

MINUTES

Baltimore County Planning Board Meeting

November 16, 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
November 16, 2023

Call to Order, Introduction of Board Members

Chairwoman Hafford called the meeting to order at 4:30 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
<ol style="list-style-type: none"> 1. Ms. Nancy Hafford, Chair 2. Mr. Peter Arrey 3. Ms. Emily Brophy 4. Ms. Beverly German 5. Mr. Mark Heckman 6. Mr. Steven Heintl 7. Mr. Shafiq Hinton 8. Mr. C. Scott Holupka, Vice Chairman 9. Mr. Derick Johnson 10. Mr. Wayne McGinnis 11. Mr. Howard Perlow 12. Ms. Cathryn Pinheiro 13. Mr. Todd Warren 14. 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. Krystle Patchak, and Ms. Courtney Rachuba, all of the Department of Planning; and Ms. Sally Nash of the Department of Permits, Approvals, and Inspections.

Review of Today’s Agenda

Ms. Patchak reported there was one change to the Tentative Agenda published November 9, 2023, which was the addition of the Electric Vehicles (EV) Charging Stations Report (Council Resolution 14-23).

Minutes of the November 2, 2023 Meeting

Chairwoman Hafford asked the Planning Board members if they had any changes to the November 2, 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. Ms. Brophy seconded the motion, which passed at 4:32 PM with affirmative votes being cast by Mr. Arrey, Ms. Brophy, Ms. German, Mr. Heckman, Mr. Heintl, Mr. Hinton, Mr. Holupka, Mr. Johnson, Mr. McGinnis, Mr. Perlow, Ms. Pinheiro, Mr. Warren, and Ms. Wolfson. There were no dissenting votes.

Item for Discussion and Vote

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

Chairwoman Hafford informed the Board that the first item on the agenda was the opportunity to further discuss and then vote on the Short Term Rentals Report, which was presented to the Board following Council Resolution 13-23. She continued that the item was first introduced to the Board on October 19th, a Public Hearing was conducted on November 2nd, and that staff from the Department of Planning and the Department of Permits, Approvals, and Inspections were present to answer any questions from the Board during the discussion and prior to the vote. Chairwoman Hafford then asked Mr. Steve Lafferty of the Department of Planning and Ms. Sally Nash of the Department of Permits, Approvals, and Inspections if they had any comments before the Board discussed.

Mr. Lafferty stated the Departments had no further comments.

With no further comments, Chairwoman Hafford opened the floor up for discussion among and questions from the Board.

Mr. Johnson questioned if there had been any responses regarding crime. Mr. Lafferty replied that he did not remember any specifics that were asked about crime, but any rental would have to abide by the Social Ordinance guidelines for noise. He noted he could follow up on that question with the Police Department.

With no further questions or comments from the Board, Chairwoman Hafford called for any amendments.

No amendments from the Board.

With no further questions or comments, Chairwoman Hafford called for a motion on the report.

Mr. Holupka moved that the Planning Board approved the Short Term Rentals Report as drafted, and recommended it be forwarded onto the County Council for further review and consideration. Mr. Arrey seconded the motion, which passed at 4:36 PM with affirmative votes being cast by Mr. Arrey, Ms. Brophy, Ms. German, Mr. Heckman, Mr. Heintz, Mr. Holupka, Mr. McGinnis, Mr. Perlow, Ms. Pinheiro, and Ms. Wolfson. Mr. Hinton, Mr. Johnson, and Mr. Warren voted against the motion.

Other Business

1. Electric Vehicles (EV) Charging Stations Report (Council Resolution 14-23)

Mr. Lafferty gave an update on the changes made to the Electric Vehicles (EV) Charging Stations Report (Council Resolution 14-23) which was voted on at the November 2nd meeting.

Ms. Brophy thanked Mr. Lafferty and moved to amend the current report that would incorporate changes to add BL (business local) to the zones that are listed that would permit level 3, as the principal use on publicly owned land and at a minimum in the following zones. Adding specific language that states that required minimum parking ratio required for all the uses within the zones would be decreased by the appropriate number of spaces, if parking spaces take up more than 1 regular size parking space. As well, as adding in year end to the 2025 requirement, that would be a minimum of 5% of all parking spaces, the capable ready, or even installed by year end 2025, and at a minimum of 20% of all spaces by 2035.

Mr. Perlow seconded the motion and wanted to note that it was very important to identify the number of spaces for bankers, because when they submit their title work, number of spaces are counted and tied to the Zoning Code. He explained that if they were to lose spots in the future, the Council would need to consider changing the zoning on those particular shopping centers.

Ms. Wolfson stated that she would argue that wouldn't work. She continued that the spaces that are dedicated to EV charging, are technically based as they would be in concurrence with gas stations. She questioned if they would be utility or parking spaces. Mr. Lafferty replied that they are parking spaces that would have a charger at the head of the space. Ms. Wolfson questioned if they would be expected to stay there for as long as their car charges, or the duration of their trip. Mr. Lafferty responded that it could be enforced by the owner of the property, and they could request to have that vehicle moved.

Mr. Hinton stated that one of the members from the Department of Planning mentioned that there was a component of percentages to be able to expand as the years go on. He mentioned building out an electrical foundation that could handle 100 spaces in the future, when right now they were asking for 5% of spaces. Mr. Lafferty stated that the way the Board approved the change, it did not make that distinction. He continued that the original report included a provision of a certain amount of EV Installed, EV Capable, and EV Ready and the levels were based on the electrical foundation that was already in place.

Chairwoman Hafford called for a vote on the motion to amend the current report. The motion passed at 4:50 PM with affirmative votes being cast by Mr. Arrey, Ms. Brophy, Ms. German, Mr. Heckman, Mr. Heintl, Mr. Hinton, Mr. Holupka, Mr. Johnson, Mr. McGinnis, Mr. Perlow, Ms. Pinheiro, and Mr. Warren. Ms. Wolfson voted against the motion.

2. Report from the November 9, 2023 meeting of the Landmarks Preservation Commission

Ms. Patchak gave a report on the major actions of the November 9, 2023 Landmarks Preservation Commission meeting.

3. Recent County Council legislation of interest to the Board:

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

- a. Bill 79-23 – Zoning Regulations – Uses Permitted – C.B. Zone – Community Building
- b. Bill 80-23 – Zoning Regulations – Community Building Use in the BL Zone

Adjournment of the Board Meeting

Chairwoman Hafford called for a motion to adjourn the meeting. Mr. Warren moved to adjourn the meeting. Mr. Johnson seconded the motion, which passed at 4:52 PM with affirmative votes being cast by Mr. Arrey, Ms. Brophy, Ms. German, Mr. Heckman, Mr. Heintl, Mr. Hinton, Mr. Holupka, Mr. Johnson, Mr. McGinnis, Mr. Perlow, Ms. Pinheiro, Mr. Warren, and Ms. Wolfson. There were no dissenting votes.

The meeting adjourned at 4:52 PM.

**Baltimore County Planning Board Public Hearing Minutes
November 16, 2023**

Call to Order, Introduction of Board Members

Chairwoman Hafford called the Public Hearing to order at 5:00 PM and welcomed everyone. A roll call to account for the members of the Board was conducted. Through the Hearing, the following members were:

Present	Absent
1. Ms. Nancy Hafford, Chair 2. Mr. Peter Arrey	1. Mr. S. Chris Haffer

<ol style="list-style-type: none"> 3. Ms. Emily Brophy 4. Ms. Beverly German 5. Mr. Mark Heckman 6. Mr. Steven Heintl 7. Mr. Shafiq Hinton 8. Mr. C. Scott Holupka, Vice Chairman 9. Mr. Derick Johnson 10. Mr. Wayne McGinnis 11. Mr. Howard Perlow 12. Ms. Cathryn Pinheiro 13. Mr. Todd Warren 14. Ms. Cathy Wolfson 	
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Attending County staff included: Mr. Steve Lafferty, Ms. Amy Mantay, Ms. Krystle Patchak, and Ms. Courtney Rachuba, all of the Department of Planning; and Ms. Jessie Bialek and Mr. Mitchell Phillips of the Department of Public Works and Transportation.

Item for Public Hearing

1. Bicycle and Pedestrian Master Plan**

Chairwoman Hafford welcomed everyone and explained that, on November 2nd, 2023, Ms. Jessie Bialek of the Department of Public Works and Transportation introduced the Bicycle and Pedestrian Master Plan, and was present to further present the Plan to the Board. She continued that, following the presentation, Board members would have the opportunity to ask questions, and then members of the public would have the chance to speak. She then welcomed Ms. Bialek.

Ms. Bialek introduced herself as the Bicycle and Pedestrian Planner from the Department of Public Works and Transportation. She began her presentation with some background information on Baltimore County’s planning of bicycle and pedestrian infrastructure, which began with the 2010 Master Plan. The current proposed plan provided updates to the Eastern Pedestrian and Bicycle Access Plan from 2006 and the Western Pedestrian and Bicycle Access Plan from 2012. The new plan, which would include areas outside the URDL, reflected the changing development patterns and increased enthusiasm around active transportation in the County. Ms. Bialek discussed that the plan served as a guiding document and showed the most impactful locations to implement future bicycle and pedestrian infrastructure. She mentioned that it identified policies and physical barriers to complete streets and active transportation, provided new policies, and delivered prioritized bike and pedestrian improvement projects for the County. Continuing on, she explained the Plans framework which had been broken down into sequential steps. These steps were to establish Plan vision and goals; document existing conditions; identify roles and responsibilities of key partners to implementation; and to prioritize recommendations.

Ms. Bialek noted that, throughout the planning process, input had been collected from community members and stakeholders around the County, and was crucial in developing the Plan’s vision and goals. She then discussed the goals of increasing safety; ensuring equity; expanding access and connectivity; enhancing public health; protecting the environment; collaborating with partners; and creating economic growth. Continuing on, she described the existing conditions throughout the County, which included maps of existing bicycle facilities and previously proposed bicycle facilities, compared to Baltimore City’s existing bicycle facilities. She then presented maps of existing and proposed shared use paths, and pedestrian facilities. Ms. Bialek then explained that DPWT used a network approach to enhance the overall goals; it took into account the existing conditions analysis and public engagement efforts, which

led to the network draft being aimed to recommend connected, comprehensive, and low-stress facilities for people of all ages and abilities. She described the demand analysis that would help the County identify areas of potential demand for active transportation. She noted that the demand inputs used were often expressed as where people lived, worked, played, shopped, learned, accessed community services, and where people used transit services. She then explained that the composite demand score would summarize the geographic distribution of active transportation demand within Baltimore County.

Continuing on, Ms. Bialek presented the equity analysis which provided the County knowledge of disadvantaged populations that did not have access to convenient, safe, and affordable means of transportation. She noted that locating the concentrations of disadvantaged populations could be the first step in the identification and prioritization of the mentioned needs. She described the equity inputs that were used in the analysis which included; children under the age of eighteen, race, income, commute, linguistic isolation, senior citizens, and educational attainment. Ms. Bialek then explained the network categories, which included trails, complete streets, on-road bikeways, and long-term projects, in concurrence with a map of Baltimore County complete streets, on-road bike ways, paved shared use paths, and unpaved shared use paths. She discussed the recommendations for Baltimore County, which included about 119 miles of shared use paths, 70 miles of on-road bikeways, 33 miles of complete streets, and 256 miles of long-term projects. She described the goals of the recommended on-road bikeway network was to provide connected and accessible biking options for users of all ages and abilities. She noted that having a connected network with appropriate bicycle facilities was a critical part of achieving the Plan's vision of a safe, low stress network.

Ms. Bialek moved on to facility selection and discussed that there were many types of bike facilities; and due to the variety of contexts throughout Baltimore County, the proposed network identified where on-road bikeways should be prioritized, but it did not provide specific facility recommendations. She noted that facility selection should only occur during the design of the project. Continuing on, she discussed bikeway and trail prioritization, which included inputs such as regional connectivity, intersect with high equity area, intersect with high demand area, and number of bicycle and pedestrian crashes. She referenced a map of existing on street bicycle facilities in Baltimore City and existing shared use paths in Baltimore County, along with the recommended bicycle and trail phasing, that were listed as tier 1: 47 miles (high priority), tier 2: 244 miles (medium priority), and tier 3: 110 miles (low priority). Continuing on, Ms. Bialek explained the complete street prioritization which included, regional connectivity, intersect with high equity area, intersect with high demand area, number of bicycle and pedestrian crashes. She discussed that complete streets allowed for spaces for pedestrians, bikes, cars, mass transit, shared mobility, and refuge. This also included tiers, listed as tier 1: 31 miles, tier 2: 74 miles, and tier 3: 10 miles. Moving on, she explained pedestrian priority areas, noting that sidewalks were a key feature of walkable communities. She discussed that the portion of the Plan presented a process for sidewalk and spot improvements within the County, by identifying pedestrian priority areas, recommendations by priority tier, and recommendations on pedestrian facilities. She continued that pedestrian priority areas highlighted opportunities for sidewalk and spot improvements in the County, and additional analysis, site planning, and policy revisions were needed to develop and prioritize project lists. She then shared the implementation plans for each goal, which were listed starting from most important, to least important. She made note of the area's current projects, which are available in the report. She finished her presentation with the next steps needed for the Plan, which included the approval from the Planning Board, and the adoption by the County Council. Ms. Bialek thanked the Board for their time, and stated she was available for questions.

Chairwoman Hafford thanked Ms. Bialek for her presentation and opened up the floor for questions from the Board.

Mr. Johnson questioned if every district had a project for a bike lane. Ms. Bialek replied yes, every district included projects. Mr. Johnson asked how could they differentiate which areas needed the projects more than others. Ms. Bialek responded that the Demand Analysis that was conducted provided them with that information. She continued that the information from the Demand Analysis was how they tiered the projects from high to low. She noted that if an area had a need for more equitable transportation, but lacked the infrastructure, that area was listed as a higher priority.

Mr. Holupka mentioned that there was a lot of discussion on bike lanes being needed throughout the County, but wanted to know the area of sidewalks that were needed. He gave an example that kids should be able to walk to school if there is no option for transportation. Ms. Bialek confirmed that part of the pedestrian priority areas in the Demand Analysis included which areas had less sidewalks than others. She noted that she did not have a list of every sidewalk in Baltimore County.

Ms. Brophy stated this was meant to update two different master plans, one from the Eastern Sector and one from the Western Sector from 2006 and 2012, and wanted to understand how it would roll into the Master Plan 2030. She continued asking if the priority tiers in the Plan were supposed to match the redevelopment priority nodes in the Master Plan. Ms. Bialek stated it was its own living document, but all departments work together for the implementation of the Plans. She explained that as they reviewed development, they returned to the Plan to make sure those two things worked together. Ms. Brophy wanted to confirm that if the Plan was its own living document, it would also have its own cycle of updating. Ms. Bialek confirmed yes, it would be constantly updated. She noted the text may not be updated, but the GIS data and network connections would be changing. She noted the average Plan update was just like the Master Plan, about every ten years.

Mr. Warren stated that during the last presentation, he asked about the Security Square Mall area, but there was no update in the Plan. Ms. Bialek responded that it was not a part of the original Master Plan and was a new development. Mr. Warren questioned if it could be added to the Plan. Ms. Bialek stated she was unsure it could be added, but would be interested in seeing the proposal.

Mr. Arrey asked if Ms. Bialek had visited the Baltimore City bike lanes, and noted that their bike lanes were unacceptable. He questioned what the County would do differently. Ms. Bialek mentioned that Baltimore County was a suburban County and they were looking into issues similar to Baltimore City. She explained that if there was on-street parking, it would be a shared lane instead of removing the entire car lane altogether. She noted that they were trying to incorporate everyone's needs.

Mr. Johnson asked Ms. Bialek how confident she was in the analysis that was performed, in meeting the needs of the County. Ms. Bialek replied she was very confident. She continued that they used Census data and any other data that was available to them. She noted that the information was located in the appendices for anyone to review. Mr. Johnson question if it was based in other jurisdictions or was it just based in Baltimore County. Ms. Bialek replied that they do look at other jurisdictions, and they meet monthly with surrounding jurisdictions to talk about bicycle and pedestrian infrastructure planning, but the main goal was what was best for Baltimore County and its residents.

Mr. Hinton stated he was trying to understand the visual better and referenced a quote that referenced Joppa Road, stating that narrowing the road and putting up protective bike lanes would do wonders for safety. He replied that while true, how would that be possible. Ms. Bialek responded that even though a road was included in the Plan, the Department would still have to complete traffic analyses that look at the counts, speeds, and how it would negatively impact traffic flow, before making any decisions.

Mr. Holupka mentioned that one of the challenges were that many of the roads in Baltimore County were State roads, and the County's ability to complete projects on those roads, were limited. Ms. Bialek replied

that the Department had no ability for any projects on those roads. Mr. Holupka questioned if other jurisdictions had the same issue. Ms. Bialek confirmed that Queen Anne's County had some success in working with the State, and the Department was researching ways to have a better partnership with the State.

Mr. Arrey asked what was the percentage of Baltimore County residents that ride bicycles. Ms. Bialek discussed there was no specific research on that data, but guessed it would be about 2% for bicycle work commuters, and 40% for recreationally bicycling.

With no further questions and comments, Chairwoman Hafford began calling on any speakers who signed up to speak.

Mr. Lee Paddock of Towson stated he moved to the area about a year ago from Bethesda where he had biked over 1000 miles of protected trails. He stated that his biking abilities had diminished to 200 miles in 2023, as he did not bike anywhere but protected lands. He mentioned that trails were the number one priority and while protected lanes were important, bikers would not ride in heavily trafficked areas. He discussed that concrete parking barriers, or poles like in Washington D.C. would be beneficial to prevent cars from driving in the lanes. Mr. Paddock noted that repairing of trails should be included in the Plan and that connecting Towson to the NRC Trail needed to be a priority. He concluded that the main goal should be zero crashes, especially in protected lanes.

Mr. James Pizzuro of Towson, Treasurer of his HOA, member of the Strong Towns of Baltimore, and graduate of the County's Community Planning Institute, spoke in favor of the Plan. He discussed the Plan would be the first step in addressing the systemic problems with the Counties insufficient bike and pedestrian infrastructure. He explained that residents relied on driving to their destinations not because they were lazy, but because navigating the present built environment was often unsafe and inconvenient. He continued that biking and walking was not for everyone, but the Plan would aid in the reduction of injuries and fatalities; and could assist with making residents healthier, improve air quality, and stimulate more sustainable growth. He discussed that he was disappointed by the County's failures to implement quick build projects that would allow experimentation with safety interventions that could ultimately inform longer term and more expansive projects outlined in the Plan. Mr. Pizzuro gave examples of stripe bump outs with flex posts, concrete bump outs with bollards, and planted medians. He concluded by stating that if the County was serious about achieving their goals responsibly, residents needed to start feeling more comfortable navigating the County on foot and by bike.

There were no additional speakers.

Mr. Heckman stated he agreed with the other Board members that the Plan was drafted and sent out for comments last year, and that could be the reason Security Square Mall was not included. He continued that it was a major development and wondered why it had not been coordinated with the Master Plan 2030, to build more walkable communities less dependent on cars. He noted that he understood it was a separate function, but it did work towards the same goal. He questioned why the State roads were not in the Master Plan and referenced letters sent to the Board from the communities. One of the comments were about why the State roads were not included in the Master Plan. He discussed other counties included State roads because it was in their Vision. When they worked with the State Highway Administration on community concerns and needs, they were able to revert back to the Plan to incentivize the State to work on what the community wanted. He continued other comments from the public were in regards to checking the progress, and there was a recommendation to check every five years, and maybe that should be adjusted. Ms. Bialek replied that there must have been a misunderstanding because the Department planned on putting out yearly statistics.

Mr. Arrey asked if Ms. Bialek could make sure the Plan was coordinated with the Master Plan. Ms. Bialek confirmed that was the goal.

Mr. Hinton questioned if there was a part of the Plan that would include repairing the trails. Ms. Bialek replied that having a maintenance plan was necessary, but at the moment there was no infrastructure so it was not considered a priority. She continued that the Department of Natural Resources or the Department of Recreation and Parks owned and monitored the parks and trails. She noted that there would also be a need for maintenance money.

Mr. Lafferty stated that the NCR trail was owned by the State and spoke towards trying to improve County and State coordination. He continued that if the County Council adopts the Plan, it would become an amendment to the Master Plan 2020, because that was presently the only adopted Plan. Upon adoption of the Master Plan 2030, it would roll into and become an amendment to the Master Plan. He mentioned that whether it was fully integrated sufficiently would need to be addressed. We would use for future development reviews and well as other community plans.

With no speakers and no additional questions from the Board, Chairwoman Hafford thanked everyone for their attendance. She advised that the Board’s vote on the matter was tentatively scheduled for the next Board meeting on January 4th, 2024.

Mr. Lafferty wanted to thank the Board for all their hard work this year, and appreciated their commitment.

Adjournment of the Public Hearing

Chairwoman Hafford called for a motion to adjourn the Public Hearing. Mr. Heckman moved to adjourn the Public Hearing. Mr. Warren seconded the motion, which passed at 5:34 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, Mr. Perlow, Ms. Pinheiro, Mr. Warren, and Ms. Wolfson. There were no dissenting votes.

The Public Hearing adjourned at 5:34 PM.
