

MINUTES

Baltimore County Planning Board Meeting

October 19, 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

October 19, 2023

Call to Order, Introduction of Board Members

Chairwoman Hafford called the meeting to order at 4:21 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. Emily Brophy
2. Mr. Peter Arrey	2. Ms. Beverly German
3. Mr. Mark Heckman	3. Mr. S. Chris Haffer
4. Mr. Steven Heintz (Arrived at 4:28 PM)	4. Mr. Howard Perlow
5. Mr. Shafiq Hinton (Arrived at 4:22 PM)	5. Ms. Cathryn Pinheiro
6. Mr. C. Scott Holupka	6. Mr. Todd Warren
7. Mr. Derick Johnson	
8. Mr. Wayne McGinnis	
9. Ms. Cathy Wolfson	

Attending County staff included: Mr. Steve Lafferty, Ms. Amy Mantay, Ms. Jennifer Meacham, Mr. Kristopher Weaver, Mr. Austin Broderick, Ms. Krystle Patchak, and Ms. Taylor Bensley, all of the Department of Planning; and Ms. Lisa Eicholtz, Ms. Erin McKenna-Streyle, Ms. Amy Bley, and Ms. Jeannette Applauso, all 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 October 12th, 2023. She noted that the Board vote on the Electric Vehicles Charging Stations Report, tentatively scheduled for October 19th, 2023, had been postponed to the November 2nd, 2023 Board Meeting.

Mr. Hinton entered the meeting at 4:22 PM.

Item for Introduction

1. Short Term Rentals Report (Council Resolution 13-23)

Chairwoman Hafford informed the Board that the first item on the agenda was a brief presentation by Mr. Steve Lafferty of the Department of Planning on the Short Term Rentals Report. She continued that the matter was before the Planning Board as a result of Council Resolution 13-23, which requested the Planning Board conduct a review of the growing trend and proliferation of short term rental properties in the County and consider recommendations for possible legislation to integrate this short term guest housing option into the County’s laws, regulations, and policies for such use. Chairwoman Hafford concluded her remarks by stating that after the presentation, she would call for a motion to set a public hearing on the matter; she then welcomed Mr. Lafferty.

Mr. Lafferty informed the Board that Resolution 13-23, passed by the County Council in May 2023, requested the Baltimore County Planning Board review short-term rentals (STRs) and consider recommendations for legislation and policies governing them. The review was to include the locations of STRs and best practices from similar jurisdictions. Mr. Lafferty explained that the report, which had been

provided to the Board, provided background information, the County's ongoing work in this policy space, and preliminary recommendations for next steps.

Mr. Lafferty continued that there had been significant growth in online booking of STRs over the past few years through sites like Airbnb, Vrbo, and Flip Key. He explained that, because STRs were not tracked separately from residences by the Department of Permits, Approvals, and Inspections (PAI), PAI did not have a comprehensive list of all of the County's STRs. To combat this, PAI has purchased a software tracking program, Granicus, to track and confirm all STRs had the appropriate licenses.

Mr. Lafferty explained that the Report also looked at other local jurisdictions to find similarities on how to proceed, included questions to and answers from the Office of Law to confirm compliance, and provide key recommendations on how to move forward. The key recommendations included continuation of implementation of the Granicus tracking software and possible new legislation, which would be further explained at the Public Hearing. Mr. Lafferty concluded his remarks by stating he was available for any questions.

Mr. Heintz entered the meeting at 4:28 PM.

Chairwoman Hafford thanked Mr. Lafferty for his presentation and opened up the floor for questions or comments from the Board.

Ms. Wolfson commented there were online booking options for other services, like camping, and asked if the Report considered those as well. She noted that there were problems in Council District 4 with property owners inviting campers to camp in the public right-of-way. Mr. Lafferty responded that the Report looked specifically at short term residential rentals, and that online booking websites for renting camping sites, swimming pools, etc. were not included in the Report.

Mr. McGinnis questioned if STRs had been abused in other counties. Mr. Lafferty explained that the workgroup did not believe the use of STRs was being abused, and that most property owners used their STR to generate secondary income. He continued that the primary concern was a Short Term Rental turning into a party house, so to speak, where people rent the home for a long weekend to have a large party. He further explained that Baltimore County had a Social Host Ordinance, which allowed the police to intervene if parties were out of control.

Mr. Johnson asked if there were areas of the County that had a greater concentrations of STRs, specifically STRs in violation. Mr. Lafferty replied that the question was a prime example of the County's need for the Granicus software – to identify where the STRs were located, as the County didn't currently have enough data. He continued that part of the intent with Granicus would be to evaluate where the STRs were, confirm if they were complying with the law, and determine if there were key issues.

There were no further questions or comments from the Board.

With no further questions or comments, Chairwoman Hafford called for a motion to set a Public Hearing. Mr. Holupka moved that the Baltimore County Planning Board set an in person public hearing regarding the Short Term Rentals Report (Council Resolution 13-23) for Thursday, November 2nd, 2023 at 5:00 PM. Mr. McGinnis seconded the motion, which passed at 4:31 PM with affirmative votes being cast by Mr. Arrey, Mr. Heckman, Mr. Heintz, Mr. Hinton, Mr. Holupka, Mr. Johnson, Mr. McGinnis, and Ms. Wolfson. There were no dissenting votes.

Minutes of the October 5, 2023 Meeting

Chairwoman Hafford asked the Planning Board members if they had any changes to the October 5th, 2023 Minutes. Hearing none, Chairwoman Hafford called for a motion to approve the Minutes as drafted. Mr. Arrey moved to approve the Minutes as drafted. Ms. Wolfson seconded the motion, which passed at 4:32 PM with affirmative votes being cast by Mr. Arrey, Mr. Heckman, Mr. Heinl, Mr. Hinton, Mr. Holupka, Mr. Johnson, Mr. McGinnis, and Ms. Wolfson. There were no dissenting votes.

Item for Discussion and Vote

2. Baltimore County Water Supply and Sewerage Plan 2023 Triennial Review

Chairwoman Hafford informed the Board that the next item on the agenda was the opportunity to further discuss and then vote on the Baltimore County Water Supply and Sewerage Plan 2023 Triennial Review. She continued that the item was first introduced to the Board on September 21st, and a Public Hearing was conducted on October 5th, and that staff from the Department of Public Works and Transportation were present to answer any questions from the Board during the discussion and prior to the vote. Chairwoman Hafford then asked Ms. Erin McKenna-Streyle, Ms. Amy Bley, and Ms. Jeannette Applauso if they had any comments before the Board discussed.

The Department of Public Works and Transportation (DPWT) staff did not have any comments.

Chairwoman Hafford opened the floor up for discussion and questions from the Board.

Mr. Heckman stated that DPWT had promised the Board a point-by-point response letter in response to the Green Towson Alliance written testimony, but that he did not feel the provided response was adequate. He continued that the response letter did not address the basic issues in Council District 2 where DPWT was saying there were no issues, but development projects were being rejected by the Administrative Law Judge because evidence showed there was not adequate sewerage capacity. Mr. Heckman stated that he was very confused and did not understand all of the legalese, but that there seemed to be a basic issue where DPWT was saying it was okay and others were saying it was not. He noted that he did not feel comfortable passing the current Triennial Review documents onto County Council for consideration. Mr. Heckman then stated that the question had also come up multiple times by constituents, the Board, and Councilman Patoka, and that the issue clearly needed to be addressed. He concluded his comments by stating that developers would not want to come in and propose development if they knew the work would be denied by the Administrative Law Judge in a years' time.

There were no further questions or comments from the Board.

With no further questions or comments, Chairwoman Hafford called for a motion on the Triennial Review. Mr. Holupka moved that the Planning Board approve the Water Supply and Sewerage Plan 2023 Triennial Review dated September 21st, 2023, and recommend it be forwarded to the County Council for appropriate action. Mr. Johnson seconded the motion, which passed at 4:37 PM with affirmative votes being cast by Mr. Arrey, Mr. Heinl, Mr. Hinton, Mr. Holupka, Mr. Johnson, and Mr. McGinnis. Mr. Heckman and Ms. Wolfson voted in opposition to the motion.

Other Business

3. Report from the October 12, 2023 meeting of the Landmarks Preservation Commission

Ms. Bensley gave a report on the major actions of the October 12th, 2023 Landmarks Preservation Commission 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 64-23 – Zoning Regulations – School-Related Uses in the R.C.2. Zone
- b. Bill 65-23 – Zoning Regulations – Uses Permitted – C.B. Zone
- c. Bill 66-23 – Zoning Regulations – Changeable Copy Signs
- d. Resolution 31-23 – Establish the Middle River Commercial Revitalization District

Adjournment of the Board Meeting

Chairwoman Hafford called for a motion to adjourn the meeting. Ms. Wolfson moved to adjourn the meeting. Mr. Arrey seconded the motion, which passed at 4:40 PM with affirmative votes being cast by Mr. Arrey, Mr. Heckman, Mr. Heidl, Mr. Hinton, Mr. Holupka, Mr. Johnson, Mr. McGinnis, and Ms. Wolfson. There were no dissenting votes.

The meeting adjourned at 4:40 PM.
