
By: **Delegates Goodwin, Oaks, and Pugh**
 Introduced and read first time: January 16, 2006
 Assigned to: Environmental Matters

Committee Report: Favorable with amendments
 House action: Adopted
 Read second time: March 8, 2006

CHAPTER _____

1 AN ACT concerning

2 **Baltimore City Charter Amendment - Housing - Proposed Development -**
 3 **Notice to Community Association**

4 FOR the purpose of ~~adding a new section to Article II of the Charter of Baltimore City,~~
 5 ~~to require a housing developer or builder to fulfill certain requirements before a~~
 6 ~~permit for the rehabilitation, replacement, or construction of a housing~~
 7 ~~development of a certain size in a certain area may be issued; requiring that the~~
 8 ~~developer or builder consult with a certain community association and agree to~~
 9 ~~reserve a minimum number of housing units as affordable housing for families~~
 10 ~~or individuals who meet certain income eligibility standards; requiring the~~
 11 ~~Department of Planning to adopt certain regulations; requiring a developer,~~
 12 ~~before obtaining a permit from Baltimore City for the construction of a certain~~
 13 ~~development located in Baltimore City within the boundaries of a community~~
 14 ~~represented by a community association, to notify the community association~~
 15 ~~and meet with its members at a scheduled meeting concerning the proposed~~
 16 ~~development; defining a certain term; and generally relating to housing in~~
 17 ~~Baltimore City.~~

18 ~~BY adding to~~
 19 ~~The Charter of Baltimore City~~
 20 ~~Article II - General Powers~~
 21 ~~Section (15B)~~
 22 ~~(1996 Edition and 2000 Supplement, as amended)~~

23 ~~BY repealing and reenacting, without amendments,~~
 24 ~~Article - Real Property~~
 25 ~~Section 14-123(a)(1) and (2)~~

1 Annotated Code of Maryland
 2 (2003 Replacement Volume and 2005 Supplement)

3 BY adding to
 4 Article - Real Property
 5 Section 14-129
 6 Annotated Code of Maryland
 7 (2003 Replacement Volume and 2005 Supplement)

8 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
 9 MARYLAND, That the Laws of Maryland read as follows:

10 **The Charter of Baltimore City**

11 **Article II—General Powers**

12 ~~The Mayor and City Council of Baltimore shall have full power and authority to~~
 13 ~~exercise all of the powers heretofore or hereafter granted to it by the Constitution of~~
 14 ~~Maryland or by any Public General or Public Local Laws of the State of Maryland;~~
 15 ~~and in particular, without limitation upon the foregoing, shall have power by~~
 16 ~~ordinance, or such other method as may be provided for in its Charter, subject to the~~
 17 ~~provisions of said Constitution and Public General Laws:~~

18 ~~(15B)~~

19 ~~(A) BEFORE A DEPARTMENT OF THE CITY MAY ISSUE A PERMIT FOR THE~~
 20 ~~REHABILITATION, REPLACEMENT, OR CONSTRUCTION OF A DEVELOPMENT~~
 21 ~~CONSISTING OF 20 OR MORE HOUSING UNITS WITHIN THE BOUNDARIES OF A~~
 22 ~~COMMUNITY REPRESENTED BY A COMMUNITY ASSOCIATION, THE DEVELOPER OR~~
 23 ~~BUILDER OF THE DEVELOPMENT SHALL:~~

24 ~~(1) CONSULT WITH THE COMMUNITY ASSOCIATION; AND~~

25 ~~(2) AGREE TO RESERVE AT LEAST 12.5% OF THE HOUSING UNITS AS~~
 26 ~~AFFORDABLE HOUSING FOR FAMILIES OR INDIVIDUALS WHO MEET INCOME~~
 27 ~~ELIGIBILITY STANDARDS FOR BUYERS AND RENTERS THAT THE DIRECTOR OF THE~~
 28 ~~DEPARTMENT OF PLANNING ESTABLISHES.~~

29 ~~(B) THE DEPARTMENT OF PLANNING SHALL ADOPT REGULATIONS TO CARRY~~
 30 ~~OUT THIS SECTION.~~

31 **Article - Real Property**

32 14-123.

33 (a) (1) In this section the following words have the meanings indicated.

34 (2) "Community association" means a Maryland nonprofit association,
 35 corporation, or other organization that:

1 (i) Is comprised of at least 25 households or 25% of the households,
2 whichever is less, of a local neighborhood consisting of 40 or more individual
3 households as defined by specific geographic boundaries in the bylaws or charter of
4 the association;

5 (ii) Requires, as a condition of membership, the voluntary payment
6 of monetary dues at least annually;

7 (iii) Is operated primarily for the promotion of social welfare and
8 general neighborhood improvement and enhancement;

9 (iv) Has been in existence for at least 2 years when it files suit
10 under this section;

11 (v) 1. Is exempt from taxation under § 501(c)(3) or (4) of the
12 Internal Revenue Code; or

13 2. Has been included for a period of at least 2 years prior to
14 bringing an action under this section in Baltimore City's Community Association
15 Directory published by the Baltimore City Department of Planning; and

16 (vi) In the case of a Maryland corporation, is in good standing.

17 14-129.

18 (A) IN THIS SECTION, "COMMUNITY ASSOCIATION" HAS THE MEANING STATED
19 IN § 14-123 OF THIS SUBTITLE.

20 (B) BEFORE A DEVELOPER MAY OBTAIN A PERMIT FROM BALTIMORE CITY
21 FOR THE CONSTRUCTION OF A DEVELOPMENT IN BALTIMORE CITY CONSISTING OF
22 20 OR MORE HOUSING UNITS WITHIN THE BOUNDARIES OF A COMMUNITY
23 REPRESENTED BY A COMMUNITY ASSOCIATION, THE DEVELOPER OR THE
24 DEVELOPER'S AGENT SHALL:

25 (1) NOTIFY THE COMMUNITY ASSOCIATION OF THE PROPOSED
26 DEVELOPMENT; AND

27 (2) ATTEND A SCHEDULED MEETING OF THE COMMUNITY ASSOCIATION
28 OR A COMMITTEE OR SUBCOMMITTEE OF THE ASSOCIATION AND CONSULT WITH
29 THE MEMBERS OF THE COMMUNITY ASSOCIATION WHO ATTEND THE MEETING.

30 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
31 October 1, 2006.

