR THE CREATION OF A NEW PLANNED UNIT DEVELOPMENT OR FOR A MAJOR CHANGE OR REPEAL OF A PLANNED UNIT DEVELOPMENT, THE APPLICANT MUST PROVIDE WRITTEN NOTIFICATION TO ALL OTHER OWNERS, OR THEIR AUTHORIZED AGENTS, OF PROPERTY WITHIN THE PROPOSED OR EXISTING PLANNED UNIT DEVELOPMENT BOUNDARIES, AS THE DEPARTMENT OF PLANNING REQUIRES.”

Amendment No. 4 {Title 13. Planned Unit Developments}

On page 1, after line 14, insert:

“Subtitle 2. Requirements; Approval Standards; Exceptions

§ 13-201. Authorization.

(D) REPEAL OF PUDS.

PLANNED UNIT DEVELOPMENTS MAY ONLY BE REPEALED BY ORDINANCE OF THE MAYOR AND CITY COUNCIL ENACTED IN ACCORDANCE WITH THE PROVISIONS OF THIS TITLE.

§ 13-202. General requirements.

(a) Common ownership or unified control.

(1) The site of the planned unit development must be under common ownership or unified control.

(2) If there are 2 or more owners, the application for approval of a NEW planned unit development [or for approval of an amendment to an approved planned unit development] must be jointly filed by all owners, OR THEIR RESPECTIVE CONTRACT PURCHASERS OR AUTHORIZED AGENTS.

(3) WHEN APPLYING FOR A MAJOR CHANGE OR REPEAL OF AN EXISTING PLANNED UNIT DEVELOPMENT, ONE OWNER OR CONTRACT PURCHASER, OR THE AUTHORIZED AGENT OF EITHER, MAY MAKE THE APPLICATION FOR APPROVAL, AS LONG AS ALL OTHER PROPERTY OWNERS, OR THEIR AUTHORIZED AGENTS, ARE NOTIFIED IN ACCORDANCE WITH TITLE 5, SUBTITLE 6 {"NOTICES"} OF THIS CODE.

§ 13-205. REPEAL OF PUDs.

IN DETERMINING WHETHER TO TO APPROVE THE REPEAL OF A PLANNED UNIT DEVELOPMENT, THE PLANNING COMMISSION AND THE CITY COUNCIL MUST FIND THAT:

(1) THE REPEAL OF THE PLANNED UNIT DEVELOPMENT IS IN THE PUBLIC INTEREST; AND

(2) THE APPROVED FINAL DEVELOPMENT PLAN OF THE PLANNED UNIT DEVELOPMENT:

(i) HAS BEEN SUBSTANTIALLY COMPLETED;

(ii) IS NO LONGER NECESSARY IN LIGHT OF THE PROPERTY'S UNDERLYING ZONING;

(iii) IS NO LONGER CONSISTENT WITH THE CITY'S MASTER PLAN; OR

(iv) HAS BEEN ABANDONED BY THE PROPERTY OWNER.”.

