

**Baltimore County Planning Board
Master Plan 2030 Work Session/Deliberation**

June 8, 2023 – 4:00 PM

Call to Order, Introduction of Board Members, and Remarks by Chair

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

Present	Absent
<ol style="list-style-type: none">1. Ms. Nancy Hafford, Chair2. Mr. Peter Arrey3. Ms. Emily Brophy4. Ms. Beverly German5. Mr. Mark Heckman6. Mr. Steven Heintl7. Mr. Shafiq Hinton8. Mr. C. Scott Holupka9. Mr. Derick Johnson10. Mr. Wayne McGinnis11. Mr. Howard Perlow12. Ms. Cathryn Pinheiro13. Mr. Todd Warren14. Ms. Cathy Wolfson	<ol style="list-style-type: none">1. Mr. S. Chris Haffer

Attending County Staff included: Mr. Steve Lafferty, Ms. Amy Mantay, Ms. Jennifer Meacham, Mr. Austin Broderick, Ms. Krystle Patchak, Ms. Courtney Rachuba, and Ms. Taylor Bensley, all of the Department of Planning.

Item for Deliberation

1. Master Plan 2030

Chairwoman Hafford stated that the meeting was a Work Session to further deliberate on Master Plan 2030. She continued that the item was first introduced to the Board on May 4th, 2023, and a virtual Public Hearing was conducted on May 18th, 2023. On June 1st, 2023, the Board began deliberations that would be continuing during the meeting. She stated that the Department of Planning would be giving additional comments and information on the Board's sequestered issues. She then welcomed Mr. Stephen Lafferty, Director of Planning.

Mr. Lafferty stated there was a couple items he wanted to discuss. First, he wanted the Board to know that on June 5th, the County Council introduced legislation that enabled the County Executive to compensate the members of the Planning Board. This came as a result of legislation introduced in April on the compensation package. Bill 37-23 states that Planning Board members would receive \$15,000 and the Chair would receive \$20,000. He continued that if passed on July 3, 2023, it would begin immediately. He noted that he did not know the implication if any for the Financial Disclosures and that he was not aware of the legislation before it was introduced.

Mr. Lafferty continued to the next item he wanted to discuss, which was on research done by the Planning staff for other jurisdictions CZMP timing. He informed the Board that the following Counties followed the following comprehensive rezoning cycles:

- Anne Arundel County – 4 times since 1972, and went 12 years without rezoning
- Baltimore City – 6 years
- Carroll County – 6 years
- Frederick County – only done in conjunction with Small Area Plans, no routine cycle
- Harford County – 8 years
- Howard County – 10 years

Mr. Lafferty then informed the Board that Planning staff spoke with the County's Office of Law. The Office of Law confirmed there was no set format Master Plan needed to be in.

Mr. Heckman mentioned that in some jurisdictions, they had an alternate process for submitting a zoning change. Mr. Lafferty responded that Baltimore County also had an off-cycle zoning process, but it was put on hold during CZMP. Mr. Heckman responded that the bar was not set as high in Baltimore City as it was in Baltimore County for off-cycle zoning.

Chairwoman Hafford thanked Mr. Lafferty and turned the floor over to Mr. Holupka, as he had met with Ms. Meacham and Ms. Mantay following the last meeting to discuss metrics used in Master Plan 2030.

Mr. Holupka explained that the Board needed to think of the metrics in terms of a map, overlaying one layer at a time to make up the whole. The points were then sorted into a cluster analysis, which led to the creation of the Place Types Map. He continued that the metrics and scoring categories were based on current Planning-field-doctrines on what was important. He noted one of the big things he was concerned about had been where are we recommending growth to occur vs. where are we allowing growth to occur.

Mr. Warren stated that he had concerns on socio-economic issues. He questioned the data that was used, as it seemed to be a lot of data from 2010. Ms. Meacham responded that one 2010 ARPA funded layer identified vulnerable neighborhoods, but that all other data had been from 2020. Mr. Warren responded that there were challenges with using 2020 data because of the pandemic and recession. Ms. Meacham noted that there was not much Census data used, it had been majorly transit, locations, and minority populations. Mr. Warren explained he had a different party identify vulnerable communities and maps, and the results were significantly different. Ms. Meacham stated that different percentages would give different maps, but that the Department was trying to show very high versus high. Mr. Warren stated he was concerned about how means could be skewed by outliers, and provided information on average household income, average price for a home, and average rental rates. He concluded his comments but stating he was concerned about the historic problem of socially and economically segregating the County.

Chairwoman Hafford turned the floor over to Ms. Meacham and Ms. Mantay to review the Board's sequestered issues.

Ms. Mantay began working through the Sequestered Issues and staff's recommended actions following the June 1st Work Session. She stated that staff recommended removal of all mentions to Wikipedia in Commonly Used Terms.

Ms. Mantay stated staff was not recommending changes to the StoryMap format of Master Plan. Mr. Warren stated he had issues with the StoryMap freezing. Ms. Brophy commented that she had the same issue, and added that some of the Growth Framework page would take a long time to load or would freeze

and would need to be refreshed. Ms. Meacham explained that the Growth Framework included interactive maps and they did take time to load.

Ms. Mantay informed the Board of suggested staff changes following the June 1st Work Session. These were primarily language changes. She noted that staff did not recommend changes to the recommendation to move CZMP to a ten-year cycle, to re-evaluate the PUD process, or to review the location of the URDL. Ms. Mantay informed the Board that they could make motions for each of those items during the final vote, should they see fit.

Mr. Warren stated he would like to see more about agro-tourism in the Master Plan. Mr. Lafferty stated the County hired an Agriculture Development Specialist in the Department of Economic and Workforce Development to focus on that. He continued that the Tourism Office was intertwined, and they were working together to promote that, as the County Executive was committed to focusing on agricultural communities. Mr. Warren responded that he had heard from constituents that they wanted to access those lands, possibly for bed and breakfasts or flower marts, and that the County needed to incentivize preserved lands. Mr. Lafferty noted that bed and breakfasts and flower marts were permitted uses in some of the Resource Conservation Zones, but he understood what Mr. Warren was proposing. Ms. Mantay stated Goal 3, Actions 2-4 of the Resilient Economy section address those concerns.

Mr. McGinnis stated he had concerns about agro-tourism, stating it should be focused on how and where food was grown and not made into a commercial operation. He stated Agricultural Preservation was working to address that issue.

Mr. Perlow questioned where the Board stood on CZMP. Chairwoman Hafford explained that the Board needed to decide whether it would be conducted every 4 or 10 years. Mr. Perlow questioned whether they had a real discussion on the issue. Chairwoman Hafford explained they had not, but the Board should discuss it before putting it to a vote.

Mr. Perlow wanted to know why there was a need to change the Planned Unit Development (PUD) process from the Planning Departments point of view. He stated he had discussions with several Councilmen on the legislation to revoke a PUD and that he was concerned about not having PUDs readily available. Mr. Lafferty explained that the Planning Department had no role in Councilman Marks' Bill to revoke the LaFarge PUD. Mr. Perlow stated there were concerns from others that they will not be able to use PUDs. Mr. Lafferty stated there had been repeated concerns from communities on the PUD process, which were designed to be creative. One of the standards indicated the need for higher quality material and design, and the County had not been seeing that. Mr. Lafferty provided the example of the Reisterstown Road Chase Bank PUD, stating it had been approved for a single commercial structure, which was neither creative or innovative. He then explained that the Department of Planning did not want to eliminate PUDs, but rather re-examine the process to ensure it is transparent, creating quality uses, and that the development is creative. Mr. Perlow responded that Reisterstown Road Chase Bank was the correct use for a PUD; that redevelopment needed to take place and the Zoning was not in place for it. Mr. Lafferty stated he did not disagree it should have been zoned for a bank, but that did not mean it was the best use of the process. Mr. Perlow stated he was concerned the revised PUD structure would cause growth to become stagnant. He continued that, as a citizen who had lived in the County for 68 years, he was concerned the County would not have growth residentially because of affordability issues, or commercially because sites did not have the proper zoning.

Mr. Heckman questioned Mr. Perlow if he wanted to keep the language in Master Plan the same. Mr. Perlow responded that he could name ten projects that were PUDs and were wonderful developments. Mr. Heckman stated he was trying to stay focused on the language of the Master Plan, and asked if the Board agreed that the process should remain the same.

Mr. Hopluka noted that the Master Plan stated opportunities for development within the URDL would likely be redevelopment, as much of the County was built out. With redevelopment, the following questions would come up: did the property have correct underlying zoning for redevelopment; could developers still propose PUDs if comprehensive rezoning was done on a 10-year cycle instead of a 4-year cycle; and could Zoning classifications in the Baltimore County Zoning Regulations be re-done to include more flexibility.

Mr. Perlow gave one last example of a property that did not have the correct zoning. He cited the Ramada Inn on Reisterstown Road, which had no residential and did not have the Automotive Services (AS) District. He continued that Wawa wanted a station there, but they needed CZMP to establish the AS District to be able to propose gas pumps. He stated he was concerned about major corridors being unable to rezone and therefore the County not being able to continue economic growth. Mr. Warren mentioned he struggled with the same issue; he stated he would recommend once a month zoning but understood that would not be fair to communities. He noted there needed to be a balance for what was fair for everyone, and the ability to make changes between cycles.

Mr. Holupka mentioned that there were a lot of jurisdictions eliminating Single Family Detached zoning and questioned if the County could find something that allowed more flexibility without changing zoning.

Ms. Brophy noted that Master Plan was not CZMP and that zoning underlined the Master Plan. She stated there was clearly specific language the Board wanted to amend and urged the Board to focus on that.

Ms. Pinheiro requested “industrial” be added to the Commonly Used Terms.

Mr. McGinnis stated that, for the average person investing in a quality home, four years was a short amount of time to go without worrying about major changes to their neighborhood. Mr. Warren urged the Board to look at the greater good for all, not just one homeowner.

Mr. Lafferty reminded the Board the meeting was a Work Session, not a voting session. He stated that the Board would need specific language of what to strike or add at the final vote. Mr. Warren asked if the Board could vote to have the entire Master Plan re-written. Chairwoman Hafford explained yes, but that was not what the Board was doing. Mr. Warren stated that the Department of Planning was supposed to be there to help word a motion. Mr. Lafferty responded that the Department of Planning could help the Board, but the Board needed to be specific with wording and requests. Mr. Warren stated he would have liked to see Wally Lippincott’s Agro-Tourism report in the Plan, but understood it was not feasible, so asked staff to bring to next meeting so the Board could discuss. He stated he did not feel he had had enough time to review the Master Plan and that he would not feel comfortable voting at the Board meeting on June 15th. Mr. Lafferty explained that the Master Plan had been available for public review and commentary since April 3rd, 2023 and that staff would have welcomed that recommendation earlier, but that they would do their best to assist.

Chairwoman Hafford asked the Board how they would like to move forward. Ms. Pinheiro asked if the Board would be open to taking the proposed changes home to review and then reconvening at next week’s meeting, prepared to vote. Mr. Warren stated he believed the Board could not vote next week, as there was too much to add.

Mr. Perlow stated he had concerns about the Council’s decision to pay the Board members. He mentioned he would have conflicts serving if it was not a volunteer process anymore. He added he would not be in attendance at the June 15th meeting and asked the Board if the PUD and CZMP processes could be

discussed during the present Board meeting. Chairwoman Hafford stated she had no issues with his request. Mr. Perlow suggested they discuss CZMP first.

Ms. Brophy noted that demographics changed more often than every 10 years, and stated she wanted to strike all the language moving CZMP to every 10 years, unless the County reviewed underlying off-cycle zoning processes. Ms. Pinheiro agreed that the 10 years recommendation be stricken, explaining that rezoning was paramount to redevelopment, and that if the County moved to every 10 years, it could destroy redevelopment.

Ms. Wolfson asked if the Board would consider 6 years. Ms. Brophy responded she was not set on 4 years, but that her concern was on if there was an underlying process between those years. She stated she wasn't sure if Master Plan could change the off-cycle zoning process.

Mr. Heinl responded he supported the 4-year cycle since it followed Council members terms, and would give every elected official a chance to participate in CZMP. Mr. McGinnis agreed with Mr. Heinl. Mr. Perlow stated he believed it should be every 4 years, as 6- and 8-year cycles were too long and could cause delays. He mentioned he would be willing to communicate with the County Executive and request the Department of Planning be given more staff during CZMP, as he understood the workload. Mr. Warren stated he would also like to strike the CZMP recommendations currently in Master Plan.

Chairwoman Hafford asked the Board to say whether they would like CZMP to follow a 4-year cycle, a 10-year cycle, or something different.

- Mr. Warren – 4 year cycle
- Mr. Perlow – 4 year cycle
- Ms. Brophy – 4 year cycle
- Mr. Heckman – Master Plan should be silent on the issue, as it is a bigger picture outside Master Plan. The Board should allow the Planning Department to research how to streamline the development process.
- Mr. McGinnis – 4 year cycle
- Ms. Wolfson – 6 year cycle
- Mr. Holupka – Agreed with Mr. Heckman that it should be something else.
- Ms. German – 4 year cycle
- Mr. Johnson – 4 year cycle
- Mr. Arrey – 4 year cycle
- Ms. Pinheiro – 4 year cycle

Mr. Warren stated he wanted to strike all language regarding moving CZMP from a 4-year cycle to a 10-year cycle. Mr. Heckman mentioned adding language to research other venues for zoning. Mr. Warren replied that he was in support of adding language to elevate the CZMP process. Mr. Heckman stated he would come up with language for that.

Moving on to discuss the PUD process, Ms. Pinheiro stated she would like the PUD process to remain the same. Mr. Perlow agreed, stating the process had worked for the past 15+ years and that it was a Councilmanic privilege to make that decision for their district. He reiterated he did not want to see major changes that could ruin the PUD process.

Mr. Holupka referenced the draft Master Plan and stated he was not seeing anything that changed the process.

Mr. Warren stated he would like Master Plan to remain silent. Mr. Perlow explained he was unsure if the language belonged in the Master Plan. He suggested the Board discuss the process after Master Plan and CZMP concluded.

Mr. Johnson questioned Mr. Perlow as to why the language should be removed if the Board would like to discuss it at some point. Mr. Perlow responded that he wasn't sure discussions on PUDs belonged in Master Plan, stating he did not want it to be used in the future to eliminate PUDs.

Mr. Heckman mentioned that PUDs were a part of the development process and the section of the draft Master Plan talks about said process. He noted the language was simple and should be left in Master Plan. Mr. Perlow responded that the Master Plan is the County's Plan, not the Board's, and did not want to give Council permission to change PUDs without Planning Board approval. Mr. Heckman suggested language be added that any changes needed to be brought to the Board.

Mr. Warren stated his challenge was that constituents used the Master Plan in court and they could use the language to have PUDs revoked or removed entirely.

Ms. Wolfson mentioned the commonality of PUDs and stated they should be subject to the same goals as the Master Plan. Mr. Perlow disagreed, and noted that PUDs permitted the County to allow growth if both the Councilman and community requested it. Ms. Wolfson discussed that residents purchase and live on property while considering their underlying zoning; PUDs change that underlying zoning, and constituents at the least should have assurance the PUD would meet the goals of the Master Plan. Mr. Warren stated he would argue the other way, stating residents sometimes bought property that was then downzoned.

Mr. Perlow mentioned the Quarry development in Pikesville had improved the property values up to \$600-\$700,000 range.

Ms. Wolfson explained she did not disagree with Mr. Perlow but believed PUDs should be subject to the goals of the Master Plan.

Chairwoman Hafford asked the Board how they felt about the PUD language.

Mr. Holupka mentioned that the language referred to a task force. Chairwoman Hafford asked if the Board could be the task force. Mr. Warren responded that having the Board as the task force would mean everyone would have input. Mr. Holupka explained that the language said the County would have a larger discussion, that it was not being changed. Mr. Perlow stated he could be in support of the language if the decision could be made by the Planning Board, and not by Council.

Mr. Warren was concerned that the language stated the Board needed to look at the PUDs, and the community would see as the Planning Board needing to evaluate all PUDs. He stated this would slow down the process for everyone.

Chairwoman Hafford reiterated earlier comments of the possibility of Master Plan saying the Board could be stewards of the review process. Mr. Johnson mentioned that the Council had the ability to change that prior to approving Master Plan. Chairwoman Hafford responded they have always been able to change that.

Mr. Lafferty mentioned that they could possibly change the language to say "the Planning Board should study", that way the Planning Board owns the study of the process. He continued that the language was intended to look at the process, not specific PUDs, as the Department of Planning already looks at

individual PUDs and they do not come to the Planning Board for review. He noted that the Board could say they would like to be more involved in the review, if that was how the Board felt.

Mr. Perlow noted he did not want the County Council dictating the PUD process. He wanted to feel comfortable that the Planning Board had parameters to review it. He suggested beginning a task force after CZMP to examine the process, hear comments from the communities, and then hold a major review.

Mr. Arrey questioned Mr. Perlow if that would be a periodic review. Mr. Perlow stated no, it would be a one-time review.

Ms. Brophy agreed on adding language that made the Planning Board the reviewers of the process. She stated she would also like the Board to be included on discussions about Transit Oriented Developments (TOD's).

Mr. Perlow questioned Mr. Lafferty if the County controlled TOD's. Mr. Lafferty responded the County did not currently have a definition for TOD's. He continued the designation came from the State, and a site would need proper zoning to be designated as a TOD.

Chairwoman Hafford asked the Board for their opinion on adding the Planning Board as the reviewing agency. Mr. Lafferty explained Master Plan could say "the Planning Board" should study the process. Mr. Perlow stated he would like the Planning Board to be involved in any major changes to the process, even if that meant delaying the process.

Chairwoman Hafford asked the Board members yes or no for the Planning Board being the stewards on the PUD processes.

- Mr. Arrey – Yes
- Mr. Warren – Yes. Language should specifically state to evaluate past successful PUD's, and continue to promote, so the language is more positive, not negative.
- Mr. Johnson – Yes
- Ms. German – Yes
- Mr. Holupka – Yes
- Ms. Wolfson – Yes
- Mr. McGinnis – Abstained from commenting
- Mr. Heckman – Yes, and agreed with Mr. Warren that language should focus on successes
- Ms. Brophy – Yes
- Mr. Perlow – Yes, and agreed with Mr. Warren that language should focus on successes

Chairwoman Hafford asked if there was anything else to address.

Mr. Perlow thanked Chairwoman Hafford and the Board for addressing the two issues while he was in attendance.

Mr. Warren stated he still was not on board with voting at the next meeting, on June 15th, 2023.

Mr. Heckman requested a quick discussion on the Master Plan format. Chairwoman Hafford allowed the discussion. Mr. Heckman was concerned about the online format of the Master Plan, including the hyperlinks. He wanted to hear from other Board members their feelings on the current format. He mentioned that the hyperlinks, especially the ones that referenced websites, could change over time and the County would not have control over that. He noted he was supportive of internal links, but was against the external links. He urged the Board they should be voting on something tangible.

Chairwoman Hafford stated they would go around the room to Board Members for their opinions.

- Mr. Warren – Agree. Stated he feels better knowing the format has been approved by the Office of Law, but that he has had challenges on the format and figured others would struggle too.
- Ms. Brophy – Stated the County needed to keep a version of the PDFs since not everyone had access to the website. Was concerned over the digital divide.
- Mr. Perlow – Mentioned the digital divide based on age. Some may be computer literate, but there should still be concern with making everything a hyperlink.
- Mr. Heckman – Stated he was just concerned about what would be legally binding. Did not want to vote on hyperlinks that could change.
- Ms. German – Agree, also concerned with external hyperlinks.
- Mr. Holupka – Agree, also concerned with external hyperlinks. Mentioned law firms had pointed out there were many pages that could change.
- Mr. Arrey – Agree, needs to be tangible and easily accessible to everyone.
- Ms. Wolfson – Disagree. Stated she fully supported the StoryMaps and without the hyperlinks, it would be useless. She referenced a reading that stated 95% of teens were on social media, and noted that the County needed to include the younger age residents into the process. She mentioned the Board should not be afraid of the new format of being a living, breathing document.

Mr. Holupka mentioned that his concern was the hyperlinks outside the County website could be changed. Ms. Wolfson responded that it was supposed to be a living, breathing document. Chairwoman Hafford noted it was not the issues with the hyperlinks, but their ability to change without the Board's approval.

Mr. Lafferty explained the links were added to provide additional information and assistance to the constituents. He noted that a number of the links were from Federal, State and Local Governments. There was also a link to Sustainable Places, which helped the Planning staff draft the plan. He mentioned they could possibly keep the links from the Government entities and cite the other links in a different way.

Mr. Heckman stated he was in support of the links being there for information only. Mr. Lafferty responded that there could be a disclaimer to that effect. Mr. Heckman was in support of that idea.

Mr. Warren asked how would that be shown in the Plan, and suggested a reference page be located outside of the document. Chairwoman Hafford asked if it would be in the document with a disclaimer or a reference page. Mr. Heckman responded a disclaimer that all hyperlinks were provided for additional information. Chairwoman Hafford asked each Board member their opinion

- Mr. Arrey – Would like a Disclaimer, but okay with keeping hyperlinks in the StoryMap
- Ms. Brophy – Would like a Disclaimer and Reference Page
- Ms. German – Would like a Disclaimer and Reference Page
- Mr. Heckman – Would like a Disclaimer, but okay with keeping hyperlinks in the StoryMap
- Mr. Holupka – Would like a Disclaimer, but okay with keeping hyperlinks in the StoryMap
- Mr. Johnson – Would like a Disclaimer, but okay with keeping hyperlinks in the StoryMap
- Mr. McGinnis – Abstained from commenting
- Mr. Perlow – Would like a Disclaimer and Reference Page
- Mr. Warren – Would like a Disclaimer and Reference Page
- Ms. Wolfson – Would like a Disclaimer, but okay with keeping hyperlinks in the StoryMap

Mr. Lafferty stated the language for the Disclaimer could be drafted by staff.

Chairwoman Hafford stated the next meeting would be next Thursday, June 15th. Discussion among Board members led to the determination that the June 15th meeting would be a Work Session and the vote on Master Plan 2030 would be on June 29th.

Mr. Warren stated the issues for the next meeting would be agro-tourism and reviewing the URDL.

Adjournment of the Work Session Meeting

Chairwoman Hafford called for a motion to adjourn the meeting. Mr. Warren moved to adjourn the meeting. Ms. Brophy seconded the motion, which passed at 6:10 PM with affirmative votes being cast by Mr. Arrey, Ms. Brophy, Ms. German, Mr. Heckman, Mr. Holupka, Mr. Johnson, Mr. McGinnis, Mr. Perlow, Mr. Warren and Ms. Wolfson. There were no dissenting votes.

The meeting adjourned at 6:10 PM.