



Legislation Details (With Text)

File #: 23-0402 **Version:** 0 **Name:** Board of Municipal and Zoning Appeals - Consent Agenda - Establishment

Type: Ordinance **Status:** Withdrawn

File created: 6/12/2023 **In control:** Baltimore City Council

On agenda: **Final action:** 6/24/2024

Enactment date: **Enactment #:**

Title: Board of Municipal and Zoning Appeals - Consent Agenda - Establishment
For the purpose of requiring that the Board of Municipal and Zoning Appeals establish a consent agenda at certain public hearings; establishing certain standards for the consent agenda; and defining a certain related term.

Sponsors: Isaac "Yitzzy" Schleifer, Eric T. Costello

Indexes: Board of Municipal and Zoning Appeals (BMZA), Consent Agenda

Code sections:

Attachments: 1. 23-0402~1st Reader, 2. 23-0402 Finance, 3. 23-0402 OECR

Date	Ver.	Action By	Action	Result
6/24/2024	0	Baltimore City Council	Withdrawn	
6/15/2023	0	Baltimore City Council	Refer to City Solicitor	
6/15/2023	0	Baltimore City Council	Refer to Board of Municipal and Zoning Appeals	
6/15/2023	0	Baltimore City Council	Refer to Dept. of Finance	
6/15/2023	0	Baltimore City Council	Refer to Office of Civil Rights and Wage Enforcement	
6/12/2023	0	Baltimore City Council	Assigned	
6/12/2023	0	Baltimore City Council	Introduced	
6/12/2023	0	Rules and Legislative Oversight	Scheduled for a Public Hearing	

Explanation: Capitals indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

* **Warning:** This is an unofficial, introductory copy of the bill.
The official copy considered by the City Council is the first reader copy.

Introductory*

**City of Baltimore
Council Bill**

Introduced by: Councilmember Schliefer

A Bill Entitled

An Ordinance concerning
Board of Municipal and Zoning Appeals - Consent Agenda - Establishment
 For the purpose of requiring that the Board of Municipal and Zoning Appeals establish a consent agenda at

certain public hearings; establishing certain standards for the consent agenda; and defining a certain related term.

By repealing and re-ordaining, with amendments

Article 32 - Zoning
Section 3-202(g)
Baltimore City Code
(Edition 2000)

By adding

Article 32 - Zoning
Section 1-304(n-1)
Baltimore City 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 Code

Article 32. Zoning

Title 1. General Provisions

Subtitle 3. Definitions

§ 1-304. “Chimney” to “Day-care center: Child ”.

(n-1) *Consent agenda.*

“Consent agenda” means 1 or more matters grouped as a single item on a meeting or hearing calendar that are presented for a vote without debate or amendment.

Title 3. Outline of Code Administration

Subtitle 2. Administrative Agencies and Officials

§ 3-202. **Board of Municipal and Zoning Appeals.**

(g) *Public hearings - Scheduling, notices, decision.*

(1)The Board of Municipal and Zoning Appeals must:

(i) [(1)] fix a reasonable time and place for the public hearing of an application,
appeal, or other matter;

(ii) [(2)] give public notice of the hearing in accordance with Title 5 of this Code;
[and]

(iii) [(3)] require the applicant, appellant, or other person initiating the

hearing to
post the subject property with a notice of the time, place, and purpose of
the
hearing, as follows:

(A) [(i)] for a hearing on a variance or conditional use, as provided
in
§ 5-602 {"BMZA - Major variances; conditional uses} of this
Code; and

(B) [(ii)] in all other cases, at least 21 days before the hearing[.];
and

(iv) establish a separate consent agenda at every public hearing, as
follows:

(A) every application, appeal, or other matter for which there is
no community opposition shall be placed on the consent
agenda;

(B) every consent agenda item shall be independently reviewed
by the Board of Municipal and Zoning Appeals for
compliance and conformance with the technical requirement
necessary for filing of such application, appeal, or other
matter; and

(C) every consent agenda item that complies with item (B) of this
subparagraph shall be approved by the Board of Municipal
and Zoning Appeals without any independent scrutiny of the
Board of the technical legal review requirements that
would otherwise typically apply to the requisite application,
appeal, or other matter, if it were to be contested.

(2)It is the express intent of this subsection that every uncontested application,
appeal, or other matter that is properly filed with the Board of Municipal and
Zoning Appeals shall be approved by the Board.

Section 2. And be it further ordained, That this Ordinance takes effect on the 30th day after the date it is
enacted.