

Notes from City Council Work Session 7/7/04

Participants: Ald. Hammond, Ald. Tolliver, Ald. Cohen, Clive Graham, Daria Hardin

Observer: Cardie Templeton

An updated list of proposed amendments was handed out to participants and observers, along with an amendment tracking table.

In the May 5th work session, we worked our way up to Division II. We began our discussions at this point.

This is a list of follow-up items from the work session and their resolutions.

Division II

Page II-2, lines 27-30, 21.08.030.A Establishment of the Planning Commission. Portions of this section are redundant with 21.08.030.E.6. Reflected in Amendment T.

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21.08.050.B Duties of the Planning Director in re: Use and Occupancy Note: We have obtained amended, signed version of O-26-03. This section appears to be consistent with former section 21.88.010.

21.08.050.B.7 and 21.08.070B Both the P& Z and DNEP Directors seem to have this as a responsibility. Is this redundancy intended? Checked O-26-03. This duty does still appear in the Planning & Zoning Director list and doesn't seem to be in the Title 2 duties of DNEP director. However, the zoning enforcement officer – who does the inspections is now in DNEP.

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21.08.030.E.4 Aids. Tolliver and Hammond suggest amendment to take out decision making powers for major site design and make the Planning Commission only a recommending body. Reflected in Amendment V. Note: the Planning & Zoning department does not support this amendment.

21.08.040 Typo – 2nd “C” should be “E”. Reflected in Amendment W

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21.08.040.C.6 – This section should be amended to say “physical alteration of a non-conforming use”. Reflected in Amendment AA

Page II-6

21.08.060.C – Take out the word “unexcused” because this is irrelevant per the requirements in Title 2. There are no excused absences. Amendment X

It was also mentioned that there should be an attendance report in the Annual Report. Staff determined that this is not necessary to be added as an amendment as it is already a part of the HPC annual report under state and federal guidelines.

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21.10.010.G – Coordinated processing of applications. This provision seeks to provide a simultaneous processing for multiple applications that an applicant might need. Ald. Hammond wants this provision out for the HPC because she believes that they should always be last. Reflected in Amendment Y (Note: Planning & Zoning does not support this. The current language gives enough flexibility to deal with applications appropriately.)

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21.10.030.B – Request for an amendment to add to those who are notified those people who commented on the application. Reflected in Amendment Z

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21.12.030.A – This section was checked with respect to O-26-03. It is not inconsistent as long as the permit goes to the Director of Planning & Zoning for review.

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21.14.020.B.3 – In reference to the procedures for demolition permits, there is a desire to add a posting and comment period of 15 days. Amendment BB

21.14.020.C – Also concerning demolition permits, there was concern about the timeline for posting and response. These concerns have been taken care of by adding the posting requirement in Amendment BB.

21.14.030.B – Request to take out waivers. Reflected in Amendment CC Note: The Department of Planning & Zoning does not support this amendment.

21.14.040 – Typo - fix duplicate numbers. Reflected in Amendment DD

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21.16 – Add notification measures so that people know when an administrative interpretation is being made. Reflected in Amendment BB.

21.16.080 – The question was asked who an aggrieved person is. An aggrieved person is anyone who takes exception to the decision that was made. This is up to the Board of Appeals to decide and their decision is based on Maryland case law.