

**MINUTES**

**Baltimore County Planning Board Meeting**

**June 15, 2023**

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**Adjournment of the Board Meeting**

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- Appendix A**     Cycle 41 Water Supply and Sewerage Master Plan Amendment Presentation
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*Note: A copy of the appendices is located in the official digital Planning Board files.*

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**Baltimore County Planning Board Meeting Minutes  
June 15, 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 2. Mr. Peter Arrey 3. Ms. Emily Brophy 4. Ms. Beverly German 5. Mr. Mark Heckman 6. Mr. Shafiyq Hinton (Arrived at 4:12 PM) 7. Mr. C. Scott Holupka 8. Mr. Derick Johnson 9. Mr. Wayne McGinnis 10. Ms. Cathryn Pinheiro 11. Mr. Todd Warren 12. Ms. Cathy Wolfson	1. Mr. S. Chris Haffer 2. Mr. Steven Heinel 3. Mr. Howard Perlow

Attending County staff included: Mr. Steve Lafferty, Ms. Amy Mantay, Ms. Jennifer Meacham, Ms. Krystle Patchak, Ms. Courtney Rachuba, and Ms. Taylor Bensley, all of the Department of Planning; and Ms. Jeannette Applauso of the Department of Public Works and Transportation.

**Review of Today’s Agenda**

Ms. Bensley reported there were no changes to the Tentative Agenda published June 8<sup>th</sup>, 2023.

**Minutes of the June 1, 2023 Meeting**

Chairwoman Hafford asked the Planning Board members if they had any changes to the June 1<sup>st</sup>, 2023 Minutes. Hearing none, Chairwoman Hafford called for a motion to approve the Minutes as drafted. Ms. Brophy moved to approve the Minutes as drafted. Mr. Warren seconded the motion, which passed at 4:03 PM with affirmative votes being cast by Mr. Arrey, Ms. Brophy, Ms. German, Mr. Heckman, Mr. Holupka, Mr. Johnson, Mr. McGinnis, Ms. Pinheiro, Mr. Warren, and Ms. Wolfson. There were no dissenting votes.

**Item for Introduction**

1. Cycle 41 Water Supply and Sewerage Master Plan Amendment

Chairwoman Hafford stated that first on the agenda was a presentation by Ms. Jeanette Applauso of the Baltimore County Department of Public Works and Transportation on the Cycle 41 Water Supply and

Sewerage Master Plan Amendments. She noted that after the presentation, she would call for a motion to set a Public Hearing on the matter. She then welcomed Ms. Applauso.

Ms. Applauso introduced herself as a Civil Engineer with the Department of Public Works and Transportation (DPWT) and stated she was in attendance to introduce the Annual Water Supply & Sewerage Plan Amendments for Cycle 41. She began her presentation and displayed the Public Notice, which had been posted in the Jeffersonian and the Daily Record, as well as on the DPWT's website, in compliance with the Executive Order governing the Annual Amendment Process. The Public Notice showed one petition throughout the Cycle. She continued with a review of the current map designations definitions for reference as she moved through the presentation. Ms. Applauso then briefly discussed Amendment 23-01, which was the CP Crane Generating Station located at 1021 Carroll Island Road in Middle River. She explained that the property was inside the Metropolitan District and outside the URDL. The current map designations were W-7/S-7: No Planned Community or Multi-Use Service. She noted that the petitioner was requesting changes to W-1/S-1: Existing Service Areas located in the western portion and W-3/S-3 located in the eastern portion of the petition. Ms. Applauso then moved on to explain that the petitioner currently had water and sewer service to the existing structures on parcels located in the eastern portion of the petition. She noted that the petitioner was requesting map designation changes due to substantial changes within the character of the neighborhood and the danger to public health. Ms. Applauso concluded her presentation and thanked Chairwoman Hafford and the Board for their time.

Chairwoman Hafford thanked Ms. Applauso for her presentation and opened the floor for questions and comments from the Board.

Mr. Warren questioned if the Board had previously reviewed a Water and Sewer Master Plan Amendment for the subject site. Ms. Applauso confirmed yes, that the Board had reviewed a request in June, July, and September of 2022 with Cycle 40, but that Council had denied the petition so the property owner reapplied. She noted that this year's petition was slightly different from last years, as the property owners were now only requesting water and sewer for a portion of the site. Mr. Warren then asked if the property owners were proposing an URDL change. Ms. Applauso stated that an URDL change was not included in this year's petition.

With no further questions or comments from the Board, Chairwoman Hafford called for a motion to set a Public Hearing. Mr. Holupka moved, that an in person Public Hearing be set for Thursday, July 20<sup>th</sup>, 2023 at 5:00 PM regarding the Cycle 41 Water Supply and Sewerage Master Plan Amendments. Mr. Warren seconded the motion, which passed at 4:09 PM with affirmative votes being cast by Mr. Arrey, Ms. Brophy, Ms. German, Mr. Heckman, Mr. Holupka, Mr. Johnson, Mr. McGinnis, Ms. Pinheiro, Mr. Warren, and Ms. Wolfson.

### **Item for Deliberation**

#### 2. Baltimore County Master Plan 2030

Chairwoman Hafford explained that next on the agenda was the opportunity to further deliberate on Master Plan 2030. She stated that the item was first introduced to the Board on May 4<sup>th</sup>, 2023, and a virtual Public Hearing was conducted on May 18<sup>th</sup>, 2023. On June 1<sup>st</sup> and June 8<sup>th</sup>, the Board had the opportunity to discuss the plan and proposed changes. She then turned the floor over to the Department of Planning for additional comments and information on the Board's sequestered issues.

Mr. Lafferty, Department of Planning Director, had no further comments and turned the floor over to Ms. Mantay, Department of Planning Deputy Director.

Ms. Mantay began presenting the updated version of the sequestered issues chart with the edits and changes to Master Plan from the June 8<sup>th</sup>, 2023 Work Session. She noted in the Overview section there were concerns about legality issues and changes to hyperlinks, and asked if there were any other thoughts or discussions on the matter.

Chairwoman Hafford reminded the Board the vote for added or removed items would be at the June 29<sup>th</sup>, 2023 meeting.

Ms. Brophy stated they had discussed the use of hyperlinks only for County, Federal, and State websites, and there would be a reference page for the other information.

Mr. Hinton arrived at 4:12 PM.

Ms. Mantay stated she could not recall that level of detail but explained that the Board could make that motion. Ms. Brophy reiterated that they had recommended to keep links from vetted governmental agencies but that information outside the government should be on a separate reference page.

Ms. Wolfson questioned if the links would remain the same, as that was the idea of the disclaimer. Mr. Lafferty explained that after speaking with the Office of Law, the County was unable to provide a disclaimer since it was relied upon information and the Office of Law did not characterize the links as footnote. He noted that the Source Page would be external to the Master Plan but still available to the public.

Ms. Mantay moved on to the next sequestered issue in the Overview that stated the need to clarify the purpose of the Core Retrofit Areas. There were no comments or discussions on this issue.

Ms. Mantay continued to the next issue in the Commonly Used Terms section regarding Wikipedia. There were no comments from the Board as the issue had been discussed previously.

Ms. Mantay proceeded with the next issue in the Vision Framework, to revise the Livable Built Environment Goal 1, Action 1, regarding the URDL. Mr. Warren stated he would like to recommend a study be conducted on the URDL in regards to racial and economic segregation. Mr. Holupka questioned if Mr. Warren wanted to modify the language. Mr. Warren stated he was content with the language but wanted to add the study recommendation.

Ms. Mantay moved on to the next issue in the Vision Framework, to revise the Livable Built Environment Goal 1, Action 8, to add the creation of a CZMP task force by the Department of Planning. There were no comments or discussions on the issue.

Ms. Mantay continued with the next issue in the Growth Framework to revise the Growth Framework Place Types Growth Framework image to present the entire picture of the 415 acres of the LaFarge Quarry. There were no comments or discussions on the issue.

Mr. Warren wanted to revert back to page 3, in regards to the Value-Added Agriculture Report. He stated that the Planning Board had previously approved the report, but nothing had been done. He continued that the report included a Growth Tier Plan 1, 2, and 3 that set aside land outside the URDL that would allow for some commercial use. He noted a large amount of time was spent on the research process for the Master Plan on Agriculture and was favorable from the community. He requested Stages 1, 2, and 3 of the report be incorporated into the Master Plan. Mr. Heckman noted there was language in the Draft that stated staff recommended implementing the recommendations, and asked Mr. Warren if it needed to be more specific. Mr. Warren replied yes. Mr. Lafferty stated that the proposal was different from what Mr.

Warren previously asked. He continued the report had asked for different land use, and it did not change the mapping of intentional zoning issues. Mr. Lafferty urged the Board to take time to look at the implications. Mr. McGinnis stated he thought the language was clear and staff recommendation was fair. There were no other questions or discussions about the issue.

Ms. Mantay stated that Mr. Warren requested a revision to the Growth Framework 4. Mr. Warren confirmed and explained that Venable pointed out 16 nodes, and he believed they should be added back into the Plan. Mr. Lafferty noted that Ms. Meacham had previously stated that the nodes were excluded due to their size and/or location, and they did not fit the outcomes needed. He requested Mr. Warren give a specific list as to where they should be added. Mr. Holupka stated that staff had explained after the last meeting that Venable used different cut offs, and what they determined would be enough points to be a node may not be what the Planning staff determined. He reminded Mr. Warren and the Board that whether or not a location was a node, did not matter and development could occur anywhere within the URDL. Mr. Warren mentioned that there was a node in the higher income areas that was excluded and that he did not agree with that. Mr. Holupka responded to Mr. Warren that some of the areas were too small to be included. Ms. Meacham pointed out that on page 3, the second issue had already stated to add language stating why some areas were removed. Mr. Warren was satisfied with the wording.

Mr. Lafferty revisited the LaFarge Quarry and questioned if the Board wanted the entire site to be coded as Special Use. Ms. Pinheiro responded yes.

Ms. Mantay moved on the next issue of CZMP and stated the recommendation to add a new section to study the CZMP process. Mr. Holupka questioned if the Board discussed reviewing the current Zoning Code. He mentioned that part of the issue was if the underlying zones were too restrictive, it made the redevelopment process quite difficult. Mr. Warren stated yes, there were comments to change the usage of zoning. Mr. Lafferty noted that the comment was introduced at the Public Hearing to revise the Code. Mr. Holupka stated that the issues with CZMP, the Master Plan, and Planned Unit Developments was that the underlying zoning did not match. He recommended new language or a task force be used to review the Baltimore County Zoning Regulations. Mr. Lafferty explained that zoning had ongoing revisions. He continued other jurisdictions had performed complete overhauls, but it was expensive and difficult. He mentioned there were over 30 Zoning Codes and it would be a timely process, but could be done. Mr. Holupka asked if it needed to be included in the Master Plan. Mr. Lafferty responded no. Mr. Warren questioned who would make up the teams and the task force. Ms. Brophy noted that the Draft Plan stated the Planning Department and Planning Board, and recommended to include the words create and comprise. Mr. Warren stated he was not opposed to including external individuals. Ms. Brophy responded that it could remain as it was. Mr. Heckman reminded the Board that Mr. Perlow felt strongly that the Planning Board should be involved. Mr. Warren stated he was content with the wording.

Ms. Mantay proceeded with the next issue in the Growth Framework, which stated the maps were vague and did not consider Zoning, school capacity, and available infrastructure. Mr. Warren stated he did not want to address the comment until Mr. Perlow was present.

Ms. Mantay moved on to the next issue in the Growth Framework stating that redevelopment was focused inside the beltway. Mr. Warren emphasized the importance of incentivizing new development, especially in areas where it may not be economically feasible if the incentives were not in place. He noted that the Liberty Road Plan looked to bury all overhead lines and add parks, benches, and bike racks, but that the area was in a state of decline so incentives – be it aggressive tax incentives, County or State dollars, etc. – would be needed to encourage developers to redevelop the area. Mr. Lafferty stated he agreed the County needed to research incentive opportunities and noted that the Master Plan included strategies to increase incentives and opportunities. He continued that the intent was to start with the Master Plan, then move onto Small Area Plans, which would be followed by the Capital Improvement Program, and then the

budget would follow. He noted capital resources for water, sewer, schools, roads etc., were needed and they were unable to anticipate retrofitting without capital funds. Mr. Warren explained he did not want infrastructure support, but incentives for developers such as money and overlays. Mr. Lafferty mentioned that zoning overlays were in the Planning Board and County Council hands. He noted the County already offered commercial tax credits within Commercial Revitalization District's (CRD), and the Planning Department and Department of Economic Workforce and Development were exploring incentives for housing, mixed use, and revitalization of commercial shopping centers that were in decline.

Ms. Brophy asked if the Plan could add hyperlinks to the CRD programs. Ms. Mantay responded that they were linked.

Mr. Warren reiterated that there needed to be major changes to allow incentives. Mr. Lafferty stated he would welcome the Economic Board to review what would incentivize development, as it was not the Department of Planning's purview. Mr. Heckman mentioned another option for incentivizing could be the expedited process for certain areas. Mr. Warren noted it could also be better zoning classifications.

Mr. McGinnis questioned how the numbers of residents moving out of Baltimore County impacted growth projections and stated he had concerns about subsidized housing and what that would bring to Baltimore County. Mr. Holupka explained that Baltimore was an attractive County because of its thriving economy and continued that the County needed to be able to provide housing for both residents and potential residents, so it could continue to grow. Mr. Warren mentioned that if supply was restricted and demand remained high, homes would become unaffordable. He noted the want for a thriving workforce, economy, etc.

Mr. Heckman questioned if the Board should add stronger language that stated the County was committed to finding ways to encourage growth in the discussed areas. Mr. Warren agreed with that idea but mentioned that decision would ultimately be left to County Council. Ms. Wolfson stated she supported incentivizing within the retrofit areas. Mr. Heckman agreed and deferred to Ms. Mantay on where in the Plan to include the language. Chairwoman Hafford stated it could be sent to the Board once drafted.

Ms. Mantay continued with the next issue in the Growth Framework that mentioned Affordable Housing. Mr. Warren stated he had no further comments. Mr. Lafferty noted that the Affordable Housing Workgroup Report was linked in the Plan. Mr. Holupka discussed some of the areas identified as retrofit conflicted with the recommended areas in the Affordable Housing Workgroup Report. Ms. Wolfson stated she believed the point of the Plan was to make retrofitted areas good, desirable neighborhoods. Mr. Warren noted it was an important part but did not meet the lawsuit of affordable housing. Mr. Lafferty mentioned that the goal and intent of the Plan was to strengthen the areas and make them more attractive. Ms. Wolfson had concerns about Liberty Road and stated the residents continued to feel neglected, and were told the neighborhood did not support quality housing. She questioned why the Plan encouraged new development instead of investing in the communities. Mr. Warren explained he wanted all residents to have the opportunity to live wherever they wanted to live. Ms. Wolfson responded that not many people wanted to live in Randallstown.

With no other questions or comments from the Board, Chairwoman Hafford reminded the Board that the vote on Master Plan 2030 was tentatively scheduled for June 29<sup>th</sup>, 2023 during a Special Meeting of the Planning Board.

### **Other Business**

3. Report from the June 8, 2023 meeting of the Landmarks Preservation Commission

Ms. Bensley gave a report on the major actions of the Landmarks Preservation Commission at their June 8, 2023 meeting.

4. Recent County Council legislation of interest to the Board

Ms. Bensley gave a report on the recent legislation passed by the County Council of interest to the Board, which included:

- a. Bill 19-23 – Basic Services Maps
- b. Bill 27-23 – Annual Budget and Appropriate Ordinance of Baltimore County
- c. Bill 36-23 – Cannabis Facilities
- d. Resolution 10-23 – Establish the Owings Mills Commercial Revitalization District
- e. Resolution 13-23 – Planning Board – Short Term Rentals
- f. Resolution 14-23 – Planning Board – EV Charging Stations
- g. Resolution 15-23 – Revocation of Approval of Resolution and PUD Application – BC Middle River Park
- h. Resolution 17-23 – Updates to the Patapsco/Granite Area Community Plan

Mr. Lafferty noted that three of the items – EV Charging Stations, Short-Term Rentals, and the Patapsco/Granite Area Community Plan – would come before Planning Board.

**Adjournment of the Board Meeting**

Chairwoman Hafford called for a motion to adjourn the meeting. Mr. Johnson moved to adjourn the meeting. Ms. Brophy seconded the motion, which passed at 5:06 PM with affirmative votes being cast by Mr. Arrey, Ms. Brophy, Ms. German, Mr. Heckman, Mr. Heidl, Mr. Hinton, Mr. Holupka, Mr. Johnson, Mr. McGinnis, Ms. Pinheiro, Mr. Warren and Ms. Wolfson. There were no dissenting votes.

The meeting adjourned at 5:06 PM.

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