

MINUTES

Baltimore County Planning Board Meeting

June 1, 2023

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Note: A copy of the appendices is located in the official digital Planning Board files.

**Baltimore County Planning Board Meeting Minutes
June 1, 2023**

Call to Order, Introduction of Board Members

Chairwoman Hafford called the meeting to order at 4:00 PM and welcomed everyone. A roll call to account for the members of the Board was conducted. Through the meeting, the following Board members were:

Present	Absent
1. Ms. Nancy Hafford, Chair	1. Ms. Beverly German
2. Mr. Peter Arrey (Arrived at 4:04 PM)	2. Mr. S. Chris Haffer
3. Ms. Emily Brophy	3. Mr. Steven Heintz
	4. Ms. Cathryn Pinheiro

<ul style="list-style-type: none"> 4. Mr. Mark Heckman 5. Mr. Shafiyq Hinton 6. Mr. C. Scott Holupka 7. Mr. Derick Johnson 8. Mr. Wayne McGinnis 9. Mr. Howard Perlow 10. Mr. Todd Warren 11. Ms. Cathy Wolfson 	
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Attending County staff included: Mr. Steve Lafferty, Ms. Amy Mantay, Ms. Jennifer Meacham, Mr. Austin Broderick, Ms. Jenifer Nugent, Ms. Ngone Diop, Ms. Amy Menzer, Ms. Megan Benjamin, Mr. Joe Wiley, Ms. Abigail Rogers, Mr. David Birkenthal, Mr. Michael Thomas, Ms. Daphne Daly, Ms. Alexandra Laham, Ms. Sophie Kotzker, Ms. Krystle Patchak, Ms. Courtney Rachuba, and Ms. Taylor Bensley, all of the Department of Planning.

Review of Today’s Agenda

Ms. Bensley reported there were no changes to the Tentative Agenda published May 25, 2023.

Minutes of the May 18, 2023 Meeting

Chairwoman Hafford asked the Planning Board members if they had any changes to the May 18, 2023 Minutes. Hearing none, Chairwoman Hafford called for a motion to approve the Minutes as drafted. Mr. Warren moved to approve the Minutes as drafted. Mr. Holupka seconded the motion, which passed at 4:02 PM with affirmative votes being cast by Ms. Brophy, Mr. Heckman, Mr. Hinton, Mr. Holupka, Mr. Johnson, Mr. McGinnis, Mr. Perlow, Mr. Warren, and Ms. Wolfson. There were no dissenting votes.

Mr. Arrey entered the meeting at 4:04 PM.

Special Introduction

- 1. Department of Planning Community Planners

Chairwoman Hafford stated that Ms. Ngone Diop, Chief of the Community Planning Division, was present to give a brief introduction of her staff. Chairwoman Hafford welcomed Ms. Diop.

Ms. Diop thanked Chairwoman Hafford and the Board for the opportunity to introduce the Department of Planning Community Planners. She then introduced the Planners by District:

- District 1 Planner: Ms. Sophie Kotzker;
- District 2 Planner: Ms. Alexandra Laham;
- District 3 Planner: Ms. Megan Benjamin, Mr. Joe Wiley, and Ms. Abigail Rogers;
- District 4 Planner: Ms. Daphne Daly;
- District 5 Planner: Ms. Diop explained that there was currently no District 5 Planner, so she would be representing District 5;
- District 6 Planner: Mr. David Birkenthal; and
- District 7 Planner: Mr. Michael Thomas.

Ms. Diop thanked the Board and asked if the Board could introduce themselves as to which District they represented. The Board began introducing themselves:

Mr. Todd Warren: District 1 Representative;
Mr. Howard Perlow: County Executive Appointment;
Ms. Emily Brophy: County Executive Appointment;
Mr. Mark Heckman: District 2 Representative;
Mr. Wayne McGinnis: District 3 Representative;
Ms. Cathy Wolfson: District 4 Representative;
Chairwoman Nancy Hafford: County Executive Appointment;
Mr. Scott Holupka: County Executive Appointment;
Mr. Derrick Johnson: County Executive Appointment;
Mr. Shafiyq Hinton: County Executive Appointment; and
Mr. Peter Arrey: District 6 Representative.

Ms. Diop thanked the Board once again.

Item for Deliberation

2. Baltimore County Master Plan 2030

Chairwoman Hafford explained that next on the agenda was the deliberation of the Master Plan 2030. She stated that the item was first introduced to the Board on May 4th, 2023, and a virtual Public Hearing was conducted on May 18th, 2023. She continued that the Board would have the opportunity to discuss the plan, and a vote was scheduled for the next meeting on June 15th. Chairwoman Hafford noted that staff from the Department of Planning were present and could answer any questions the Board might have during the discussion. She turned the floor over to Mr. Stephen Lafferty, Director of the Department of Planning.

Mr. Lafferty thanked Chairwoman Hafford and the Board for their diligence they put into the work as volunteers and stated they were one of the most important groups. He continued and thanked those Board members who submitted comments and questions on Master Plan 2030. Mr. Lafferty explained that the meeting was a work session for the review and discussion of the draft Master Plan; while there would be no voting at the meeting, he asked if the Board could submit any written motions they intended to offer to staff in advance. He continued that staff would facilitate the meeting by walking through each sequestered issue, which was provided to the Board ahead of time, and the Board would have the opportunity to discuss and ask questions on each raised issue. Mr. Lafferty noted that the draft document contained input from virtual meetings that started over 2 years ago. He noted that the Department tried to capture highlights from public comments, community plans, etc. Mr. Lafferty stated that the Plan structure had been from the American Planning Association and relied heavily on public comment and agency review comments. He continued that the Plan was a reflection of the County Executive's goals and objectives, and noted that the County Executive and his team had reviewed Master Plan 2030 3-4 times to make sure it addressed their concerns and ideals. He noted that it was not a zoning document and reminded the Board that the CZMP would kick off in the fall, after Master Plan. He mentioned that the draft Plan was in the Board's hands to lend their expertise as Planning Board members and residents of the County. He ended by thanking the members of the Board that used the chart to respond to sequestered issues requests.

Chairwoman Hafford thanked Mr. Lafferty.

Ms. Mantay introduced the first sequestered issue within the Overview Section. It was raised by Ms. Pinheiro and suggested adding language to Master Plan 2030 clarifying the purpose of the Core Retrofit

Areas and confirming development elsewhere would still be permitted. Ms. Mantay noted there were recommendations from Staff to this same effect. There were no comments from the Board.

Ms. Mantay introduced the next sequestered issue on the Overview Section, which also came from Ms. Pinheiro. She recommended Wikipedia be removed from the Commonly Used Terms list, as it is not a legitimate source of information. There were no comments from the Board.

Ms. Mantay introduced the third sequestered issue within the Overview Section. The issue was raised by Mr. Warren and Mr. Perlow and stated that the online format was difficult to follow. They agreed that the Plan should be in a PDF report that would be easier to follow and cite. Ms. Wolfson stated that she liked the format of the Plan and that it moved the County into the 21st Century. Mr. Heckman stated that he did not mind the format of the Plan, but that the Board received significant testimony that there were problems with the format, including attachments not working, pages not loading, and PDF versions looking different from the online StoryMap. He felt that those issues needed to be resolved. He then questioned which format the Board would be voting on. Ms. Mantay confirmed the Board would be voting on the complete plan as presented online. She stated she was not aware of differences between the StoryMap and the PDFs, but that staff would re-review. Mr. Heckman noted that the StoryMaps did not format correctly on an iPad or cell phone. He asked if all of the references hyperlinked on the StoryMap were part of the Master Plan. Ms. Mantay confirmed they were and were like an appendix. She noted that most of what the Plan linked to was already adopted. Mr. Johnson then questioned if there were hidden links. Ms. Mantay stated that staff tried to be very comprehensive in linking things wherever they showed up, and that they tried not to have any hidden links. Mr. Perlow stated his concern was that many people did not have the skills to find information digitally, and therefore have difficulty with the online format. He stated that this could scare people as they wouldn't know if something was hidden if they couldn't navigate the document. Mr. Holupka raised a concern that the document would be referenced in legal arguments; he questioned if the document and all of the links were consistent and if staff has spoken with the County Law Office to confirm this format is acceptable. Mr. Arrey asked if Master Plans were usually reviewed by the Law Office. He suggested the Department create instructions so constituents so they know how to navigate page to page, section to section. Mr. Lafferty stated that, historically, Master Plans are not reviewed by the Law Office. Ms. Wolfson stated that the County Zoning Regulations are posted online; she asked if it had hyperlinks. Mr. Lafferty confirmed it did. There were no further comments from the Board.

Ms. Mantay moved onto the next issue. It was raised by Ms. Brophy and echoed the previous comment, stating that the StoryMap was quite cumbersome to navigate. She encouraged having an easier to view format. There were no further comments from the Board on the topic.

Ms. Mantay moved onto the next issue located within the Vision Framework of the Plan. This issue was brought up at the Public Hearing by community members and the recommendation came from staff. It was recommended that language be added for Goal 1, Action 1, to include "and housing". Mr. Holupka stated he was fine with adding housing and asked was it an official rule that the URDL was set in stone, or if it is location could be reviewed. Mr. Lafferty responded there was no official policy that stated every so many years the boundary of the URDL would be revisited or reviewed. He continued that the County Executive's position was that the URDL should remain in place. He noted that the majority of testimony the County had received wanted to keep the URDL as is. Mr. Holupka responded that he was not sure if the best practice was to never revisit the URDL, and noted that other jurisdictions seem to revisit. Mr. Arrey asked if it would be appropriate to look at the URDL every 5, 10, or 15 years. Mr. Lafferty responded that the Board could make that as a recommendation in the Land Use Processes, as that was purview of the Board before the Plan goes to the County Council. Mr. Arrey stated that would address many issues, and he would recommend it be assessed every 10 years.

Chairwoman Hafford urged the Board to think about what they wanted addressed, and how they wanted to address the issues at the next meeting, and then they could have a vote.

Ms. Wolfson stated that the URDL was moved 160+ acres in 2012 and 2016 in District 1 with CZMP.

Before Ms. Mantay continued with the next issue, Mr. Perlow asked the Planning staff why they would like to move CZMP to every 10 years instead of every 4 years, as he believed every 4 years worked for Baltimore County and it gave the County the ability to redevelop. Mr. Lafferty responded it was time consuming and delayed the Department in working with communities on actual issues. He noted that no other jurisdictions followed that process. He stated if we said Zoning followed Master Plan, we would be flipping the switch that Master Plan followed Zoning. He mentioned the questions was, which should be directing growth and development: Zoning or Master Plan? He stated that he respected what Mr. Perlow was saying but there were varied opinions on the issue. Mr. McGinnis stated he supported a 10-year CZMP and noted that the 4-year CZMP was a strain on the community members. Mr. Warren stated that challenge with a 10-year process was that County was running out of developable land and had affordability issues, which created inequalities and segregated the County since at least since 1967. He explained there were unintended consequences from components such as the URDL. He noted that lengthening that cycle would make it harder to develop. Mr. Lafferty responded that the 4-year cycle had not desegregated, had not advanced affordable housing, and had not improved land to be developed. He asked how would keeping a 4-year cycle fix that issue? Mr. Warren responded it would not fix the issue, but that moving to a 10-year cycle would accelerate the issue. Mr. Heckman asked if the Planning Department could look at what other counties do, bring the Board the information and the Board could review. He stated he was not on board with a 10-year CZMP, but on board with reviewing the process, the same with updating the Zoning Ordinance. Mr. Perlow stated that seven affordable housing projects were rejected by their Councilperson last CZMP, and he preferred being able to revisit every 4-years, not every 10. Ms. Wolfson stated that the Out of Zoning Cycle process was not fair to communities. She noted that there must be some sort of predictability. Mr. Johnson mentioned that he understood the timeframe, but Baltimore County should not look at other Counties and instead do what's best for them. Mr. Perlow stated Harford County was the only one he could speak to, and they were on an 8-year cycle. Mr. Arrey asked if the Planning Department could look into other counties and average them out. Ms. Mantay replied they had, and everyone used an 8-10-year process. Mr. Perlow mentioned he supported a larger budget for the Department of Planning to handle CZMP every 4-years.

Ms. Mantay stated that the next issue in the Vision Framework, LBE Goal 1.8 was to create and implement a range of incentives to support and increase attainable housing inside the URDL. Mr. Lafferty explained that this was the next step and that the County wanted a robust package with grants and loans. Mr. Heckman stated that should be clearly stated in the Plan.

Ms. Mantay continued with the next issue in the Vision Framework brought up by the public at the Public Hearing. The recommendation by staff was for a new goal in the LBE to create and incentivize affordable housing. Mr. Warren commented that he was very much in favor of this new goal and the County needed to come up with a solution to the problem or the Plan would not be approved. Chairwoman Hafford urged Mr. Warren to make a motion at the next meeting. Ms. Wolfson stated that the affordable housing should not be concentrated in only certain areas.

Ms. Mantay moved on to the next issue in the Growth Framework which came from comments at the Public Hearing, to replace wording in regards to the Core Retrofit Areas to confirm development would not be restricted to the Core Retrofit Areas. Mr. Warren asked why the "likely" was included. Mr. Lafferty responded that the Department couldn't predict, but could just say "will". He asked Mr. Warren to make that motion. He continued that he didn't believe the document restricted anything but he was happy to reinforce that change. Mr. Warren reiterated he would request "likely" be struck.

Ms. Mantay continued with the next issue in the Growth Framework that came from Ms. Pinheiro that addressed the need to add language for incentivization, prioritization, growth, and redevelopment within the URDL. There were no comments from the Board.

Ms. Mantay moved on to the next issue also from Ms. Pinheiro to revise the definitions of Established Neighborhoods and Connected Neighborhoods to reflect existing conditions. Mr. Perlow stated that in the last Zoning cycle the Board turned down 6-8 apartments located behind shopping centers along York Road. He continued that he believed the County should be approving that already, and not paying attention to Zoning. He questioned how the Department of Planning looked at it, if old shopping centers should be torn down for housing, and stated that sometimes Zoning stops redevelopment. Mr. Lafferty responded that he agreed, sometimes Zoning put a halt in redevelopment, and that post-pandemic, a lot of shopping centers had been in decline. He mentioned that the Department looked at places within the nodes to see if they could support mixed use. He noted that the County could add a CT or CCC overlay to build apartments. He stated the County needed to take a hard look before CZMP to see what areas could support those overlays. Mr. Lafferty discussed that these issues drive the Departments thinking on these nodes and retrofit areas. He noted they were trying to create uses that better served the communities. He mentioned that if commercial markets were not going to return, the County needs to find valuable uses for the community; mixed use was something they need to drill down into, and part of that came from the Affordable Housing Workgroup and Report. Mr. Warren asked if they could change the Zoning code to make that automatic. Mr. Lafferty responded that CZMP was a mapping process, and that changes to the County Code needed to go through the County Council. He mentioned that CZMP could use existing overlays. Ms. Wolfson stated she understood need for housing, but asked if the County should be sacrificing residential capacity for industrial capacity, was there enough industrial need to drive that? Mr. Lafferty stated he couldn't speak to what Ms. Pinheiro said in her comments. He mentioned that DEWD employees were not saying there was an absence of industrial. He continued that he had heard some Developers say industrial needs to be opened up to include housing. Mr. McGinnis stated he did not support the changes, and that the support should be for existing neighborhoods.

Ms. Mantay continued with the next issue in the Growth Framework introduced by Ms. Pinheiro to revise the images for the Place Types and PDF Overview of Place Types to be consistent with revised definitions, or to delete them entirely. Ms. Mantay stated they would update graphics if needed. There were no other comments from the Board.

Ms. Mantay proceeded with the next issue in the Growth Framework addressed by Ms. Pinheiro to revise the image of the LaFarge Quarry to include the entire 415 acres. Mr. Heckman questioned was the issue that the map did not include all acreage? Mr. Lafferty stated that the map reflected the area as special use and the other part as a connected neighborhood. Mr. Perlow stated that both other Quarry's in Baltimore County were beautifully developed and used frequently by community members, and that he did not understand where any backlash would come from.

Ms. Mantay moved on to the next issue. This issue was brought up at the Public Hearing and recommended by staff to add language to make University of Maryland Baltimore County (UMBC) as a special area. Mr. Holupka questioned if the idea was to insert this. Ms. Mantay replied yes, this would be given Special Use Designation. Mr. Warren asked who made the comment. Mr. Lafferty stated that Steve Whalen made the comment at the Public Hearing and the staff agreed. Mr. Perlow questioned how this change impacted his ongoing project. Mr. Lafferty responded that Special Use Designation would need to be amended to fully fit his project. He continued that property did have the unique ability to drive change. He noted that their involvement in Arbutus shows their engagement in the process. Mr. Warren mentioned that, as a representative in that community, he supported this and it was a good idea to allow

growth for the University. He continued that the challenge was still getting from Spring Grove to the UMBC Campus.

Ms. Mantay continued with the next issue in the Growth Framework presented by Mr. Heckman. He requested to modify text within the Plan to better reflect the actual conditions of most neighborhood's and would remove a declarative statement about the future of the neighborhoods. There were no comments from the Board.

Ms. Mantay proceeded with the next issue within the Growth Framework presented by Ms. Pinheiro to eliminate the language to increase CZMP from every 4-years to every 10-years. There were no comments from the Board, as this was previously addressed.

Mr. Lafferty stated that, on page 7, Ms. Pinheiro asked to strike language about sequencing, but he was more indifferent about it than striking it altogether. Mr. Heckman stated he would have liked to hear from Ms. Pinheiro as to why she felt that way. Chairwoman Hafford explained that she should would be present at the next meeting. Mr. Heckman asked Mr. Lafferty if he was suggesting to reorder it. Mr. Lafferty responded that one of the challenges was by the time you get the census information and it was useful, it would be 2-3 years later. He questioned if the County should start their work without knowing the demographic make-up of the county. Mr. Holupka stated that most of the details were ACS driven and questioned whether the County needed the census. Ms. Meacham explained it did give them population information. Mr. Holupka asked if poverty was counted. Ms. Meacham responded no, but ACS was based off of census data and used from 2020. Ms. Wolfson stated on page 6, that the Master Plan was purview of the Planning Board. Mr. Lafferty stated that amendments would come through the Planning Board but would need approval from the County Council. Ms. Wolfson stated that was redundant and Mr. Lafferty agreed.

Ms. Mantay moved to the next issue in the Growth Framework that came from Ms. Emily Brophy, in regards to changing the CZMP process and suggested it be done more frequently than every 10 years. There were no comments from the Board.

Ms. Mantay continued with the next issue within the Growth Framework submitted by Mr. Perlow and Mr. Warren regarding the frequency of the CZMP and the further restrictions for the PUD process. Mr. Lafferty explained there was no recommendation to do away with PUD process. He continued that the Department was simply trying to review it because there are questions/concerns on the process. He stated the County must take a hard look to make an innovative process that wasn't confined by Zoning. Mr. Perlow stated he was concerned about Developers still wanting to come to Baltimore County if the Councilperson can shut down PUD's after approval.

Ms. Mantay proceeded with the next issue in the Growth Framework, suggested by Ms. Pinheiro, to remove the language recommending changes to the PUD process. There were no comments from the Board.

Ms. Mantay then continued with the next issues submitted by Mr. Holupka, regarding the data methods in regards to Core Retrofitting Areas. Ms. Mantay stated that the department used community input, APA, staff experience and expertise. Ms. Meacham mentioned the department began with community input/thoughts from MP hearings; case studies, academic material, and APA material on retrofitting. She continued then they used those metrics and determined what was more vs. less important in terms of what made an area good for retrofitting. Mr. Holupka questioned if the department had an idea of what they were looking for in the retrofit areas. Ms. Meacham responded no, that they had tweaked some weights because it was producing results of established neighborhoods. Mr. Johnson asked what percentage of the community input was put into these decisions. Ms. Meacham stated a large percentage. She continued that

they had many conversations on what was considered positives and negatives of these neighborhoods. Mr. Johnson questioned if all Community Districts were represented. Ms. Meacham replied yes. Mr. Lafferty mentioned this information came from virtual meetings, emails, surveys, etc.

Ms. Mantay moved to the next issue suggested by Mr. Holupka which concerned the wording “area” when speaking of the areas for retrofitting scores. Ms. Meacham stated some are done to parcel level, some are census tracts, and some are buffers around certain facilities.

Mr. Warren stated he did not feel comfortable voting on Master Plan 2030 at the next Board meeting on June 15th. He moved the Board discuss the plan further at the next meeting and vote at a later date. Mr. Warren then moved to adjourn the meeting.

Mr. Holupka returned to his sequestered issue and stated that the 15-minute city did not accurately capture Baltimore County. He stated that a recommendation to change that, however, would ripple through the entire Master Plan. He agreed he would not be ready to vote at the next meeting.

The Board discussed the possibility of holding additional work sessions outside the previously set Board meeting calendar. The Board ultimately decided upon holding a Work Session on June 8th. The status of the June 15th vote was left to be determined following the Work Session.

There were no questions or comments from the Board.

Adjournment of the Board Meeting

Chairwoman Hafford called for a motion to adjourn the meeting. Mr. Warren moved to adjourn the meeting. Ms. Wolfson seconded the motion, which passed at 6:14 PM with affirmative votes being cast by Mr. Arrey, Ms. Brophy, Mr. Heckman, Mr. Heintz, Mr. Hinton, Mr. Holupka, Mr. Johnson, Mr. McGinnis, Mr. Perlow, Mr. Warren and Ms. Wolfson. There were no dissenting votes.

The meeting adjourned at 6:14 PM.
