

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND  
Legislative Session 2020, Legislative Day No. 21

Bill No. 91-20

---

Mr. Tom Quirk, Councilman

---

By the County Council, September 8, 2020

---

A BILL  
ENTITLED

AN ACT concerning

Planned Unit Developments

FOR the purpose of requiring certain information in an application for a Planned Unit Development (PUD); requiring an applicant for a Planned Unit Development to repeat a certain process if the County Council does not take action on the application within a certain period of time; and generally relating to Planned Unit Developments.

BY repealing and re-enacting, with amendments

Section 32-4-242 (b) and (d)(1)  
Article 32 – Planning, Zoning, and Subdivision Control  
Title 4 – Development  
Subtitle 2 – Development Review and Approval Process  
Part IV – Planned Unit Developments  
Baltimore County Code, 2015

---

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.  
[Brackets] indicate matter stricken from existing law.  
~~Strike-out~~ indicates matter stricken from bill.  
Underlining indicates amendments to bill.

1 SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF BALTIMORE  
2 COUNTY, MARYLAND, that the Laws of Baltimore County read as follows:

3  
4 ARTICLE 32 – PLANNING, ZONING, AND SUBDIVISION CONTROL

5 Title 4 – Development

6 Subtitle 2 – Development Review and Approval Process

7 Part IV – Planned Unit Developments

8 § 32-4-242. Application.

9 (b) *Contents.* The application for a Planned Unit Development shall include:

10 (1) The identification of the proposed project site, the total tract acreage, and an  
11 explanation of how the site and the acreage meet the criteria for the type of Planned Unit  
12 Development that is proposed;

13 (2) A schematic representation of the proposed PUD, including the general site  
14 layout, the proposed building types and uses and the proposed number of units;

15 (3) A tabulation of the permitted existing density, the floor area ratio allowed and  
16 number of parking spaces required in the underlying zones, contrasted with a tabulation of the  
17 proposed density, floor area ratio, and number of parking spaces proposed in the PUD;

18 (4) The projected impact of the Planned Unit Development on the surrounding  
19 community;

20 (5) A statement of how the Planned Unit Development will comply with the  
21 compatibility requirements of § 32-4-402; [and]

22 (6) A statement of how the Planned Unit Development will provide a community  
23 benefit that shall include one or more of the following:

1 (i) An environmental benefit by proposing to achieve at least a silver rating  
2 according to the U.S. Green Building Council's LEED Green Building Rating System or proposing  
3 residential structures that achieve at least a silver rating according to the ANSI (American National  
4 Standards Institute) NGBS (National Green Building Standard);

5 (ii) A land use benefit, including proposing a higher quality architectural  
6 design or use of higher quality building materials that enhance the development for its residents;

7 (iii) A capital improvement benefit to an onsite or nearby county-owned or  
8 state-owned facility, or to property owned or leased by NeighborSpace of Baltimore County, Inc.,  
9 for use by community residents, or to a volunteer fire company that serves the planned unit  
10 development; or

11 (iv) A public policy benefit promoting economic development  
12 opportunities by locating the Planned Unit Development in a Commercial Revitalization District,  
13 or providing workforce housing; AND

14 (7) IN A SEPARATE DOCUMENT ACCOMPANYING THE APPLICATION,  
15 THE APPLICANT SHALL DISCLOSE THE NAME OF ANY PERSON WHO OWNS OR HAS  
16 OWNERSHIP INTEREST IN THE PROPERTY THAT IS THE SUBJECT OF THE PLANNED  
17 UNIT DEVELOPMENT AND THE NAME OF ANY PERSON WHO HAS ANY FINANCIAL  
18 INTEREST IN THE PLANNED UNIT DEVELOPMENT. ~~IF THE PERSON IS NOT AN~~  
19 ~~INDIVIDUAL BUT~~ EXCEPT FOR A PUBLIC COMPANY WITH OWNERSHIP  
20 DISTRIBUTED AMONGST GENERAL PUBLIC SHAREHOLDERS IN WHICH CASE THE  
21 NAME OF THE PUBLIC COMPANY SHALL BE DISCLOSED, IF THE PERSON IS AN  
22 ENTITY AS SET FORTH IN § 1-2-107 OF THE COUNTY CODE, THE APPLICANT SHALL  
23 DISCLOSE THE NAME OF ANY PARTNER, MEMBER, DIRECTOR, OR ANY OTHER

1 PERSON WITH OWNERSHIP INTEREST IN THE ENTITY.

2  
3 (d) *Council action.*

4 (1) (I) EXCEPT AS PROVIDED IN ITEM (II), [If] IF the Council finds that  
5 the proposed Planned Unit Development will achieve a development of substantially higher quality  
6 than a conventional development would achieve and that the proposed site for the Planned Unit  
7 Development is eligible for county review, the Council, by adoption of a resolution, may approve  
8 the continued review of the Planned Unit Development in accordance with the procedures of this  
9 title and the requirements of the zoning regulations. The Council shall give public notice of the  
10 resolution, and the Department of Permits, Approvals and Inspections shall post the property, at  
11 least 10 business days prior to final vote on the resolution.

12 (II) IF A RESOLUTION APPROVING THE CONTINUED REVIEW OF  
13 THE PLANNED UNIT DEVELOPMENT UNDER ITEM (I) HAS NOT BEEN INTRODUCED  
14 WITHIN ~~180~~ 270 DAYS OF THE LAST POST SUBMISSION COMMUNITY MEETING, THE  
15 ~~APPLICANT SHALL REPEAT THE REQUIREMENTS OF SUBSECTION (C) OF THIS~~  
16 ~~SECTION BEFORE A RESOLUTION MAY BE INTRODUCED AND CONSIDERED BY THE~~  
17 ~~COUNTY COUNCIL~~ APPLICATION SHALL EXPIRE AND A NEW APPLICATION MUST  
18 BE SUBMITTED. BEFORE A RESOLUTION MAY BE INTRODUCED AND CONSIDERED  
19 BY THE COUNTY COUNCIL UNDER SUBSECTION (D), THE APPLICANT SHALL  
20 REPEAT THE REQUIREMENTS OF SUBSECTIONS (A), (B), AND (C).

1           SECTION 2. AND BE IT FURTHER ENACTED, that this Act, having been passed by  
2           the affirmative vote of five members of the County Council, shall take effect on October 19,  
3           2020.



# LEGISLATION DETAIL

LEGISLATION \_\_\_\_\_

DISPOSITION \_\_\_\_\_

ENACTED \_\_\_\_\_

EFFECTIVE \_\_\_\_\_

AMENDMENTS \_\_\_\_\_

## ROLL CALL - LEGISLATION

MOTION		SECOND
AYE	NAY	
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Quirk
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Patoka
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Kach
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Jones
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Marks
<input type="checkbox"/>	<input type="checkbox"/>	Councilwoman Bevins
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Crandell

## ROLL CALL - AMENDMENTS

MOTION		SECOND
AYE	NAY	
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Quirk
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Patoka
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Kach
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Jones
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Marks
<input type="checkbox"/>	<input type="checkbox"/>	Councilwoman Bevins
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Crandell

## ROLL CALL - AMENDMENTS

MOTION		SECOND
AYE	NAY	
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Quirk
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Patoka
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Kach
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Jones
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Marks
<input type="checkbox"/>	<input type="checkbox"/>	Councilwoman Bevins
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Crandell

## ROLL CALL - AMENDMENTS

MOTION		SECOND
AYE	NAY	
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Quirk
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Patoka
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Kach
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Jones
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Marks
<input type="checkbox"/>	<input type="checkbox"/>	Councilwoman Bevins
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Crandell